

GREATER MANCHESTER JUSTICE DEVOLUTION 2019-2021

Memorandum of Understanding between
the Greater Manchester Combined Authority
and the Ministry of Justice

May 2019

RE-INVIGORATING & REFRESHING JUSTICE DEVOLUTION IN GREATER MANCHESTER

This is the second Memorandum of Understanding (MoU) since 2016 and represents a refresh and re-invigoration of commitments supporting Greater Manchester Justice Devolution.

This MoU also recognises the delivery of justice outcomes as integral to the GMCA mission of unifying public services for the benefit of the people of Greater Manchester.

These commitments agreed between Ministry of Justice and Greater Manchester Combined Authority, seek both to build on previous agreements while recognising new challenges and opportunities whereby a broader partnership approach informed by principles of co-design, co-production and co-commissioning can improve outcomes and experiences for offenders, victims, witnesses and the communities and neighbourhoods in which they live.

In addition, the Greater Manchester Model of unified public services positions criminal justice services within a wider family of integrated public services, enabling the design of whole system solutions to often complex behaviours and problems.

It also understands the relevance of place as a locus of protective factors such as family, social networks and identity.

We look forward to working together over coming months and years to secure improved justice delivery and outcomes consistent with the spirit and commitments of this MoU.



In 2017 the Government's manifesto committed to:

widen the role of police and crime commissioners to help them cut crime for their local communities. We will ensure that commissioners sit on local health and wellbeing boards, enabling better co-ordination of crime prevention with local drug and alcohol and mental health services. We will build on the Policing and Crime Act, which introduced better co-ordination of policing and fire and rescue services, with greater devolution of criminal justice responsibility and budgets to local commissioners.

FRAMEWORK

The current Memorandum of Understanding between the Ministry of Justice and Greater Manchester Combined Authority was signed in July 2016 with the then Police and Crime Commissioner, Tony Lloyd. Following the May 2017 election, the GM Deputy Mayor reviewed the approach and met with the MoJ Minister and officials to test the appetite for reform. In September 2018 the newly established

Greater Manchester Justice Devolution Governance Board agreed that the Justice Devolution MoU should be reinvigorated and refreshed.

This reinvigorated and refreshed MoU seeks to build upon progress made and drive change. It will focus on the four key priorities of the Justice and Rehabilitation Board for GMCA of:

- Youth Justice Transformation: An integrated offer for Greater Manchester's young people
- Smarter Justice: Taking a problem solving approach and using family centred principles
- Reforming Adult Offender Management: From conviction, to custody to resettlement and rehabilitation
- Improving the Victim Journey : Joining up the system to improve the quality of service and experience

Delivery of this MOU will need to be progressed in the context of the forthcoming Comprehensive Spending Review (CSR).

For the purposes of this MoU and because of the nature of the criminal justice system, devolution is defined as the co-design, co-production, co-commissioning and co-investment, not simply a linear transfer of powers and responsibilities. The overarching principles of devolution, which all matters contained within this document and any emerging initiatives during the life of this MoU are contingent upon are that:

- Decisions will be focussed on the interests of and outcomes for the people of Greater Manchester, and organisations will collaborate to recognise those interests
- It harnesses the opportunity that a Combined Authority approach provides by working with GM as a test-bed for innovation
- There will be a principle that "all decisions that affect Greater Manchester Justice devolution will be taken with Greater Manchester"
- That the Justice Devolution approach in Greater Manchester, is recognised and allows for a different approach to be taken with Greater Manchester that may diverge from national or standard policy guidance and direction, where it provides an optimal outcome above and beyond minimum standards.

PRINCIPLES AND THE GREATER MANCHESTER MODEL

The MoU is underpinned by the six key features of the Greater Manchester Model of Public Service delivery. The Greater Manchester Model is about unifying public services for the people of Greater Manchester and is a completely new approach to public service delivery. This is about breaking down the silos between public services; collaborating on prevention rather than individually picking up the pieces; integrating and designing services around people places and their needs and; focusing on prevention. At the heart of this model is a new relationship with citizens, with each neighbourhood being served by an integrated place-based team with co-located public services working together. An overview of the key features are detailed in this section and support the objective of implementing a transformative approach to justice and rehabilitation.

