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# **The development and Year One Implementation of the Local Justice Reinvestment Pilot**

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The Hallam Centre for Community Justice at Sheffield Hallam University is a dynamic research-driven centre that exists to stimulate and produce high-quality knowledge, understanding and networking in the field of crime reduction, community and criminal justice through the linked provision of information exchange, networking, professional development, consultancy, evaluation and research. The Centre has a broad range of experience and expertise which effectively combines academic, professional, managerial, administrative, knowledge management and research skills. Senior researchers have previously been practitioners and managers in the voluntary and private sector, youth justice services, probation and prisons.

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# 1. Summary

The Local Justice Reinvestment (LJR) Pilot is testing the extent to which local partners in six pilot sites can be incentivised to work together more effectively to tackle crime and reduce reoffending. These partners receive a financial reward if they reduce adult demand on criminal justice services by 5% or more and youth demand by 10% or more in each of the two test years (July 2011 – June 2012, July 2012 – June 2013) measured against the baseline period (July 2010 – June 2011). The pilot sites are Greater Manchester<sup>1</sup> and the London boroughs of Croydon, Hackney, Lambeth, Lewisham and Southwark; covering adult and youth criminal justice systems in all sites except Hackney.<sup>2</sup> This report focuses on the initial findings from a process evaluation of the LJR pilot (commissioned by the MoJ) and examines the early development and implementation of the pilot in the first test year. The methodology was primarily qualitative and included: interviews with strategic and operational managers; interviews and focus groups with front line staff; workshops to map partnership and criminal justice system (CJS) changes and a focus on exemplar interventions at three sites.

## What actions did local partners take?

The sites responded to LJR in different ways and to varying degrees, with evidence of a greater response in Greater Manchester compared to some London sites in terms of investing in new approaches to managing offenders.

In Greater Manchester these changes involved criminal justice system redesign, based on a portfolio of interventions and processes focused at the point of arrest, sentence and release from prison. In London LJR was perceived to have driven the introduction of new interventions in some sites while in others there was less evidence of this and a greater reliance on using existing interventions and processes (principally Integrated Offender Management) as a vehicle for delivering LJR.

There is evidence that LJR enhanced partnership working, spurred the development of new commissioning and service delivery models (Greater Manchester, Lewisham and Croydon) and provided some focus for reviewing approaches to reducing reoffending in the other sites.

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<sup>1</sup> The local authorities of: Manchester, Salford, Trafford, Tameside, Stockport, Wigan, Oldham, Rochdale, Bury, Bolton.

<sup>2</sup> The pilot only covers the adult system as Hackney is also part of the Youth Justice Reinvestment Pathfinder.

### **What were the perceived strengths and weaknesses of the project as implemented?**

A variety of stakeholders across all the pilot sites stated that the pilot provided insufficient incentives to encourage local agencies to make significant investments in reducing demand and/or make substantial changes to practice (that were not already in train) due to: the reward payment structure; the lack of financial risk; the low level of expectation of achieving a significant reward payment; and the complexity of the metrics.

Interviews across the pilot sites suggest that a greater consistency between the aims of the pilot and local priorities beyond those directly relating to the CJS may facilitate the success of the LJR approach. A lack of understanding of how the aims of the LJR pilot fitted in with other priorities aimed at reducing re-offending was perceived by the London sites to be a barrier to engaging stakeholders, including front line staff. By contrast, in Greater Manchester strategic managers provided an overarching strategic narrative that was seen to help stakeholders buy in to the pilot.

Despite the perceived weakness of the LJR incentives, there was evidence that the flexibility to develop local approaches to reducing reoffending (as tested by this pilot and offered more generally by PbR commissioning) led to innovation<sup>3</sup> in some sites, although in others there was limited change or little innovation. For example, while Greater Manchester adopted performance management as a strategic and operational imperative (particularly to inform cost-effective commissioning of services), the London sites undertook limited or no performance management activity (in relation to the outcome metrics) and there was little investment in learning from what they had implemented.

The limited availability of robust research evidence and cost–benefit analysis to inform the local sites choice of LJR interventions and approaches was a barrier to LJR implementation. However, one site (Greater Manchester) adopted a pragmatic approach – making use of the best evidence available and committing to evaluating the effectiveness of promising interventions.

Compared to the London sites, the pilot in Greater Manchester benefited from being implemented across a geographical area that provided coterminosity between the key criminal justice agencies such as police, probation, courts and the local criminal justice board. Its implementation was also facilitated through senior-level commitment and buy-in

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<sup>3</sup> As proposed in *Breaking the Cycle: Effective punishment, rehabilitation and sentencing of offenders*, MoJ (2010).



and it was able to draw on expertise in data analysis and cost–benefit analysis from these organisations and countywide local authority organisations. Also, given the size of area and offender population, it had the potential to roll out the delivery of services (assessed as cost-effective) at a scale that offered the potential to deliver financial savings. However, implementation across such a wide area also required sufficient investment to ensure continuity, coordination and engagement across local authority areas, public, private and voluntary sector providers.

Resourcing was a barrier across all the pilot sites. The pilot was implemented against a backdrop of significant reductions in public sector expenditure and continuing restrictions on the way in which funding could be used – which limited the sites’ capacity to invest or risk investing in new services.

External events (such as the civil disturbances in August 2011 and the Olympics) and a rapidly changing policy context meant that some local stakeholders were unable to focus fully on the pilot. Other initiatives (such as the Whole Place Community Budgets (CB) Pilot in Greater Manchester) were viewed as facilitating implementation of the pilot.

#### **What lessons can be learned from the evaluation to date?**

- *Reinforcing incentives* – commissioners may need to consider: a penalty mechanism combined with reward payments; upfront funding; and an ‘easy to understand’ outcome measure (as ways to strengthen incentives and to encourage local agencies to make substantial practice changes). In addition, mechanisms need to be in place to mitigate the impact of exceptional external events.
- *Strategic leadership and communicating aims* – effective implementation of PbR/Justice Reinvestment schemes in the community needs strategic managers to communicate a vision which enables staff across agencies and at all levels to understand the aim of Justice Reinvestment and how services commissioned in response connect to wider local priorities.
- *Performance management* – assumptions cannot be made about the desire, capacity and capability of local agencies to manage their performance effectively and to learn from what they do. Commissioners may need to prescribe a minimum level of performance management and may need to support local agencies to build their capacity and capability to monitor and interpret data effectively.

- *Evidence* – local agencies need to use the best evidence available when commissioning interventions. The adoption of a portfolio approach, which allows different levels of risk to be applied to different interventions, depending on the extent and quality of the evidence available around impact and cost-effectiveness, could help achieve better value for money when commissioning services. Where feasible, interventions should complement rather than compete with each other in terms of what they are aiming to achieve. In addition, Government departments and local agencies may wish to support the development of a database/repository of robust research evidence to inform commissioning.
- *Geographical scale* – commissioning groupings of local authorities which are coterminous with police forces, police and crime and commissioners, probation trusts and court structures may facilitate implementation of a Justice Reinvestment approach and provide the potential to facilitate scalable services which could potentially deliver financial savings locally.

## 2. Introduction

The Local Justice Reinvestment (LJR) Pilot is part of the Ministry of Justice (MoJ) commitment to test new approaches to criminal justice through payment by results (PbR) commissioning. The LJR pilot started in July 2011. The pilot sites are Greater Manchester<sup>4</sup> and the London boroughs of Croydon, Hackney, Lambeth, Lewisham and Southwark; covering adult and youth criminal justice systems (CJS) in all sites except Hackney.<sup>5</sup>

Since the pilot was introduced MoJ has accelerated plans to roll out payment by results at scale across the offender management system by 2015 as part of a commitment to introduce a 'Rehabilitation Revolution'. In January 2013 it launched a consultation on proposals to transform the way in which offenders are rehabilitated in the community through a new focus on life management and mentoring support for offenders. *Transforming Rehabilitation: A revolution in the way we manage offenders* (Ministry of Justice, 2013) sets out plans to open up rehabilitative services to a wide range of new providers in the private and voluntary sectors who will be paid by results to drive down reoffending.<sup>6</sup> The MoJ response to the consultation was published in May 2013.<sup>7</sup>

### Policy context

Interest in Justice Reinvestment – which seeks to direct criminal justice resources towards evidence-based, cost-effective approaches to reducing crime and recidivism – has grown in the UK over recent years. The House of Commons Justice Committee endorsed this approach in their 2010 report.<sup>8</sup> The development of the LJR pilot at the sites was preceded and informed by other initiatives that aimed to test out a Justice Reinvestment approach in the UK and United States. These included the Diamond Initiative<sup>9</sup> (Dawson *et al*, 2011) in the five LJR London sites. This was a resettlement scheme for short-term prisoners (sentenced to less than 12 months) based on the 'million dollar blocks'<sup>10</sup> Justice Reinvestment approach developed in the US (Tucker and Cadora, 2003). In Lewisham, Greater Manchester and Croydon, the development of LJR was informed by 'Total Place' and 'Transforming Justice', which tested holistic approaches to criminal justice interventions. In Greater Manchester the

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<sup>4</sup> The local authorities of: Manchester, Salford, Trafford, Tameside, Stockport, Wigan, Oldham, Rochdale, Bury, Bolton.

