



STRATEGIC POLICING AND CRIME BOARD 7th January 2014

Turning Point Project

PURPOSE OF REPORT

1. The purpose of the report is to provide members of the Strategic Police and Crime Board with the background and latest position of the Turning Point Project.

BACKGROUND

2. The Turning-Point Project, a partnership between West Midlands Police and Cambridge University, has been running since November 2011. It is an internationally important experiment for policing and the criminal justice system. It is designed to test whether a structured approach to diversion – holding an impending prosecution over an offender, whilst agreeing and monitoring a programme of action to encourage the offender to get out of crime – is more cost effective than prosecution for low risk offenders facing their first court appearance.
3. Results of the experiment will be measured by comparing crime harm (the incidence and seriousness of crime) and costs between the two. International research now suggests those low risk offenders who are treated by the combination of a conditional prosecution (the “deterrent” effect) and a programme that they sign up which is designed to address their offending (encouraging “desistance”), are likely to offend less.
4. Critical lessons of the research are that offenders need to be dealt with quickly (hence Turning Point requires them to be seen within 2 working days by the Offender Managers) and confronted by “certainty” (when they breach, they get prosecuted). The activities the offenders have to engage in are demanding of them and are no ‘soft option’. The experiment is also seeking to ensure that victims see the outcome as justice for them, too.
5. Research of this high quality is rare in criminal justice. There is currently a similar experiment running in Hampshire Police, which is testing the relative effectiveness of a simple caution vs a conditional caution for low risk domestic abuse cases. This experiment is at a similar stage to Turning-Point so has no reliable results as yet, but anecdotal feedback is that this diversion route appears ‘promising’.

6. There are clear advantages for police and communities in generating reliable data on how best to deal with offenders, especially the relatively low risk offenders that make up the majority of our custody throughput. West Midlands Police, Birmingham YOS, the Crown Prosecution Service and other supportive partners are putting themselves at the forefront of developing effective policy and best practice by participating in this experiment.

METHODOLOGY

7. The project is currently focusing on offenders being prosecuted in Birmingham, who both have no previous convictions (or just one historic one), and would otherwise have been prosecuted. It also selects out high risk offences and offenders, leaving a group of offenders that we anticipate will be turned away from further offending more effectively by our programme, than by a court appearance.
8. It is important to note that the earliest we are likely to get any reliable indication of whether this approach reduces reoffending is winter 2015.
9. Those offenders selected are then offered participation in the project and can reject it if they wish – so participants are voluntary and none are disadvantaged: both important human rights and fairness considerations. Those that choose to participate will then enter into a tailor made plan of actions that they must take to avoid prosecution – note the prosecution is stayed, not cancelled, and if at any time they breach their contract then the prosecution will be reinstated. In a step outside of convention we are also dealing with some offenders who do not admit to the offence, but none the less agree to this offer.
10. Plans can include rehabilitative actions such as obtaining help for substance misuse or psychiatric issues; restrictive actions such as curfews; restorative conferencing; direct reparative work for victims, such as making good damage caused to another's property; and more recently 'Community Payback, provided by the probation service. Police Offender Managers and Birmingham Youth Offending Service staff oversee these plans, which are deliberately light on Police and Youth Offending Service resources, and ensure that offenders that want to make amends and change their behaviour have every opportunity to do so. There is growing support from partners, and the project seeks to continue to increase this.

EXPERIENCE TO DATE

11. It has been a considerable challenge to develop and operationalise a new, bespoke disposal across a city as large as Birmingham. A significant briefing had to be completed, focussing on custody and offender managers. However this seems to be paying off, with the experiment now running in the way envisaged and producing the quality of data that is required for Cambridge University to produce a quality comparison.
12. In addition the scope of the experiment has expanded in two key areas. Firstly the project is now exploring how contact with victims can be improved so as their satisfaction with police involvement is raised. Secondly tools to improve officer's ability to identify the needs of offenders and then identify the best conditions (i.e. most likely to reduce reoffending), have been introduced and are being tested for their effectiveness. There are challenges here in relation to developing software and

incorporating evidence based practice from the probation world that we anticipate an Innovation and Integration Partner may be interested with in the future.

EARLY LEARNING

13. Cambridge University have recently produced an interim report highlighting a number of recommendations, coming from the lessons learnt so far. In brief these are:

- The progress in raising victim satisfaction looks promising, but the work needs to continue until April to be sure. It is likely that we will be able to identify how to raise satisfaction without having to change the use of court.
- The way that Restorative Justice is offered makes a big difference to its uptake amongst both victims and offenders. The project has also shown how better to combine its voluntary use with a conditional offer.
- Options for improving the way officers use their discretion do not have to be considered on a one dimensional scale, between more control and prescriptive policy or increased discretion. An outcomes focussed approach can be used, capturing officers' justification to provide feedback which supports improved decision making. Such an approach would be hugely more achievable with IT enhanced support.
- There are well tried and tested tools in the probation world that improve officers' ability to identify criminogenic need in offenders. Work is ongoing to make these suitable for low risk offenders in the diversion from court scenario. Officers recognise a gap in their training and capability in this area.
- IT helps improve officers to put the best programme to an offenders need, without any need for additional training. A prototype piece of software has been developed and is being considered for mainstreaming.

FUTURE DEVELOPMENT

14. West Midlands Police and Cambridge have generally found partners keen to support the project and rely on them to provide all the programmes that form part of offenders' conditions. However, funding is likely to become an issue as the project looks to develop the experiment into the next stage. In April 2014 there will have been sufficient cases to allow Cambridge University to measure effectiveness, but there will be a period of for 6-12 months before even initial results are back to see if there is an impact on reoffending.

15. Options are currently being considered for future development of the project, and adapting the methodology to fit in line with the current police disposals available is an attractive option. This would make the test more specific to the current operational environment, as well as to increase the throughput to allow quicker collection of the necessary data volume. It would also build on the improvements made to date and become part of a strategy to 'normalise' this way of working. Such a move would entail the use of simple or conditional cautions and a limited number of specific conditions. However, the increase in throughput is likely to be problematic for those services supporting Turning-Point, as the low level of throughput so far has allowed them to provide support from current budgets, on an experimental basis. To increase their contribution some funding is almost certainly going to be required.

FINANCIAL IMPLICATIONS

16. The project has been underway since spring 2011, with two LPU'S contributing operationally since December 2011, and a further two joining in summer 2012. Resources are currently being supplied from Headquarters (approx. 40 hours/week officer time on average) and from the four LPU'S (approx. 40 hours officer time/week on average, in total).
17. There is some limited IT support which is again opportunity cost. The experiment is running at a small cost which is absorbed across a number of different departments and LPU'S.
18. There are costs involved for the partners supporting the project, none of which are directly funded by West Midlands Police. The partners are funding their work on this project from mainstream funding sources as the volume of cases involved is low.

LEGAL IMPLICATIONS

19. The Turning-Point Project operates firmly within current legislation, but outside of the current national framework of police disposals. This has enabled us to design a streamlined process, free of some restrictions placed on us by national guidance. Since commencing the project some of this guidance is now enshrined within formal Codes of Practice. As we look how best to mainstream the lessons learnt we are considering how to deliver the benefits within the legal framework currently in place. In some cases this will require us to have certain processes in place; in other situations it may well prevent or hinder the introduction of, for example, hate crime cases. Whilst none of this will prevent mainstreaming entirely, it could limit the extent to which we can implement some of the improvements.

RECOMMENDATIONS

20. The Board is asked to note this report.

ACC Garry Forsyth
Local Policing and Service Improvement