

Summary: Intervention & Options

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| Ministry of Justice | Impact Assessment: Extending the duties of Crime and Disorder Reduction Partnerships (CDRPs) to include Reducing Re-offending; and making Probation a Responsible Authority | |
| Stage: | Version: 6 | Date: 17 October 2008 |
| Related Publications: | | |

Available to view or download at:

<http://www>.

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What is the problem under consideration? Why is government intervention necessary?

CDRPs (including CSPs in Wales) have a key role to play in crime reduction, but do not currently have a statutory duty to reduce re-offending. Probation is not a responsible authority. CDRPs must be properly constituted to co-ordinate the actions of local authorities and other key players, all of whom have a critical role in ensuring resources are in place to support effective offender management.

What are the policy objectives and the intended effects?

1. Develop a co-ordinated and improved partnership-driven approach to reducing re-offending.
2. Strengthen the role of the Probation Service on the CDRP.
3. Facilitate closer working between CDRPs, LCJBs and LSPs.
4. Help CDRPs meet crime reduction targets by reducing offending and tackling social exclusion.

This will reduce re-offending, improve understanding of the link between crime reduction and reducing re-offending, and improve cost-effectiveness in those areas.

What policy options have been considered? Please justify any preferred option.

Option 1: Do nothing.

Option 2: Implement the changes outlined in this paper. **This is the preferred approach.**

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

Once the approach has been operating long enough to allow proper assessment.

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

..... Date:

Summary: Analysis & Evidence

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|---|---|
| Policy Option: Changes to statute | Description: CDRP to have RR as Statutory Duty; Probation as responsible authority |
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|--|---|------------|---|
| COSTS | ANNUAL COSTS | | Description and scale of key monetised costs by 'main affected groups' Annual average costs relate to increased burden on Probation Service, which we expect to be balanced in time by the gains from partnership working. |
| | One-off (Transition) | Yrs | |
| | £ | 1 | |
| | Average Annual Cost (excluding one-off) | | |
| £ 2.385M | Total Cost (PV) | | £ 2.385M |
| Other key non-monetised costs by 'main affected groups' Limited costs for CDRP members discussing RR. But new approach will be adopted to undertake current activities in different ways as CDRPs re-focus on the overall agenda. | | | |

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|--|--|------------|--|
| BENEFITS | ANNUAL BENEFITS | | Description and scale of key monetised benefits by 'main affected groups'. Intention to improve rates of reduction in re-offending and to cut criminal activity through better joined-up working. (Cannot yet be quantified). |
| | One-off | Yrs | |
| | £ 0 | | |
| | Average Annual Benefit (excluding one-off) | | |
| £ 0 | Total Benefit (PV) | | £ |
| Other key non-monetised benefits by 'main affected groups' The changes will help develop a shared understanding of how crime reduction and RR inter-act. The approach will also facilitate improved inter-agency working. | | | |

Key Assumptions/Sensitivities/Risks Key risk is the lack of robust CDRP level data to interrogate.

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|----------------------|--------------------------|---|---|
| Price Base Year 0 | Time Period Years n/a | Net Benefit Range (NPV) £ n/a | NET BENEFIT (NPV Best estimate) £ n/a |
|----------------------|--------------------------|---|---|

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|---|--|------------|-----------------|-------------|------------|
| What is the geographic coverage of the policy/option? | | | England & Wales | | |
| On what date will the policy be implemented? | | | 2009 | | |
| Which organisation(s) will enforce the policy? | | | MoJ/HO | | |
| What is the total annual cost of enforcement for these organisations? | | | £ 0 | | |
| Does enforcement comply with Hampton principles? | | | Yes | | |
| Will implementation go beyond minimum EU requirements? | | | N/A | | |
| What is the value of the proposed offsetting measure per year? | | | £ 0 | | |
| What is the value of changes in greenhouse gas emissions? | | | £ 0 | | |
| Will the proposal have a significant impact on competition? | | | No | | |
| Annual cost (£-£) per organisation (excluding one-off) | | Micro 0 | Small 0 | Medium 0 | Large 0 |
| Are any of these organisations exempt? | | Yes/No | Yes/No | N/A | N/A |

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|---|---------------|-------------------|-----------------------|---|
| Impact on Admin Burdens Baseline (2005 Prices) | | | (Increase - Decrease) | |
| Increase of £ | Decrease of £ | Net Impact | | £ |

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Comments from the Consultation

1. Comments received broadly welcomed the proposals.

CONSIDERATION

Background: CDRP Role and Status

2. CDRPs were established by the Crime and Disorder Act 1998, which placed a duty on local authorities and the police (the 'responsible authorities') to work together to combat crime and disorder. The list of responsible authorities includes Primary Care Trusts, Fire and Rescue services and the Police. There are currently 348 CDRPs in England and 22 CSPs in Wales.

3. CDRPs bring together and co-ordinate the actions of local services, local authorities and other key players. Probation Areas are one of the 'co-operating bodies', and just as the impact of the CDRP varies, so does the contribution of Probation. The changes proposed will focus partners on the reducing re-offending agenda and provide a clear steer to Probation. In particular it will support Probation and partners in facilitating access to the mainstream resources - the 'pathways' that support the effective management of offenders and lead to reduced re-offending and crime overall.