<sup>5</sup> The pilot only covers the adult system, as Hackney is also part of the Youth Justice Reinvestment Pathfinder.

<sup>6</sup> The consultation closed on 22 February 2013.

<sup>7</sup> <https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation>

<sup>8</sup> Justice Committee (2010) *Cutting crime: the case for justice reinvestment* London: The Stationary Office Limited.

<sup>9</sup> An initiative which ran from 2009 to 2011 which aimed to resettle short-term prisoners returning to the London Boroughs of Croydon, Hackney, Haringey, Lambeth, Lewisham, Southwark.

approach to LJR was also informed by the value for money modelling approach to Justice Reinvestment developed by Aos and Drake (2010). This used evidence and cost–benefit analysis to develop portfolios of CJS interventions that are ranked according to their relative cost-effectiveness.

Multi-agency working at a local level to tackle crime and offending, a central premise of the LJR pilot, is already a long-established practice. This has been mandated by legislation since the Crime and Disorder Act 1998, which required that local agencies establish crime and disorder reduction partnerships. From April 2010 community safety partnerships (the renamed crime and disorder reduction partnerships) acquired a new duty to formulate and implement a strategy to reduce reoffending by adult and young offenders. The LJR pilot was intended to build on existing multi-agency working by placing a specific focus on encouraging the development of more efficient and cost-effective criminal justice service delivery, acknowledging that there may be barriers to this. The pilot was based on the hypothesis that giving local partners a financial reward for reducing the demand placed on criminal justice services, such as courts, prison places and probation services, will provide them with an incentive to identify and address those barriers.

The LJR pilot is arguably the first time that a Justice Reinvestment scheme on this scale has been tested in the UK (Fox *et al*, forthcoming).<sup>11</sup> It tests a form of Justice Reinvestment that provides sites that reduce demand against an agreed baseline with a reward payment to reinvest in reducing reoffending. Unlike previous initiatives, such as the Intensive Alternatives to Custody pilot, which followed a prescribed model (as detailed by Wong *et al*, 2012a), the LJR pilot is free from centralised prescription. The local partners are free to implement plans to reduce crime and reoffending, targeting their resources on specific groups of offenders in line with local priorities and crime patterns.

### **The Local Justice Reinvestment model**

The aim of the pilot is to test the premise that there are significant potential reductions in crime and offending to be made by partners working more effectively together at the local level. The LJR model differs from the other reoffending payment by results pilots in that:

- the site is rewarded if demand on the criminal justice system, rather than reoffending, falls; and

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<sup>10</sup> A phrase coined by Tucker and Cadora to demonstrate that some communities in the United States were spending up to a million dollars per block to ‘recycle’ residents back and forth from prison each year.

<sup>11</sup> Fox, Albertson and Wong have reviewed the history of justice reinvestment in the UK in their forthcoming book ‘Justice Reinvestment – can the criminal justice system deliver more for less?’

- the estimated savings that this demand reduction creates for the Ministry of Justice are shared between the local partners involved to reinvest in reducing reoffending and crime locally.

Demand was measured across the baseline year (July 2010 – June 2011), and is being subsequently measured across two consecutive one-year periods (July 2011 – June 2012 and July 2012 – June 2013).

If demand falls beyond a certain threshold: 5% for adults and 10% for youths, up to a maximum of 20%, in either of the two measurement years compared to the baseline, local partners will receive a reward payment. The payment thresholds and conditions are set to reduce the risk of deadweight, i.e. paying for reductions that would occur anyway; for example due to general reductions in crime that may occur irrespective of actions taken by local agencies. Outcomes for the LJR pilot are measured by using a range of data on demand on the CJS in each of the sites. A total cost to MoJ generated by different sources of demand on the CJS for each of the sites is calculated by multiplying the agreed demand metrics by an agreed price per metric. Prices were set based on what Ministry of Justice agencies agreed were the potential financial savings from a reduction in the metrics.<sup>12</sup> The metrics covered include:

- Under 12-month adult custodial convictions and custody months from those convictions, community orders, suspended sentence orders, other convictions (non-custody and non-court order convictions) in magistrates courts, and a range of probation requirements (*‘Accredited programme’*; *‘Unpaid work’*; *‘Drug treatment’*; *‘Supervision’*; *‘Specified activity’*; *‘Mental health’*; *‘Alcohol treatment’*; *‘Residence’*; *‘Curfew’*; *‘Exclusion’*; *‘Prohibited activity’*, and *‘Attendance centre’*).
- Youth metrics are volume of: under 24-month custodial convictions and custody months from those convictions, community orders, and other convictions in magistrates courts.

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<sup>12</sup> Full details of the metrics and prices can be accessed at: <http://www.justice.gov.uk/information-access-rights/transparency-data/justice-reinvestment-pilots-first-year-results>

### Process evaluation of the pilot sites

This Interim Report presents initial research findings from a process evaluation of the LJR pilot and draws largely on fieldwork covering the development and implementation periods of the pilot. The evaluation was commissioned by MoJ to provide answers to the following research questions:

1. What actions did local partners take to reduce crime, reoffending and demand on the criminal justice system, and why?
2. (How) Did the actions of local partners contribute to better criminal justice system outcomes (including reduced first-time offending, reoffending and criminal justice system demand)?
3. What were the perceived strengths and weaknesses of the project as implemented?
4. Were there any unintended consequences/impacts on other parts of the criminal justice system and/or crime in the area (or neighbouring areas), and/or were any perverse incentives created?
5. What lessons can be learned to inform the development of policy in relation to payment by results, local commissioning of services and reducing reoffending, and what are the implications for policy?

This Interim Report focuses on answering questions 1, 3 and 5. Questions 2 and 4 are not covered in this report and will be addressed in more detail as part of the final phase of the research.

### 3. Methodology

The methodology for this process evaluation is primarily qualitative (using interviews, focus groups and workshops). Agencies that participated included: MoJ, National Offender Management Service (NOMS) and Home Office; local authorities (including community safety managers); probation; police; sentencers and court staff; local criminal justice board (LCJB); Crown Prosecution Service (CPS); voluntary and community sector (VCS); prisons; and youth offending teams (YOTs). Research participants included: chief officers, strategic managers, operational managers and front line staff involved in the pilot. Fieldwork was conducted between November 2011 and February 2012 (Phase One) and between July and November 2012 (Phase Two) across all six sites. A summary of the methodology is included in this section, with full details contained in Appendix 1.

The research team reviewed documentation from the Ministry of Justice (MoJ) and the sites. This included MoJ reports, local business plans, project budgets and committee reports from the sites.

Purposive samples of stakeholders who participated in the research were obtained through consultation with the sites, MoJ and NOMS. Fieldwork was undertaken across all six sites in Phase One and Phase Two to provide an overview of the implementation of the pilot. Additional fieldwork was undertaken in Phase Two in three case study sites: Greater Manchester, Croydon and Lewisham, involving front line staff, magistrates and magistrates' court staff, to provide a more in-depth examination of the implementation of the pilot. The case study sites were chosen by MoJ, NOMS and the research team based on the results of fieldwork in Phase One (details of criteria in Appendix 1). A further level of implementation detail was obtained through an examination of an LJR example intervention chosen by each of the case study sites.

The research team conducted 114 interviews (by telephone and face to face) across the sites during Phase One and Phase Two of the evaluation:

- 13 interviews with policy and programme officers from MoJ, NOMS and the Home Office.
- 26 interviews with local government representatives; these included local authority deputy chief executives, community safety managers and representatives from the Mayor of London's Office for Policing and Crime.

- 26 interviews with probation representatives; these included senior level probation officers, probation managers, research managers and researchers.
- 9 interviews with police officers; these including a senior ACPO level officer, superintendents and chief inspectors.
- 9 interviews involving magistrates and magistrates' court staff.
- 6 interviews involving managers from local criminal justice boards and crown prosecution staff.
- 14 interviews with managers from VCS agencies.
- 6 interviews with governor grade staff from prisons.
- 5 interviews with youth justice managers including YOT team managers.

The research team also conducted further interviews (telephone and face to face) and focus groups across the chosen case study sites with 22 front line staff from: police, probation, YOTs and VCS agencies.

