

Greater Manchester Police Fire and Crime Panel

Date: Wednesday 18th September 2024

Subject: Reducing Harm and Offending - HMPPS Update: SDS40

Report of: Kate Green, GM Deputy Mayor and Crime and Portfolio Lead Chief
Executive for Police and Crime

Purpose of Report & Recommendation:

The GMCA is requested to:

1. Review the Partnership Strategy which supports the most recent position statement and risk register surrounding SDS40. This is for information and a decision is not required.

Contact Officers

Chris Edwards | Probation Regional Director of Greater Manchester
Greater Manchester Probation Service : chris.edwards@justice.gov.uk

Alison Connelly, reducing Harm and Offending, Greater Manchester Combined Authority:
alison.connelly@greatermanchester-ca.gov.uk

Equalities Impact, Carbon and Sustainability Assessment:

Specific cohorts of people on probation may be impacted by disproportionality related to protected characteristics. This will be considered during plan delivery and there is a 'Tackling Inequalities' workstream'.

Risk Management

Reducing reoffending work with a degree of in-built risk by the very nature of offending. HMPPS therefore also have to balance public protection responsibilities with risk management approaches to keep people and communities safe. This is threaded throughout the Plan and focused through delivering the order of the court.

Legal Considerations

N/A

Financial Consequences – Revenue

N/A

Financial Consequences – Capital

N/A

Number of attachments to the report:

N/A

Comments/recommendations from Overview & Scrutiny Committee

N/A

Background Papers

N/A

Tracking/ Process

Does this report relate to a major strategic decision, as set out in the GMCA Constitution

No

Exemption from call in

Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency?

GM Probation are not part of GMCA.

1. Introduction/Background

GMPS have developed a Partnership strategy document which supports the most recent position statement and risk register surrounding SDS40. The Lord Chancellor announced (12th July 2024) changes to legislation relating to Standard Determinate Sentences (SDS), which would result in the overall amount of time spent in custody (eligible prisoners) reducing from 50% to 40%. This affects their Conditional Release Date (CRD). The approach shifts the balance of sentence served between custody and community (probation) and has implications for how the Offender Management Model runs. The changes run in parallel with Probation Reset, but once implemented (from 10th September 2024), they will result in the ECSL scheme ending (from 9th September 2024). Like reset (but through legislation on this occasion), SDS changes represent a crucial step in reframing how the sentence of the court is delivered, this time affecting resettlement work in a more pronounced way. The changes impact on the whole system: reset concentrates on lower levels of risk and complexity and the intensity of supervision (including commissioned interventions) transferring into the final third, whereas changes to SDS (in virtually all the cases) go in the other direction in terms of risk and complexity, enhancing the centrality of commissioned and other services across different strands of the custodial sentence delivered in the community. *Better Together* is the GM probation's SDS Strategy that sets out the whole system approach to change management.

2. Overview and Context

All of GM probation's partners (police, MAPPA, CSPs, substance misuse treatment providers, housing, victim contact services and welfare services) will continue to play an important role in the delivery of the sentence, but the dynamics of their respective roles in each case is different in many ways. The potential impact on victims and the wider community (due to higher risk levels of cases in SDS) is different (compared to reset cases) and will require careful management through the whole system approach to retain confidence in public protection work. But SDS changes are driven through legislation, and they enable probation and our partners to work within a more coherent and disciplined approach to managing the releases and resettlement work under the new arrangements (in essence accommodating extra 10% of the sentence in the community), replacing some of the challenges associated with the ECSL scheme. The integrity of the sentence and post-release supervision are reassured through high standards of assessment, pre-release

planning, post-release service delivery and rigorous focus on enforcement in all cases. It is business as usual in all these respects.

The Law, Policy Context & Rationale for Change.

The Secretary of State has laid a Statutory Instrument (SI) to amend the law affecting automatic release point for eligible adult SDSs and certain sentences in the young adult and youth estate ('Detention in a Young Offender Institution' (DYOI) for 18–20-year-olds and 'Section 250' sentences imposed on under 18s).

As this is a legal change, the eligibility must be based on offences rather than the individual. Therefore, there is no scope to exclude, based on individual judgements on risk, MAPPA level, security categorisation or past offence or behaviour.

This change only applies to SDS sentences with release at the 50% point. There are exclusions for sexual, violent, and domestic abuse connected offences. The legislation is applied retrospectively which means there will be an initial surge of releases (September and October 2024). It applies to male, female, and the youth estates.

The change comes into effect on 10 September 2024. From this date, all new SDS cases that are in-scope will be calculated to the 40% point. Prisons/YCS will also be required to recalculate in-scope sentences for men, women, and children already in custody, potentially changing their Conditional Release Date (CRD). The sentence recalculations and release planning must get underway now, before the change in law takes effect, so that the earlier releases can begin as soon as possible.

The technical details are managed by the custodial institution. But in eligible cases release could be earlier than planned and Probation/Youth Offending Teams (YOT) will need to revise release plans to accommodate their release. A temporary process for pre-release planning over a shorter period has been agreed for this purpose.

As this is a legal change, all in-scope sentences must be recalculated, and prisoners/children must be released on their revised dates.