Options for Change

a) Do Nothing

4. This would attract some support from stakeholders. New initiatives and policy changes may be sufficient to improve local engagement with the reducing re-offending agenda. These include:

- the cross-Government PSAs on safer communities, social exclusion and drugs;
- the Crime Strategy and CJS Business Plan which set out how reducing re-offending contributes to wider objectives;
- the new local government performance framework with LAAs aiming to improve co-operation in delivery of mutually beneficial outcomes;
- increased commissioning, contestability and opportunities for joint commissioning; and
- the new Probation Trusts with their opportunities to specify under SLA's work with LSPs and CDRPs.

5. The advantage of this option is that the renewed focus on joining-up agendas may lead to reducing re-offending being further embedded into local plans, without the need to make statutory changes. But new initiatives may not achieve the required impact at local level on reducing re-offending.

b) Making Probation a Responsible Authority

6. The proposals stem from discussions with a number of Probation Chiefs regarding their ability to have impact in working with local partners. Many expressed the view that they did not have sufficient authority, with a key barrier seen as Probation being only a co-operating body, and in some cases this had also meant that they were refused a place at the LSP table. They welcomed the opportunity to change or re-cast the CDRP's focus and to be given a clear steer regarding their engagement in joint commissioning and partnership arrangements. Given the role of Probation working at every stage of the Criminal Justice System, the

changes provide an opportunity to realise the contribution of Probation to both strategic developments and supporting delivery of shared objectives.

7. The proposed changes are timely given the growing recognition that focusing the efforts of partners on offenders should lead to a reduction in re-offending, a further reduction in the crime figures, and the tackling of social exclusion. The changes would help facilitate joint work between LCJBs and CDRPs on this (and other, common) agendas, building on PPO/DIP links etc. They would also assist in work with other partners, such as health and education, who are critical in tackling social exclusion and reducing re-offending. This agenda needs to be owned not just by the police, but by wider partners too; and it builds on the Integrated Offender Management (IOM) developments.

Further Benefits

8. Changing the status of Probation Trusts/Areas will provide a clear steer - a lever for them to take forward work to reduce re-offending with partners, including by giving them an equal voice. Through this change, Trusts/Areas should have more influence in shaping local action to tackle crime and the causes of crime. The advantages of this change would include:

- providing a clear steer and levers for engagement;
- increasing the quality and consistency of Probation Trust/Areas' engagement with partners;
- enabling Probation to operate at a more strategic level and have greater impact;
- supporting Probation to bring their expertise from working at every stage of the CJS; and
- placing them in a better position to jointly commission specific services for offenders. and to access mainstream resources that will support effective offender management and reduce re-offending.

9. This paper recommends that Probation Trusts should be added to the list of 'Responsible Authorities' and that reducing re-offending is made a statutory duty for CDRPs.

Mechanics for Change

10. There is a precedent for adding extra organisations to the list of 'responsible authorities'. The Police Reform Act 2002 amended the Crime and Disorder Act 1998 to make Primary Care Trusts 'responsible authorities.'

11. By amending the C&DA 1998, we would place a duty on Probation Trusts to:

- participate in an audit of crime and disorder, anti-social behaviour and drug misuse for the CDRP area or areas in which they fall; and
- contribute to the development of local strategies that effectively deal with the issues which are identified.

Costs

12. Changing the statutory duty of CDRPs to include reducing re-offending should require little additional resource. The aims are more about increasing the impact of the current resource deployed, and are seen as an investment that will also serve as a vehicle to draw in other resources that support offender management. Costs will need to be reviewed by Trusts/Areas but should be dependent on existing relationships and levels of inter-agency working. See annex.

13. A number of Probation Areas have suggested that to develop proper links with CDRPs and to maximise their input and influence, additional executive and senior staff would be required. This work, they argue, could place considerable strain on the limited resources of the Service. Making the duty statutory and Probation a 'responsible authority' might mean that they would be compelled to spread their resource more thinly. It is argued that the gains to be had from joint commissioning and partnership, and a focused and targeted approach to work with CDRPs, outweigh any disadvantages for NOMS. These costs would have to be met within existing Probation and CDRP/CSP funding streams. The aim would be to combine resources and expertise to deliver shared PSA and local goals.

Equality and Fairness

14. The CDRP response to crime and disorder, anti-social behaviour and substance misuse varies across England and Wales. By introducing these changes, we will support a greater equality of service provision in relation to community safety issues to a wider range of people including, critically, those classified as socially excluded.

15. These changes will also assist CDRPs/CSPs in their Community Engagement work. The importance of equality and fairness is recognised and promoted through the inclusion of Community Engagement as a national standard. CDRPs/CSPs will be expected to consult and engage their communities on a regular basis and to reflect their priorities in their strategic assessment and delivery plans. Further consideration of the shared CJS approach to Community Engagement agenda will follow in the response to Louise Casey's review.

Consultation with small business: the Small Firms' Impact Test

16. A test is not required as the provisions relate purely to service delivery provided by public sector agencies to tackle crime, disorder and anti-social behaviour.

Competition Assessment

17. An assessment is not required because the proposal impacts only on the public services.

Enforcement and Sanctions

18. There are no sanctions for non-compliance.

Equality Impact Assessment

19. To follow

Table: Summary of costs

| NATIONAL COSTS (excluding London) | CDRP | PROBATION | TOTAL COST |
|---|---|------------------|-----------------------|
| Senior Probation Officer @ £45,000 | No significant new costs for CDRPS, although the requirement to share data and work in partnership might generate new processes and a refocusing of resources. | 41 SPOs | £1,845,000 |
| London (based on 12 'cluster' areas) | | 12 SPOs | £540,000 |
| Total | | | £2,385,000 |