In addition, the following activities were undertaken:

- 2 modelling workshops, one in Greater Manchester and one in London to collect data on the theory of change developed at the sites for the delivery of the pilot.
- 4 validation workshops, one undertaken in Greater Manchester and one in London at the end of each phase of fieldwork to sense-check initial findings with representatives from the sites.
- 5 mapping workshops, which involved 32 agency representatives – one for each site (excluding Hackney, where the research team were unsuccessful in convening a workshop).
- 3 example intervention workshops (at the case study sites) – these focused on a detailed exploration of an intervention chosen by the case study site for more detailed exploration.

The findings in this report are qualitative in nature, based on the views of participants, triangulated with documentary evidence and criminal justice data. As indicated in the introductory section, the data collected in Phase One and Two of the evaluation have enabled the research team to provide answers to research questions 1, 3 and 5 detailed above. Where appropriate, summary information about the example interventions has been included, thereby highlighting specific learning from the case study sites. It was outside the scope of this evaluation to quantitatively test the impact of the pilot on crime, reoffending and CJS demand.



Sampling of interview, focus group and workshop participants was purposive and aimed to reflect the range of agencies involved in implementing and supporting the implementation of the LJR pilots. As a minimum, across all the sites police, probation and local authority (except in Hackney) representatives provided input. The number of participants from Greater Manchester was higher than the other sites, reflecting the size of the site. As with all qualitative research, the data gathered were dependent on the availability and the willingness of individuals to participate. Therefore those who participated may have been self-selecting with respect to participation in the fieldwork and, as a consequence, more positive (or negative) about their experience of the pilot. In some instances the small sample of some stakeholders (restricted to the case study sites due to resource constraints), may have captured only limited experiences,

A glossary of acronyms used in this report is provided at the end of the report.

## **4. What action did local partners take in response to the incentives created by the pilot?**

The ‘additionality’ of interventions, i.e. the extent to which they were implemented as a result of the pilot itself, was explored in interviews with local managers involved in implementing LJR. Based on this, activities undertaken across the pilot have been categorised in the following way: whether they are new interventions (as a response to the pilot); interventions accelerated as a result of the pilot; or interventions that commenced before the pilot but have continued because they were regarded by local agencies as effective in reducing reoffending and contributing to the outcome measure.

### **4.1 Practice changes in Greater Manchester**

Agencies in Greater Manchester (GM) devised a framework for CJS redesign.<sup>13</sup> This aimed to reduce demand by diverting individuals from the CJS and/or into other services at key transition points within the CJS: arrest, sentence, release (for adults and youth), and the transition between youth and adult systems. This in part mirrors the system-based reduction approach to Justice Reinvestment proposed by La Vigne et al (2010) in the United States.

Interventions and processes brought under the umbrella of the pilot for adults are summarised in Table 4.1. This shows that the number of new interventions introduced in response to LJR has focused primarily at the point of arrest, with women’s attendance centres operating at the point of sentence.

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<sup>13</sup> A model of Justice Reinvestment defined by Fox et al (forthcoming) as part of a continuum of approaches to Justice Reinvestment implemented in the UK and US.

**Table 4.1: Summary of Greater Manchester interventions and processes for adults**

A new intervention due to the pilot	Was going to happen but accelerated by the pilot	Predated the pilot but a vehicle for delivering LJR
<ul style="list-style-type: none"> <li>• Conditional cautioning for drugs and alcohol in Oldham.</li> <li>• Conditional cautioning for adult female offenders piloted in a neighbourhood in Manchester.</li> <li>• Women’s custody triage.</li> <li>• Review and implementation of out-of-court disposals including restorative justice across Greater Manchester via the police.</li> <li>• Neighbourhood Justice Panels (also prompted by the MoJ testing scheme) in seven local authorities.</li> <li>• Women’s attendance centre in two local authorities.</li> </ul>	<ul style="list-style-type: none"> <li>• Community Justice Panel piloted in one neighbourhood in Stockport.</li> <li>• Probation Trust service redesign and effective proposals framework.</li> <li>• IAC in Trafford.</li> <li>• Peer mentors.</li> </ul>	<ul style="list-style-type: none"> <li>• Community Payback partnerships – multi-agency coordinated offender reparation arrangements.</li> <li>• Intensive Alternatives to Custody (IAC) for adults in Manchester and Salford.</li> <li>• IAC employment mentors in Manchester and Salford.</li> <li>• Integrated Offender Management (IOM) across all 10 local authorities.</li> <li>• IOM Act Family in one authority.</li> <li>• Problem solving court in one authority.</li> <li>• ACHIEVE – employment project.</li> <li>• Health Trainers in three local authorities.</li> <li>• Mentally disordered offender diversion panels across ten authorities.</li> <li>• Mental health targeted services court in one authority.</li> <li>• Women’s centres in seven authorities.</li> <li>• Women’s only specified activity.</li> <li>• Circles of accountability.</li> </ul>

A variety of interventions were in place in Greater Manchester for young offenders. Examples include youth custody triage, restorative justice and prevention and pre-court work for young people at risk. The general view expressed by youth justice staff interviewed was that the LJR pilot had not directly driven the implementation of any new youth justice activities. Nevertheless, it was suggested that the pilot had provided an opportunity for YOTs to ‘look at how can we work more effectively, create efficiencies through thinking more creatively and particularly around collaboration across the region’ (YOT manager).

During the second half of the Test Year One, the CJS system redesign approach was adjusted to incorporate a focus on three offender cohorts: female offenders; young offenders aged 16–21; and offenders being managed under IOM arrangements. Interviewees indicated that this change was influenced by work conducted under the Greater Manchester Community Budget pilot.<sup>14</sup>

## 4.2 Partnership changes in Greater Manchester

Interview and workshop data indicated that the pilot had precipitated the following changes to partnership working across Greater Manchester:

- **Strategic working across Greater Manchester** – Agencies established a dedicated executive board to oversee the pilot. This was chaired by the Chief Constable with representation at a senior level from the police, probation, courts, CPS, some local authorities and the VCS. Interview data indicated that the executive board established good links with the Association of Greater Manchester Authorities (AGMA) and the Greater Manchester Combined Authority. In addition it had a key role in overseeing the development of the criminal justice part of the Greater Manchester Community Budget Pilot.
- **Using cost–benefit analysis in commissioning** – This was supported by the provision of data and analytical capability supplied by police; probation; Association of Greater Manchester Authorities (AGMA); local authorities, LCJB; YOTs; and VCS agencies.
- **Community safety partnership (CSP) involvement** – In some local authorities, the transition points framework adopted by the pilot was replicated through local reducing reoffending strategies overseen by community safety partnerships. Pilot staff and community safety managers acknowledged that regular contact between the pilot and community safety partnerships had been limited due to resource constraints.
- **Improved criminal justice data collection, coordination and analysis** – through a dedicated data and design group comprising: the police; probation; AGMA; New Economy;<sup>15</sup> NOMS; local authorities, LCJB; YOTs and VCS agencies.

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<sup>14</sup> The Whole Place Community Budget pilot in Greater Manchester aimed to deliver effective joint investment between local agencies to reduce dependency and support growth. The pilot focussed on developing joint investment proposals in four thematic areas: early years; transforming criminal justice; troubled families; and health and social care.

<sup>15</sup> New Economy is a wholly owned company of the Greater Manchester Combined Authority that works with all ten Greater Manchester local authorities, the Greater Manchester Local Enterprise Partnership, and private and public sector partners.

- **Developing a market of CJS provider agencies** (across public, private and voluntary sectors) capable of up-scaling interventions to deliver potential savings identified through cost–benefit analysis.
- **Involvement of VCS infra-structure organisation** – with the VCS represented on the executive board and taking the lead on the development of ‘point of release’ interventions.

### 4.3 Practice changes in the London sites

Across the five London sites, the principal intervention for delivering LJR has been Integrated Offender Management (IOM),<sup>16</sup> targeting adult offenders most at risk of reoffending including: priority and other prolific offenders (PPOs), Drug Intervention Programme (DIP) clients and short-sentenced prisoners. Limited attention was paid to targeting interventions/processes at young offenders. The development of IOM ran in parallel to LJR (rather than having LJR as a driver), although in some sites LJR was thought to have accelerated the implementation of IOM.<sup>17</sup> In some sites IOM predated the pilot. In others it was launched in line with the LJR timeframe. This is detailed in Table 4.2, along with an assessment of the additionality of the interventions provided by managers involved in implementing the pilot.

**Table 4.2: Summary of IOM and other interventions delivered across the five London sites**

<b>Site and Intervention</b>	<b>A new intervention due to the pilot</b>	<b>Was happening before Local JR and has continued</b>	<b>Was going to happen anyway but deemed to support the aims of Local JR pilot by focusing on reduced reoffending</b>
Lewisham – Offender Management PbR model (delivered by a VCS agency)	Yes		
Southwark IOM – RADAR <sup>18</sup>	No		A decision was taken to build on the Diamond Initiative and to develop IOM before the end of Diamond.