Key Timelines & Scope of Strategy:

- Tranche 1 – those serving sentences less than five years: released 10th September 2024.
- Tranche 2 – those serving sentences five years or more: released 22nd October 2024.
- Provisional caseload data: issued towards the end of July 2024 to support planning.
- ***The implementation phase concludes 17th December 2024.***

- We have not anticipated significant volumes and demand on GM services. The most recent data provided to partners on the volume of releases was:

Borough	Female	Male	Release Total
Bolton	3	15	18
Bury		4	4
Manchester North		18	18
Manchester South	2	19	21
Oldham		17	17
Rochdale		13	13
Salford		11	11
Stockport		8	8
Tameside		11	11
Trafford		4	4
Wigan		12	12
Total	5	132	137

- *Caveat – this is likely to have reduced in volume prior to 10th Sept*
- Of those being release 55 have an active GMPS victim liaison offer in place. We have less than 30% NFA of which we have active pre-release plans in place or progressing. We have around 95 individuals with a substance misuse need, not all of those will need referrals into community services and we are continuing to work with in custody and community substance misuse teams to ensure we have plans in place for those who need services. We currently have approx. 11 individuals who will be release on a script. This is just a high-level update on what we are currently seeing and working with for T1 of the SDS40 cohorts. Full borough information has been shared through Heads of PDUs.

Civil unrest:

GMPS have recently reviewed, revised and circulated specific guidance for internal usage. The 2024 version of the guidance (2011 and 2020 versions were written for the National Court Strategy Group, NCSG) provides an overarching framework for decision-making within the GM Probation region. It consists of a combination of guiding principles to develop regional strategies and practical hints/tips to support operational staff and managers through a core set of principles defining our approach so that GM probation can

be seen as a constructive partner making a visible difference to the delivery of sentencing and the wider agenda affecting the management of civil disturbances. The document consists of a combination of high-level strategy and practice guidance to meet different organisational needs. The status of this document is that it does not constitute or provide sentencing guidance nor interfere with the judicial process or the role of any other criminal justice agency. All those matters remain outside of the scope of this strategy/practice guidance. The GM Probation Strategy & Practice Guidance (supported by relevant /specific operational guidance) work in tandem with our GM partnership governance.

3. Greater Manchester Integrated Rehabilitative Services (GMIRS) and CAS3

GMIRS

Since we launched the first generation of GMIRS co-commissioning arrangements we have been developing, improving and taking the learning from what we have found that localised approaches ensure that a range of local demographic needs has informed our decision making around how we co-commission services. We have been responsive and can mobilise change quickly, having the local knowledge of where good provision already exists and working to bolster and build services where applicable; an example of this is the GM Women and Wellbeing provisions. By targeting Delivery, we are more closely integrated with and responsive to activity and needs in GM.

The co-commissioned approach has ensured that we are embedding co-design and co-production in a way that connects into whole system change and wider public service reform ensuring, where appropriate people accessing the GM co-commissioned services are provided with level of continuity of support following the end of sentence. As an example, the investment approach to co-commissioning wellbeing hubs has been a great success, another example and the service with the most referrals is Dependency and recovery – we have great compliance within both services, D&R only has a 15% non-compliance rate which is extremely positive given the complexities of the cohort. By investing in existing community services ensures those referred get dedicated services whilst also capitalizing on the added value of the service already being established within the local community, thus ensuring that there is continued support for the person following sentence.

In 23/24 we saw 17,447 referrals into GMIRS services, the highest volumes being with D&R followed by Accommodation. In the final Qtr of 23/24 there were over 30,000

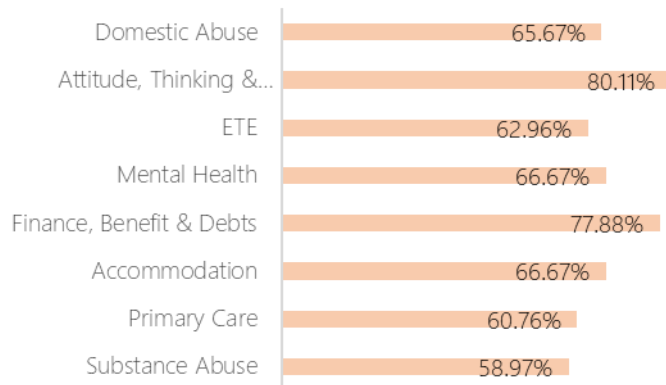
appointments offered across all the services with only an approx. non-compliance rate of 15%. In the first Qtr of 24/25 we have had 4187 referrals across all services.