<sup>16</sup> “Integrated Offender Management is an overarching framework which allows local and partner agencies to come together to ensure that the offenders which cause most damage and harm locally are managed in a co-ordinated way.” Definition provided by the Home Office at <http://www.homeoffice.gov.uk/crime/reducing-reoffending/iom/>

<sup>17</sup> IOM has been promoted by central government as an approach to offender management since June 2009.

<sup>18</sup> RADAR (Reducing and Deterring Adult Reconvictions) is an approach to Integrated Offender Management (IOM) undertaken in Southwark involving the police, probation, a resettlement worker and substance misuse workers.

<b>Site and Intervention</b>	<b>A new intervention due to the pilot</b>	<b>Was happening before Local JR and has continued</b>	<b>Was going to happen anyway but deemed to support the aims of Local JR pilot by focusing on reduced reoffending</b>
Southwark sentencing strand (promoting shorter interventions and targeting specified activities)	No	Part of a pre-existing initiative to target probation resources more efficiently.	
Lambeth IOM	No		IOM is a new initiative but was planned before LJR was announced.
Croydon IOM	No		Was planned before LJR announced.
Croydon Intensive Supervision Model	Yes		
Croydon Voluntary Supervision Model	Yes		
Hackney IOM	No		Developed as an extension of the Borough's PPO work, with an emphasis on the co-location of the joint agency staff team.

In addition to IOM, two sites implemented specific initiatives that were viewed by interviewees as being directly precipitated by LJR. Lewisham contracted a voluntary sector organisation to deliver a PbR reward-based reducing reoffending programme (see Example Intervention 1 below).

**Example Intervention 1: Lewisham Offender Management PbR Model**

This scheme was based on the existing contract for the Drug Intervention Programme (DIP) service with the remit broadened to include reoffending. As well as a non-residential drop-in facility for men and women, staff were based in custody suites, prisons, probation and housing to provide advice and support on substance misuse, housing, employment training and education (ETE) and welfare benefits. The bonus payment mechanism was tiered on the basis of risk; payment for successful outcomes was higher for offenders with higher risk-assessment (OGRS) scores. Half of the delivery cost was paid upfront by the commissioners. The remaining 50% was paid on the successful prevention of reoffending within the first 12 months of commencing the scheme based on convictions recorded in Police National Computer (PNC) data.

Croydon introduced two new supervision models as part of, and in response to, the LJR pilot. The Intensive Supervision Model (ISM) was developed as an alternative to custody and included concentrated supervision appointments and the provision of volunteer mentors. A voluntary supervision model VSM (based on the Diamond Initiative)<sup>19</sup> was developed for those serving sentences of less than 12 months. Additional input was provided by a voluntary sector agency funded to undertake resettlement work.

#### **4.4 Partnership changes in the London sites**

Interview and workshop data from the London sites indicated that there were limited partnership changes as a result of the pilot. Governance of the pilot in each site was based on existing community safety and reducing reoffending structures. Operationally, in the sites that focused solely on IOM, partnership arrangements were driven by the demands of IOM, i.e. multi-agency case management of offenders. In Lewisham, which contracted a VCS organisation to deliver reducing reoffending services on a PbR basis, the commissioning relationship changed accordingly.

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<sup>19</sup> An initiative which ran from 2009 to 2011 which aimed to resettle short-term prisoners returning to the London Boroughs of Croydon, Hackney, Haringey, Lambeth, Lewisham and Southwark.

## 5. What were the perceived strengths and weaknesses of the LJR project as implemented?

This section addresses the factors that were seen as enabling the pilot to achieve its aims, as well as the barriers/challenges to successful implementation.

### 5.1 The role of incentives

Interviewees from the local agencies (primarily police, probation and local authorities) across all the sites involved in delivering the pilots indicated that the design of LJR provided limited incentives for them to make significant investment in additional services to reduce demand, and/or to make substantial changes to practice that were not already in train.

Interviewees perceived the following as providing insufficient incentives:

- **Payment structure** – The LJR pilot provided no upfront payment to enable initial investment in interventions and processes. This is unlike some other MoJ PbR initiatives, such as the Youth Justice Reinvestment Pathfinder (YJRP)<sup>20</sup> and the Employment and Reoffending pilot.<sup>21</sup>
- **Lack of financial risk** – there was no financial penalty for local agencies that did not meet the outcome targets. This is unlike, for example, the financial claw back mechanism within the design for the Youth Justice Reinvestment Pathfinder.
- **A low level of expectation** of a significant reward from the pilot, due to the:
  - Perceived low level of payments for reducing demand; and the
  - Perceived inability of local agencies to implement interventions that were likely to significantly reduce demand. Some metrics – ‘other offences’, which covered amongst other things, non-payment of TV licences<sup>22</sup> – were regarded as being outside the control and influence of local agencies. In addition, prior to the commencement of the pilot, some sites modelled the likelihood of reducing demand and determined that the likelihood of achieving the outcome target was low.
- Complexity of the metrics – making them difficult to understand and communicate to local partners. Interviewees from across the sites commented that the number of metrics made it challenging to formulate a coherent approach that would

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<sup>20</sup> An upfront payment and ‘claw back’ model if targets are not met.

<sup>21</sup> Where an attachment fee is paid upfront and a reward payment on outcome.

<sup>22</sup> The outcome of the metrics review (by MoJ in conjunction with the sites) during Test Year One resulted in TV licences being removed from the metrics towards the latter half of Test Year One.



address each of them. Apart from Greater Manchester, there was limited evidence that the sites sought to address any of the metrics specifically. Instead, interviewees from the London sites referred to the overall goal of their activity as reducing reoffending with an assumption that reducing reoffending would ultimately reduce demand on CJS resources, specifically reducing the number of under 12-month custodial sentences and the duration of such sentences.

## 5.2 Synergy between the aims of the pilot and local priorities

**A strategic vision that viewed and communicated the aims of the pilot and its relevance to wider local priorities** – In Greater Manchester this was seen as a facilitator of pilot implementation. Senior-level and strategic managers regarded the pilot as an opportunity to demonstrate that localism could work. This was advanced by the linking of the LJR pilot to the Greater Manchester Community Budgets pilot. The strategic vision around localism provided a driver that facilitated the development of new service CJS delivery models and investment agreements between agencies. The Community Budgets pilot, in turn, formed part of a response by local agencies to protect public services against the anticipation of worsening public sector finances by reducing demand on services. This provided a direct match with the pilot aim of reducing demand on the CJS.

**Conflict between the aims of the pilot and local priorities** – This was viewed as a barrier to the implementation of the pilot across the London sites in particular. Interviewees reported that the aim of reducing CJS demand was seen as an abstract, national, organisational issue. This was difficult to connect with local plans for working with offenders,<sup>23</sup> which were based on reducing reoffending and seen to command public support. This in part explained the apparent lack of direct connection in some of the London sites between the interventions chosen for LJR and the outcome metrics determining success. For example, while LJR was viewed in Lewisham as part of their strategic aim to test out PbR, the demand reduction element of the LJR pilot received limited support. In contrast to the London sites, agencies in Greater Manchester managed to ‘square the circle’ of linking local priorities around reducing reoffending with demand reduction by developing a narrative around the ‘Points of Transition’ framework. This narrative argued that focusing effective interventions at the point of arrest, sentence and release provided a means of reducing reoffending while at the same time diverting individuals from the criminal justice system to more effective interventions, thereby reducing demand.

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<sup>23</sup> Although it was reported by some Probation interviewees that Probation Trusts had been reviewing ways in which they could improve practice and reduce demand on resources and costs.

### 5.3 Using data to inform delivery

**Timeliness and availability of performance data from MoJ** – This was viewed by interviewees at the sites as an important factor in enabling the effective implementation and delivery of the pilot. Concerns were expressed about the timeliness and detail of the CJS demand data provided by MoJ that was used to monitor the performance of the sites against agreed targets. This was provided three and a half months after the end of each quarter, reflecting the time required to compile and quality assure the data provided. The time lag, while unavoidable, was seen by interviewees to make performance management more difficult. In some cases additional data was also requested over and above that needed to routinely monitor performance against agreed targets. These additional data requests were made to support local performance management activity. However, MoJ was not able to fulfil all these requests in all cases. The reason for this, as communicated by MoJ to the sites, was a limited availability of analytical resource to quality assure and provide management information as and when required and the subsequent need to prioritise what could be provided given these resource constraints.

**Capacity and capability to monitor performance** – This was an important factor in effective implementation of the pilot. Agencies in Greater Manchester had the capacity and capability to collate management data and review the performance of interventions that were part of the LJR portfolio. For example, the probation trust collated scorecard data which tracked probation performance at a local authority level in relation to the LJR outcome metrics. How data are used is as important as the capacity and capability to collate them. This was supplied to the heads of the probation delivery units in each local authority to encourage them to take measures (where required) to improve performance against agreed targets.

Agencies in the London sites reported that they had limited capacity and capability to collate data. Where performance data were collected, there was limited evidence that they were actively used to monitor performance consistently and systematically in relation to the LJR outcome metrics, and to inform and improve service delivery on an ongoing basis. This is illustrated by the following example of an intervention undertaken in Croydon – one of the few London Boroughs to make a concerted effort to collate management information.

### **Example Intervention 2: Croydon Intensive Supervision Model (ISM)**

In Croydon the ISM was a new intervention which was regarded by interviewees as being introduced in response to the LJR pilot. It was aimed at offenders who were at high risk of reoffending and who had failed to comply with previous community orders. The intervention comprised intensive supervision, mentoring and a comprehensive package of interventions to address criminological needs. It was considered by interviewees to be a success despite the low number of cases at the time of interview. Forty offenders<sup>24</sup> had been given an ISM requirement at the time of the evaluation fieldwork staff were carrying a current caseload of 20 offenders. Gaps in available data, in addition to conflicting assessments of performance based on measurement provided by different indicators, made it difficult to monitor the success of the intervention in a rigorous and consistent manner. While improved intervention compliance was reported by workshop attendees, along with evidence of a decrease in risk assessment scores for violent and nonviolent reoffending, only two of the 20 offenders who had had the ISM requirement terminated completed it successfully.<sup>25</sup> The other 18 offenders had the requirement terminated early due to failure to comply. The extent to which these cases may have impacted on any of outcome metrics for LJR had not been monitored.

**Monitoring the effect of interventions on each other** – One of the challenges of adopting a portfolio approach (involving a large number of interventions) in Greater Manchester was the ability to monitor the impact that different interventions had on each other in order to make a better and more efficient use of resources. This was exemplified by youth custody triage (details are given in Example Intervention 3), identified as an existing intervention which would contribute to reducing youth demand on the criminal justice system and included by YOTs as part of the portfolio of interventions that would contribute to the aims of the LJR pilot. Front line YOT and police staff reported that the wide-scale implementation of Street Restorative Justice (RJ) by the police during the first year of the pilot had reduced the need for youth custody triage by preventing young people from entering the criminal justice system. A greater awareness of this could have led to fewer YOT resources being committed for use on custody triage and diverted toward other activities instead.

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<sup>24</sup> This had increased to 63 as of February 2013.

<sup>25</sup> As of February 2013 the percentage of ISM requirements terminated within Croydon that were regarded as successful had increased to 30%.

## 5.4 Using evidence to inform delivery

The limited availability of robust research evidence and the subsequent ability to apply cost–benefit analysis to inform the choice of LJR interventions was regarded as a barrier to implementation by interviewees from across all the sites. Interviewees from the London sites reported that the LJR interventions were chosen and implemented based on previous experience. This included practices that preceded the pilot, drawing from initiatives such as the London Diamond Initiative (relevant to all the London sites), Total Place<sup>26</sup> (Croydon and Lewisham) and End to End<sup>27</sup> (Lambeth). In Croydon, the experience of initiatives in other areas was explored, e.g. the Bristol Impact Model<sup>28</sup> and the Intensive Alternative to Custody projects.

In Greater Manchester, by contrast, local agencies undertook an assessment of the availability and robustness of research evidence for interventions included within their portfolio. In recognition of the limitations of the evidence available, interviewees reported that local agencies adopted a pragmatic approach to evidence gathering:

- Using existing research evidence where this was available;
- Where this was not available undertaking an assessment of effectiveness based on practitioner assessment to identify promising interventions;
- Undertaking or commissioning an evaluation of the promising interventions to provide more robust evidence.

## 5.5 Effective leadership

In Greater Manchester, interviewees directly involved in the pilot reported that the executive board delivered high-level buy-in and commitment from the key agencies: the police, probation, other criminal justice agencies and local authorities. This was critical to the success of the pilot. In particular, interviewees acknowledged the critical role played by the Chief Constable in providing leadership and direction for the pilot. Interviewees suggested that by coining the phrase ‘doing the right thing’,<sup>29</sup> the Chief Constable clearly and simply articulated a vision and direction for the pilot based on ensuring that the pilot focused on

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<sup>26</sup> The aim of Total Place was to develop more effective cross-agency working and deliver more cost-effective services.

<sup>27</sup> The aim of End to End was to transform adult social care services through improvements to ‘end to end’ processes, i.e. develop clear pathways into and out of adult social care.

<sup>28</sup> A model of integrated offender management that was evaluated as part of a government commissioned process evaluation of five Integrated Offender Management and pioneer areas (Senior et al 2011).

<sup>29</sup> A phrase which captured the ethos of LJR in Greater Manchester and was echoed by the majority of interviewees during Phase One.

addressing its aim to reduce demand on the CJS while not overly compromising other local priorities linked to crime and reoffending..

## 5.6 Scale

The LJR pilot has been tested at a local authority level through the five London boroughs and at a metropolitan county level in Greater Manchester. There was evidence of geographical scale both facilitating and hindering the implementation of the pilot.

**Coordination and engagement across Greater Manchester** – Interviewees reported that the coterminosity of the major criminal justice agencies, such as the police, probation and courts, within Greater Manchester facilitated the implementation of the pilot. This coterminosity also enabled good links to county structures such as the Association of Greater Manchester Authorities and the Greater Manchester Combined Authority, facilitating buy-in to the pilot from local politicians. However, interviewees involved in implementing the pilot acknowledged that achieving a high level of coordination, implementation and engagement across the county was challenging. The level of involvement varied between the ten local authorities. There was a perception among interviewees that City of Manchester, Salford, Stockport and Trafford showed greater support for the pilot than other areas, particularly where they had committed staff resources. Others had not yet engaged because they had not yet been provided with sufficient evidence of the benefits of countywide work on justice.

**Scaling up of interventions** – Interviewees involved in the implementation of the LJR pilot indicated that the size and population of Greater Manchester meant that it was possible to derive potential significant savings from the scaling up of what were believed to be more effective service delivery models across the county. This is illustrated by the Example Intervention on Youth Custody Triage. This was developed by staff involved in the development of the Community Budget pilot and was informed by available evidence on effective approaches to managing young offenders and through a cost–benefit analysis of available options.

### **Example Intervention 3: Greater Manchester Youth Custody Triage**

The aim of youth custody triage is to divert young people involved in low-level offending from the formal criminal justice system,<sup>30</sup> and in doing so to reduce CJS demand.

The proposed new model in Greater Manchester has three levels of triage:<sup>31</sup>

Triage 1: involves the use of existing instant Restorative Justice (RJ) for first-time offenders where there is an admission of guilt by the offender and the victim consents. Additionally, the police officer administering the instant RJ advises the YOT to check if the offender is known to social services, part of a registered troubled family or if there are other safeguarding issues.

Triage 2: is already operational and is used when a young person receives a reprimand. This can be for a first, second or third offence as long as there is an admission of guilt.

Triage 3 – this represents the most significant change and operates if a young person receives a final warning. At this point, the young person is bailed, the YOT are involved and a case conference is held involving YOT, police, social services and other relevant agencies.

**Limited working across local authority areas in London** – Across the London sites, there was limited cross-borough working, despite interviewees identifying potential benefits from cross-borough working. Joint engagement with courts and sentencers dealing with offenders from two or more of the pilot sites and joint engagement with prisons releasing prisoners back to two or more of the pilot sites were examples of where cross borough working had taken place. Where there was a lack of collaboration across areas this was attributed to geographical scale, i.e. they were pilot sites operating within an individual local authority area, and because of interviewees' perceptions about the difficulties of working across boroughs and the potential limited return for effort. Some interviewees in London indicated that because the pilot was not operating across the whole of London, there was limited opportunity to influence the central policy of CJS agencies such as police, probation and courts. This was an inhibiting factor on the pilot, as these organisations spanned Greater London and made operational decisions at a senior level, which affected the whole of London and therefore the pilot boroughs.

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<sup>30</sup> Youth Justice Board. Effective Practice Library – Triage <http://www.justice.gov.uk/youth-justice/effective-practice-library/triage>

<sup>31</sup> TJ Youth Offenders Business Case and Narrative (internal document) November 2012.

**Sharing of practice across the London sites** – The Greater London Authority (GLA) provided a ‘light touch’ overarching support role for the London sites; organising meetings from July 2011 enabling LJR site representatives to meet regularly with representatives from London-wide bodies such as the Police, Probation, CPS and HM Courts and Tribunals Services (HMCTS). This support role was transferred to the Mayor’s Office for Policing and Crime (MOPAC) in 2012. Interviewees from across the London sites indicated that this had allowed the sharing of practice, ideas and concerns over data quality, gathering, analysis and interpretation; and the potential impact of the public disturbances in July 2011. However, there was limited evidence from the interview data that these meetings or the sharing of practice had made a difference to the implementation of the pilot at any of the London sites.