Since mobilisation of GMIRS Services we have seen a range of added value and value for money, some examples but not an exhaustive list are:

- Added value coming from other financial investment into the services an example of this is Health monies invested into the whole system approach to women, Female People on probation get better health outcomes as a result. Other examples are our access to the GM Violence Reduction budget for 18–25-year-olds to support us with risk reduction services and GM adult education budgets to support with better opportunities for improved ETE outcomes. Furthermore, we have been able to gain added value through our Dependency and Recovery service as we have invested in the existing system, engaging local commissioners to ensure Probation cohorts have priority access and services to meet demand.
- We get added resource to support sentence and risk management an example of this is the Bolton Wellbeing Gate pick up service funded by the provider, this ensure the Person on probation is supported from the gate into the community, enhancing the chance of compliance and engagement from the point of release, we are taking this learning and are in the process of developing a gate pick up/compliance service that will work with all boroughs commissioning third sector partners to deliver the intervention.
- We have seen added value from linkage to whole system approach to reducing homelessness in GM, ABEN/CAS3 and GMIRS Accommodation services has seen us produce better outcomes for people on probation at risk of or that are considered homeless, more on the outcomes for CAS3 below.

We are working on the developing better links with ETE offers in the region, since the start of this financial year we have seen some good employment figures with 69 individuals gaining employment, a further 85 successfully completing education and training courses. The additional work completed by the GMIRS ETE service also contributes to other ETE outcomes, which again sees GM as one of the highest HMPPS performers nationally for ETE.

In terms of our women's provision, we again are seeing some positive distance travel data, this is a snapshot of the most recent data:



CAS3

Since mobilisation in July 2021 the Community Accommodation Service Tier 3 have received 4687 referrals and we have offered a placement to 2243 - with 2049 accepted and place. These are people who would otherwise have been homeless upon release from custody. We are the highest performing region nationally for our move on and settled accommodation which is extremely positive and support the ambitions of the whole system. The service has enabled new and deeper alignment and integration with the wider homelessness service landscape, connecting people leaving prison back into the housing and support system.

The successes of year one enabled us to seek approval for a three-to-five-year settlement for the programme. We were successful in achieving a 5-year settlement which will ensure we see significant benefits returned to Ministry of Justice and it's reducing reoffending objectives through the following:

- Greater value for money due to a longer commissioning offer to suppliers.
- Improved outcomes for people on Probation through mature development within a whole systems approach with longer term operational planning, as informed by this programme alongside others
- Specific cohort innovations in line with existing GM priorities; women, people with multiple and complex needs.
- System change through long term strategic planning, as informed by this programme alongside others.
- Specific system innovations in line with existing GM priorities; data quality and interconnectivity, cross-organisational training and workforce development.
- Improved linkage to GMIRS Accommodation offers through Ingeus and developing service provision

Greater Manchester Community Accommodation Service Tier 3 has a strong track record, as demonstrated through:

- Effective strategic and operational co-ordination across 10 Greater Manchester Local Authorities and the wider public service landscape.
- Detailed knowledge of local providers, with trusted suppliers available to act quickly, engaging and commissioning lived experience organisations to deliver wrap around support
- Shared responsibility and accountability to improve outcomes.
- Strengthening system relationships & aligning with existing & developing system
- An enhanced capability in terms of move on opportunities with access to local authority options including Rough Sleepers Accommodation Programme, Rough Sleepers Initiative where eligible and improved links with Accommodation for Ex-Offenders Funding.
- Opportunities to align and integrate with the wider system to improve outcomes for those with multiple and complex needs
- Capability and capacity to leverage reform through pilots and programmes as shown through the Criminal Justice Homelessness Prevention Trailblazer (CJHPT) function, Justice and Rehabilitation Executive and Greater Manchester Homelessness Programme Board.

We are also working towards better evidence, joined up data across statutory organisations such as GMPS, GMP and local authorities. With shared definitions alongside other homelessness and VCSE services data we can evidence unmet need and jointly commission services that address those needs. The relationships and governance arrangements for CAS3 has ensured we are linked into the whole system from start to end, we are currently working on more join up in the move space through AEFO and other programmes to ensure we are creating opportunities for Value for Money and added value. We are considering greater linkage between CAS3 and GMIRS for the next generation co-commissioning. Thereby improving outcomes for people who have been accommodated in CAS3 in future years, in terms of safe and sustainable move on.

Greater Manchester Probation and Mental Health Support:

In GM we have 3 priority pathways for mental health support:

Mental Health Treatment Requirements: We are in the process of implementing the next phase of the roll out of MHTRs in GM. We are building on the learning from Bolton and Wigan to expand the service across all other boroughs. There has been some delays due to staffing challenges within MH teams but this is now progressing well. We aim to have

full roll out by 1st October 2024. We are in the process of negotiating with women's centres and wellbeing hubs to integrate the operational delivery where this is possible, this will enhance to support offer for those individuals engaging with MHTRs.

The Wellbeing service: The wellbeing hubs provide low level, non-clinical support to individual experiencing issues that do not meet the threshold for primary or secondary care. This includes Emotional regulation and decision making (non-clinical), Wellbeing support and healthy choices (non-clinical) and more.

Community Mental Health Teams: through the work of the GMPS Health and Justice Team and local CMHTs we have developed much closer and improved working relationships. There is identified CMHT staff working alongside PDUs to support all aspects of community MH needs, including attendance and support with MAPPA cases. Following on from a recent DHR we are currently working with CMHTs to develop a more robust communication and escalation process that will enhance the sharing of information from prison into the community, across GMPS and MH teams. The GMPS Health and Justice also work closely with MODEL and OHID to improve outcomes for people in prison and on probation.