## **5.7 Involvement of key criminal justice partners**

The key statutory agencies most closely involved in the delivery of the pilot across all the sites were police, probation, local authorities, the LCJB, HMCTS and the CPS (though the CPS had comparatively limited involvement in Greater Manchester). The engagement of sentencers and prisons in the pilot was viewed by interviewees across the sites as important to the effective implementation of the pilot; however, the actual extent of their involvement was limited.

**Engagement with sentencers around the pilot** – In Greater Manchester, managers involved in implementing the LJR pilot and court staff suggested that the timing had not been right to engage with sentencers in relation to the pilot. They suggested that there had been a limited basis for engagement with a view to informing sentencing decisions. This was also coupled with concerns reported by court staff about falling workloads for sentencers and a perception that the aim of reducing CJS demand could reduce the role of sentencers in the criminal justice process.

Strategic and operational managers at some London sites reported holding discussions/briefings around what the judiciary would expect and hope to see in any proposed intervention changes arising from IOM rather than the LJR specifically. The response (based on interviews with court staff and a sentencer from one site) was positive. The extent to which this was likely to inform sentencing practice was unclear. Other London sites reported that dialogue with the courts was limited due to reductions in courts and amalgamations between courts and a lack of involvement of the judiciary in partnerships aimed at reducing reoffending.

**Involvement of prisons** – In Greater Manchester, public sector and VCS operational managers cited examples of the connection being made with prisons as part of the pilot. These included: work between HMP Styal and local agencies on women offenders, along with existing work around Choose Change (a resettlement initiative involving HMP Manchester), and resettlement work with HMP YOI Hindley. However, prison staff interviewees suggested a more limited involvement, reflected in a lack of detail and clarity (on their part) about their role and what they were able to offer to the pilot. Strategic managers at one of the London sites reported that they had proactively pursued prison links. This had led to the establishment of a case management unit in HMP Highdown set up to agree and to process the ownership of IOM cases.

## **5.8 Knowledge, communication and ownership of the pilot**

The extent to which local agency stakeholders, from chief officers to front line staff, understood and took ownership of the pilot and the rationale underpinning it was important in facilitating and in some cases hindering the cultural shift required to inform more effective practice.

Across Greater Manchester, there was a good understanding from the executive board and strategic and operational managers involved in implementing the pilot about the aims, framework and target cohorts and outcome metrics. In some of the London sites, the workshop and interview data suggested that some strategic managers from public agencies had only a limited understanding of the aims of LJR and the outcome metrics. This may in part have reflected the relatively low priority attached to communicating more widely about LJR and the perceived complexity surrounding the aims of LJR and the outcome metrics used to determine success and payment.

In Greater Manchester, front line staff from police, probation and voluntary sector agencies had experienced practice changes that they recognised as being linked to the pilot and that these changes were an appropriate and more effective way of working. Across the London sites, front line staff had limited knowledge and understanding of the LJR pilot and limited buy-in to the aim of reducing demand as a primary focus of success.

## **5.9 Resourcing the pilot**

Resourcing was a key factor in determining the extent to which local agencies were able to: implement new interventions arising from the pilot, set up and coordinate the delivery of the pilot, and performance-manage the delivery of the pilot. Across all the sites, managers



involved in implementing the pilot acknowledged that the reductions in public sector finances and the design of the pilot meant that there had been limited upfront investment. As stated earlier, interviewees had limited expectations that they would secure a reward payment under the pilot. Nevertheless, sites did make some investments.

**Resourcing in Greater Manchester** – The staff costs of governance, coordination, data analysis and design of the pilot perhaps represented the most significant identified investment of resources in the pilot in Greater Manchester. Staffing for coordination, data analysis, design and performance management during set-up and Year One was provided by police, probation, AGMA and individual local authorities, the LCJB, government bodies (including NOMS and YJB) and VCS agencies. The interventions detailed earlier in the report were funded through existing resources; no new funding or reinvestment or disinvestment of resources took place.

**Continuity of staff in Greater Manchester** – Operational managers in Greater Manchester raised concerns about the impact of the changing levels of resourcing and changing personnel in ensuring effective implementation of a pilot that spanned a wide range of agencies across ten local authority areas. It was suggested that a dedicated coordination and delivery team would have provided a more cost-effective solution.

**Resourcing in the London sites** – Without new, upfront funding from the pilot, the London sites implemented limited changes, as detailed earlier. Where new interventions (arising from or associated with the pilot) were implemented, they were funded with existing resources. Lewisham and Croydon employed consultants to devise and project-manage the set-up of LJR delivery. In Croydon, funding (and resources in kind) was provided by the local authority Community Safety Partnership for consultancy support and to fund the ISM and VSM posts, as well as some additional administrative and employment, training and education support. The probation service funded mentors and the contract with a VCS agency to provide resettlement support. LJR in other boroughs benefited from continuation funding; for example, Southwark Community Safety Partnership provided funding for two resettlement posts within RADAR<sup>32</sup> which had originally been funded under the Diamond Initiative. In Lambeth the IOM service was resourced using DIP funding.

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<sup>32</sup> The IOM scheme for Southwark.

**Competing targets due to resourcing structures in London sites** – Lewisham funded the VCS PbR contract with Drug Interventions Programme (DIP) funding plus some additional health and local authority funding. Interviewees and workshop participants indicated that the hypothecated nature of the DIP funding and the associated reporting requirements of the National Treatment Agency (NTA) have acted as a barrier to the innovation that the PbR contract was intended to encourage. In terms of service delivery, the provider had to prioritise meeting NTA DIP outputs over developing more innovative practice to meet reducing reoffending outcomes. For more details of this PbR scheme see Example Intervention 1.

**Difficulties in maintaining the resourcing of interventions in the London sites** – Interviewees reported that the lack of continuity of the resources available to the pilot was a challenge to ongoing delivery. The police provided posts to support IOM within the boroughs but these have been vulnerable to redeployment, restructures and staffing gaps. Much of the funding has reduced since the beginning of LJR. In Croydon, local authority funding was halved, though the ISM and VSM posts were able to continue by a pooling of other probation resources.

Uncertainty about future funding has been identified as a concern, which may threaten the ability to deliver IOM. Many of the current posts, which support IOM and other initiatives introduced directly in response to LJR, have funding for 2012/13 but may not be resourced beyond this.<sup>33</sup> Aside from the new supervision models within Croydon, there has been limited investment in new or innovative working practices. An initial plan to introduce diversion programmes as a means of addressing some of the metrics was abandoned in Croydon because of the investment required to set up and provide the programmes. Funding issues also resulted in the cessation of the voluntary sector resettlement service which was part of Croydon's VSM. Across all the London sites, the interview, focus group and workshop data suggests there has been limited investment in performance management (linked to the metrics) and learning in relation to understanding how (if at all) interventions and processes are impacting on the metrics.

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<sup>33</sup> This has implications for the last three months of LJR (April to June 2013) and future sustainability

## 5.10 Impact of other initiatives

The LJR pilot, as with any other initiative, has been implemented in a dynamic policy and practice environment. Other initiatives operating at the same time as LJR may have hindered and/or facilitated the implementation of the pilot. Across the sites, interview data indicated that the initiative that had the most demonstrable positive impact on the LJR pilot was the Whole Place Community Budget (CB) pilot in Greater Manchester.

**Whole Place Community Budgets Pilot** – In Greater Manchester, interviewees reported that the LJR pilot had informed the bid for the Whole Place Community Budget (CB) Pilot.<sup>34</sup> In turn the CB pilot had facilitated the development and implementation of the LJR pilot in the following ways:

- providing additional staff resources to enhance the capacity for coordination, cost–benefit analysis and engagement with key Government departments
- providing the LJR pilot with momentum – interviewees commented that prior to the CB pilot, the LJR pilot had not been developing quickly enough
- acceleration of work on cost–benefit analysis around investment choices, the development of new service delivery models and more detailed discussions about investment and disinvestment in services which had commenced during the early implementation of the LJR pilot.

## 5.11 Impact of external events

Interviewees across the sites also reported that external events, unrelated to the implementation of policy initiatives, may have hindered the implementation of the LJR pilot. The two most significant events were perceived to be the summer disturbances in 2011 and the Olympics in 2012.

**Summer disturbances 2011** – Interviewees in the London sites reported that the disturbances had had an adverse impact on their efforts to reduce demand on the CJS. There was a perception that the disturbances had led to up-tariffing by sentencers, particularly in relation to custodial sentences, though local data were not available to provide evidence for this. MoJ (2012) compared sentencing outcomes in England and Wales following the disturbances, between 6th and 9th August 2011 with similar offences committed in England and Wales in 2010. The study found that the duration of custodial sentences doubled (from 2.1 to 4.3 months) for adults, with a smaller increase for youths (from 7.3 to

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<sup>34</sup> Which commenced in March 2012, eight months into the first test year for LJR.

8.0 months). While civil disturbances took place in Manchester and Salford, interviewees in Greater Manchester considered that this was likely to have limited impact since they took place in only two out of the ten local authorities; any ‘disturbance effect’ was likely to be absorbed.

**Public events in London** – Interviewees reported that the Diamond Jubilee and London Olympics affected the focus of policing within the London sites and in turn the level of police resources devoted to activities supporting the LJR pilot objectives. In one site it was acknowledged by police stakeholders that police staff involved in IOM had been deployed away from the borough and police management time (in relation to LJR) had similarly been refocused elsewhere.

## 5.12 Operational barriers

Operational barriers are not uncommon in these types of multi-agency initiatives.<sup>35</sup>

Interviewees across the sites identified the following:

- **Difficulties in sharing data on offenders to facilitate Integrated Offender Management between different agencies** – In one of the London sites the probation system did not meet police security standards. Staff were therefore required to enter the same probation data (on offenders) onto two parallel systems: one for the police and one for probation.<sup>36</sup> In another site, community-based agencies had difficulty obtaining information from the prison about prisoners being released back to the community. This made it challenging to identify and engage this cohort.<sup>37</sup>
- **Working culture** – This was exemplified by difficulties implementing conditional cautions, in some London sites and in Greater Manchester. Interviewees in Greater Manchester attributed this, in part, to the operating practices of the police – opting for less time-consuming alternatives to conditional cautions such as simple cautions and penalty notice disposals (PNDs), which did not require authorisation by the Crown Prosecution Service. Attempts to simplify the process by reducing the amount of form filling made little or no difference.

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<sup>35</sup> This type of problem was identified by Senior et al (2011) in their five site process evaluation of IOM.

<sup>36</sup> This was also a problem identified by Senior et al (2011) in their five-site process evaluation of IOM.

<sup>37</sup> Ibid.

## **6. Conclusions and lessons learned from the evaluation to date**

The LJR pilot provided a focus for reviewing approaches to reducing reoffending across all the sites. In some sites, it enhanced partnership working, spurred the development of new commissioning and service delivery models and was seen as an opportunity to test broader social policy objectives.

In this final section we draw together some key lessons learned from the process evaluation of the pilot to date and identify some suggested recommendations of relevance for any further adoption of this approach and payment by results more generally.

### **6.1 Design of PbR/Justice Reinvestment Incentives**

The LJR pilot as implemented provided only a limited incentive to encourage local agencies to invest and/or make substantial changes to practice due to the: reward payment structure; lack of financial risk borne by pilot sites; low level of expectation of achieving a significant reward payment; and the perceived complexity of the metrics adopted.

Possible lessons for the design of future initiatives:

- Provide some upfront funding to local agencies to help facilitate change and reinforce incentives created through reward payments.
- Consider a potential reward payment in combination with a penalty mechanism which is substantial enough to incentivise providers to focus their delivery on achieving better outcomes.
- Design outcome measures which: the providers are confident they can achieve directly by their actions or those of their partners; are easy to understand and have the “buy-in” of a wide range of stakeholders.

### **6.2 Importance of effective leadership**

Effective implementation of the LJR pilot required effective leadership from senior managers to: ensure synergy between the aims of the LJR pilot and local priorities; and encourage ownership by all staff.

Possible lessons for the implementation of future initiatives:

- Strategic managers from local agencies should devise and effectively communicate a strategic vision, which enables staff at all levels to understand the aim of the commissioned service and how this connects to local priorities.

### **6.3 Importance of performance management**

The LJR pilot has demonstrated that there may be limited motivation to invest in robust performance management. While some LJR sites adopted performance management as a strategic and operational imperative (particularly to inform cost-effective commissioning of services), other sites undertook limited or no performance management activity, such as monitoring key metrics or learning from what they had implemented.

The absence of effective performance management to support the LJR pilots across some sites was perceived to be partly due to having limited access to the desired range of management information held by MoJ on a frequent and timely basis ; the commitment of local agencies to undertake performance management; the capacity and capability of local staff to analyse central and local data and to use this to inform delivery; and the capacity and capability of staff to undertake an investment appraisal analysis of available options. The perceived weakness of the financial incentives created by LJR as implemented may also have restricted motivations to invest in a performance management capability.

Possible lessons for the design and implementation of similar initiatives are listed below:

- Ensure there is sufficient capacity to prioritise and provide the necessary range of CJS data to local agencies on a more frequent and timely basis to enable them to manage their performance.
- Specify that local agencies undertake a minimum level of performance management.
- That local agencies invest in sufficient capacity and capability to analyse data, performance manage and undertake cost–benefit analysis to inform investment decisions. This could be achieved by:
  - providing support and training to build up this capability.
  - specifying that Justice Reinvestment and other PbR schemes are implemented across a geographical area which makes it cost-effective for local agencies to resource the capability.

- specifying Justice Reinvestment and other PbR schemes that have sufficient financial value to local agencies to make it worthwhile for them to resource this capability.

## **6.4 The importance of evidence to support effective performance management and commissioning of cost-effective interventions**

The limited availability of robust research evidence about the effectiveness of interventions and the subsequent ability to carry out a reliable investment appraisal of the costs and benefits of alternative interventions was regarded as a barrier to implementation. However, one site (Greater Manchester) did adopt a pragmatic approach, making use of evidence and committing to evaluating the effectiveness of promising interventions.

Possible lessons arising from this:

- Commissioners could support the development of a database/repository of robust research evidence to inform the delivery of cost-effective interventions in PbR/JR schemes.
- Local agencies implementing PbR/JR schemes should consider:
  - Using the best research evidence available and where evidence may not be available evaluate interventions they are delivering, and
  - Adopting a portfolio approach to commissioning/implementing interventions and processes that allows for risk to be shared between interventions and processes that are proven to be effective and those which are promising but where there may be limited evidence regarding likely impact.

## **6.5 Scale can influence success**

There may be a number of potential benefits linked to increased geographical scale of operation:

- The potential to provide a sufficient volume of prisoners returning to the area from prisons to offer economies of scale in establishing resettlement provision and offender management liaison between the prisons and community based agencies.
- Enable risk to be shared across a number of agencies and local authority areas to mitigate and provide a buffer against unexpected events which may impact on outcome metrics.
- Make it more cost-effective for local agencies to pool their efforts to engage with courts, sentencers and prisons.

Implementing a PbR/Justice Reinvestment initiative across a geographical area that provided coterminosity between key criminal justice agencies facilitated implementation and had the potential to provide scalable services that could deliver potential financial savings. However, it was challenging, requiring: sufficient investment to ensure continuity of coordination and engagement across local authority areas, public, private and voluntary sector providers; and buy-in from local agencies and politicians to such an approach.

While courts, sentencers and prisons were considered important to the LJR pilot, they had limited involvement. In London, this was partly due to courts and prisons covering more than one site and a perception by local agencies that it was not cost-effective to work together to engage them collectively.

Possible lessons for the scale and design of future PbR and Justice Reinvestment initiatives are:

- For initiatives outside Greater London, commission groupings of local authorities which are coterminous with the key criminal justice agencies: police forces, probation trusts, court structures and police and crime commissioners.
- Facilitate the commissioning and implementation of CJS and associated non-CJS interventions at a sufficient scale to enable the delivery of cost-effective interventions.
- For initiatives in Greater London it may be necessary to commission groupings of London Boroughs, or, where feasible, implement arrangements that are London wide in order to have a greater influence on the policies and priorities of partner agencies (e.g. Police and Probation).

## **6.6 Impact of external events on PbR/Justice Reinvestment schemes**

Events outside the control of local agencies, such as the civil disturbances in 2011, the London Olympics, and a rapidly changing policy environment, impacted on the delivery of the LJR pilot. A possible lesson for the design of future initiatives is to have an agreement in place between the commissioner and local partnerships on what counts as an exceptional external influence and to consider adjusting the performance metrics accordingly.



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## Glossary of Acronyms

Acronym	Full name
AGMA	Association of Greater Manchester Authorities
CAMHS	Child and Adolescent Mental Health Services
CB	Whole Place Community Budget Pilot
CID	Criminal Investigation Department
CJS	Criminal Justice System
CPS	Crown Prosecution Service
CRI	Crime Reduction Initiatives
CSP	Community Safety Partnership
DAAT	Drug and Alcohol Action Team
DIP	Drug Interventions Programme
DWP	Department for Work and Pensions
ETE	Employment Training and Education
GLA	Greater London Authority
GM	Greater Manchester
GMCVO	Greater Manchester Council for Voluntary Organisation
HMCTS	Her Majesty's Courts and Tribunals Services
HMPS	Her Majesty's Prison Service
HOC	Housing Options Centre
IAC	Intensive Alternatives to Custody
IOM	Integrated Offender Management
ISM	Intensive Supervision Model
JR	Justice Reinvestment
LCJB	Local Criminal Justice Board
LIO	Local Infrastructure Organisation
LJR	Local Justice Reinvestment
LSC	Legal Services Commission
MARAC	Multi Agency Risk Assessment Conference
MoJ	Ministry of Justice
MOPAC	Mayor's Office for Policing and Crime
NOMS	National Offender Management Service
NTA	National Treatment Agency
OASys	Offender Assessment System

Acronym	Full name
OGP	OASys General reoffending Predictor
OGRS	Offender Group Reconviction Scale
OVP	OASys Violence Predictor
PbR	Payment by Results
PCC	Police and Crime Commissioner
PNC	Police National Computer
PND	Penalty Notice Disposals
PPO	Prolific and other Priority Offender
PSO	Probation Service Officer
RADAR	Reducing and Deterring Adult Reconviction
RJ	Restorative Justice
SHiP	Supported Housing in Partnership
SMART	Streatham Mainliners Assessment Referral Team
SNAP	Support Needs Assessment and Placement Team
SORT	Street Outreach Response Team
TJP	Transforming Justice Programme
VCS	Voluntary and Community Sector
VSM	Voluntary Supervision Model
YJRP	Youth Justice Reinvestment Pathfinder
YOT/S	Youth Offending Team/Service

## Appendix 1

### Research methodology

The methodology was primarily qualitative. Fieldwork was conducted between November 2011 and February 2012 (Phase One) and between July and November 2012 (Phase Two).

The research team conducted the following research activities during Phase one and two across all six sites:

- Documentary review during Phase One and Two across all six sites.
- Interviews with managers involved in the development, set up and implementation of the pilot during Phase One and Two across all six sites.
- Modelling workshops with managers involved in the development and set up implementation of the pilot. The modelling workshop during Phase One was intended to identify the theory of change underpinning the delivery model adopted at each sites. One was undertaken in Greater Manchester and one for all the London sites.
- Mapping workshops with managers and other staff in Phase Two. This was intended to identify: changes in the offender journey (through the criminal justice system) as a result of the pilot; and changes to partnerships between local agencies as a result of the pilot. Workshops were undertaken in five sites. It was not possible to undertake this in one site; instead the research team drafted the offender journey and partnership from interview data and validated this with staff from the site.
- A validation workshop in Greater Manchester and a single validation workshop for all the London sites at the end of Phase One and Phase Two. The validation workshops provided an opportunity for the research team to present initial findings from the fieldwork and test these out with managers from the sites.

During Phase Two, the research team conducted additional research activities in three of the six sites. The three case study sites were selected by MoJ, NOMS and the research team based on the following criteria:

- Delivery model – complexity, level of innovation and the extent to which this will help to inform MoJ policy development.
- Access to, availability and quality of quantitative data to track changes to the criminal justice system and other related systems and processes.

- The extent to which sites are using data and existing and ongoing research evidence to inform the development and delivery of the project.
- The extent and importance of links made between the pilot and other complementary initiatives such as Community Budgets.
- The nature and level of involvement of agencies in the delivery and governance of the pilot, with a specific focus on the role of: VCS agencies; prisons, courts and sentencers.

The additional research activities undertaken at the case study sites were:

- Example intervention workshops with managers and front line staff which aimed to examine the in-depth implementation of the chosen intervention. The intervention was selected by the site.
- Interviews with magistrates and magistrates court staff.
- Interviews with prison representatives that had links to the case study sites.
- Interviews and focus groups with front line staff from probation and police. In addition, in one site a focus group was conducted with front line YOT staff that was combined with the exemplar intervention workshop.
- Attendance and participation at two planning workshops held in one site by local agencies that aimed to contribute to the local development of new service delivery models and cost–benefit analysis of interventions.

The research team reviewed documentation from MoJ and the sites. This included MoJ reports, local business plans, project budgets and committee reports from the sites.

Purposive samples of stakeholders involved in the fieldwork activities were obtained through consultation with the sites, MoJ and NOMS.

The research team conducted 114 interviews across the sites during Phase One and Phase Two of the evaluation:

- 13 interviews with policy and programme officers from MoJ, NOMS and Home Office.
- 26 interviews with local government representatives; these included local authority deputy chief executives, community safety managers and representatives from the Mayor of London's Office for Policing and Crime.
- 26 interviews with probation representatives, these included assistant chief probation officers, probation managers, research managers and researchers.

- 9 interviews with police officers; these included a chief constable, superintendents and chief inspectors.
- 9 interviews involving magistrates and magistrates court staff.
- 6 interviews involving managers from local criminal justice boards and crown prosecution staff.
- 14 interviews with managers from voluntary and community sector (VCS) agencies.
- 6 interviews with governor grade staff from prisons.
- 5 interviews with youth justice managers including Youth Offending Team managers.

These interviews were undertaken by telephone and face to face.

In addition, the research team conducted interviews (telephone and face to face) and focus groups across the case study sites with 22 front line staff from: police, probation, YOTs and VCS agencies.

The research team conducted:

- Two modelling workshops
- Four validation workshops
- Five mapping workshops which involved 32 agency representatives
- Three exemplar intervention workshops (at the case study sites)

### **Analysis of qualitative data**

Interview data were transcribed, coded and analysed by the following themes using MaxQDA software. These were devised based on the research questions, the interview schedules and checked against a sample of interview transcriptions.

#### Developing the Approach

- Background/Origins of JR pilot
- Actions taken as a result of JR pilot
- Key drivers for the actions
- Developing the PbR arrangements

#### Implementation

- Governance structures
- Impact of other initiatives (previous or current)

- Deviations from bid in early implementation
- Risk in early implementation and delivery
- Data systems
- Impact of geographical placement of pilots

#### Working together

- Motivation for involvement
- Partner involvement in developing the approach
- Partner involvement in early implementation
- Developments and changes in partner relationships
- Cultural differences between agencies
- Problem solving between partners

#### Knowledge and Communication

- Promotion of the Financial Incentive Model to all stakeholders
- Level of understanding achieved

#### Impact of JR Approach

- Changes in approach to tackling crime in local area
- Impact on front line staff
- Impact on commissioning of offender services
- Impact on CJS outcomes
- Approaches to monitoring impact

#### Targeting

- Targeting criteria
- Impact on offenders outside targeting criteria

#### Lessons learnt

- Stakeholder appetite/enthusiasm for FIM approach
- Future policy development

Other qualitative data were analysed against the same themes.

#### **Limitations of the methodology**

The purposive sampling of interview, focus group and workshop participants aimed to reflect the range of agencies involved in implementing and supporting the implementation of the LJR pilots. As a minimum, across all the sites, representatives from the police, probation and local authority provided input. The only exception to this was Hackney where the research team were unable to obtain input from a local authority representative. As indicated in Tables



A1.1 and A1.2, the number of research participants drawn from Greater Manchester was significantly higher than from the other sites. This reflected the relative size of the site – comprising ten local authorities. It was not possible to obtain the views of representatives from each of the ten local authority areas given the limitation of resources. Generally those individuals from local areas who participated in the research had had a greater level of involvement in the LJR pilot than those who did not participate.

As with all qualitative research, the data gathered were dependent on the availability and the willingness of individuals to participate. Therefore those who participated may have been more positive or negative about the experience of the pilot. In some instances the small sample of some stakeholders (restricted to the case study sites due to resource constraints) may have captured only a limited range of experiences.

It was not possible to undertake any analysis of the Year One demand metrics data for the sites as this was not available at the time of writing this report. It is anticipated that this analysis will be undertaken in Phase Three of the evaluation to provide additional context to the qualitative research findings. Analysis of recorded crime data which will also give further context and insight into the performance of the sites when measured against the LJR demand reduction metrics.

**Distribution of research activity across the sites**

**Table A1.1: Phase One research activities across the sites and numbers of participants**

Research Activity	MoJ, Home Office, NOMS	Greater Manchester	Croydon	Hackney	Lambeth	Lewisham	Southwark	London-wide agencies	Total
Interviews with strategic and operational managers (public, private and VCS agencies)	7	19	6	2	4	5	4	7	54
Focus group with VCS agencies	-	9	-	-	-	-	-	-	9
Modelling workshop	-	10	7						17
Validation workshop	-	6	7						13
Document review	<i>Documents reviewed across all sites</i>								

**Table A1.2: Phase Two research activities across the sites and number of participants**

Research Activity	MoJ, Home Office, NOMS	Greater Manchester	Croydon	Hackney	Lambeth	Lewisham	Southwark	London-wide agencies	Total	
Interviews with strategic and operational managers (public, private and VCS agencies)	6	37	7	2	5	7	6	5	75	
Interviews with front line staff (police, probation, and VCS)	-	7	5	-	2	1	-	-	15	
Mapping workshop	-	7	7	-	7	5	6	-	32	
Validation workshop	-	10	12							22
Exemplar intervention workshop	-	9	3	-	-	7	-	-	19	
Document review	<i>Documents reviewed across all sites</i>									