Greater Manchester Justice Devolution and the Justice and Rehabilitation Executive Board operates within the context of the Greater Manchester Strategy and wider reform ambition shared by all partners - to move to **'Integrated services that effectively respond to, and reduce, demand at the Neighbourhood Level in a citizen-centred way that builds on the assets of the community.'** This is to enable GM to harness the full extent of its resources and align its commissioning and operational arrangements. For the purposes of this MoU it is vital that agencies and services are informed by place even if they do not operate at that level on a regular basis. The following key features of public service delivery are the framework on which any devolution activity will be considered against:



Geographic alignment

- All services share coterminous service delivery footprints and integrated services are delivered at either Greater Manchester, locality or neighbourhood level.
- The neighbourhood level is the building block for local care organisations and the foundational unit for delivery recognised across public service organisations.
- Neighbourhood level delivery aligns to populations of 30k-50k residents. All services can describe how they align capacity and capability at this level for mutual benefit.
- Focused activity may be delivered below the neighbourhood level but this will stack into the neighbourhood service delivery footprint, which in turn stack up to the locality level.



Leadership and accountability

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One workforce

- There is a look and feel of one public service workforce functioning together, unrestricted by role titles or organisational boundaries – working for the place and people.
- Driving service effectiveness, focusing on prevention and taking a person-centred approach is at the heart of everything we do, based on a new relationship with citizens.
- Structures support this way of working through policy, practice and organisational form.
- There is a common culture across organisations displayed through shared assumptions, values and beliefs that enable this way of working.



Programmes, policy and delivery

- All strategic plans and change programmes work towards a common goal of integrated public service delivery.
- The key features of our operating model are embedded in the blueprint design of all programmes of work, driving out duplication and divergence.
- Multiple integrated delivery models come together as a single neighbourhood delivery model with this approach reflected at the locality and Greater Manchester levels.
- There is a shared knowledge of the strengths and issues in a place, human and digital capabilities form the basis of a collective intelligence across organisations that shapes decision making and strengthens relationships.



Shared financial resource

- There is a clear understanding of the full public spend across the locality including how this operates at each neighbourhood level.
- A mechanism is in place to pool transformation and reform funds for collective benefit.
- There is a single commissioning function which pools budgets across all public service, health & care organisations. Integrated core budgets exist where relevant e.g. neighbourhood functions.



Tackling barriers and delivering on devolution

- Each locality has a formal mechanism to identify, act on and escalate issues that impact on delivering the most effective services for people or act as a barrier to wider and deeper integration.
- Greater Manchester is able to have a single conversation nationally around policy, legislative and financial flexibilities which support our ambitions and further strengthen our devolution deals.

Co-Investment: As part of this wider reform approach, the GM Reform Investment Fund was agreed with Government as part of the Fourth Devolution Agreement for Greater Manchester announced alongside the Budget 2016. The aim of the Fund is to bring together the widest possible sources of funding to provide greater flexibility to invest in and support innovative approaches to transformation of public services with a focus on improving outcomes.

To support this aim, Government agreed to bring together a number of funding lines into a single GM pot to be invested alongside other local funding in driving system wide reform. It was also agreed that GM and Government will continue to work together to consider which other funding streams could be included in the Fund. Consequently, GM will manage any future devolved funding relating to Justice Devolution which may be agreed, through the recognised mechanism of the GM Reform Investment Fund.

The investment priorities are based on promoting investment activity in reforms which will contribute towards delivering the system wide outcomes underpinning the Greater Manchester Strategy.

The current principles for the fund are therefore to:

- Make a tangible difference to GM outcomes through investing more in prevention
- Maximise opportunity of GM level investment
- Maximise the leverage of other (in particular mainstream) funding
- Promote reforms that lead to sustainable future models

There is a robust and established scrutiny process through a Reform Investment Fund Panel linked to the Reform Board and Greater Manchester Strategy and there is also a level of departmental Government engagement. The Fund acts as an enabler of wider strategic ambitions for reform and integration, and to ensure that investment plans submitted are founded upon a firm understanding of challenges and priorities.

Taking in to account forthcoming Comprehensive Spending Review, GM wants to ensure further consideration is given to:

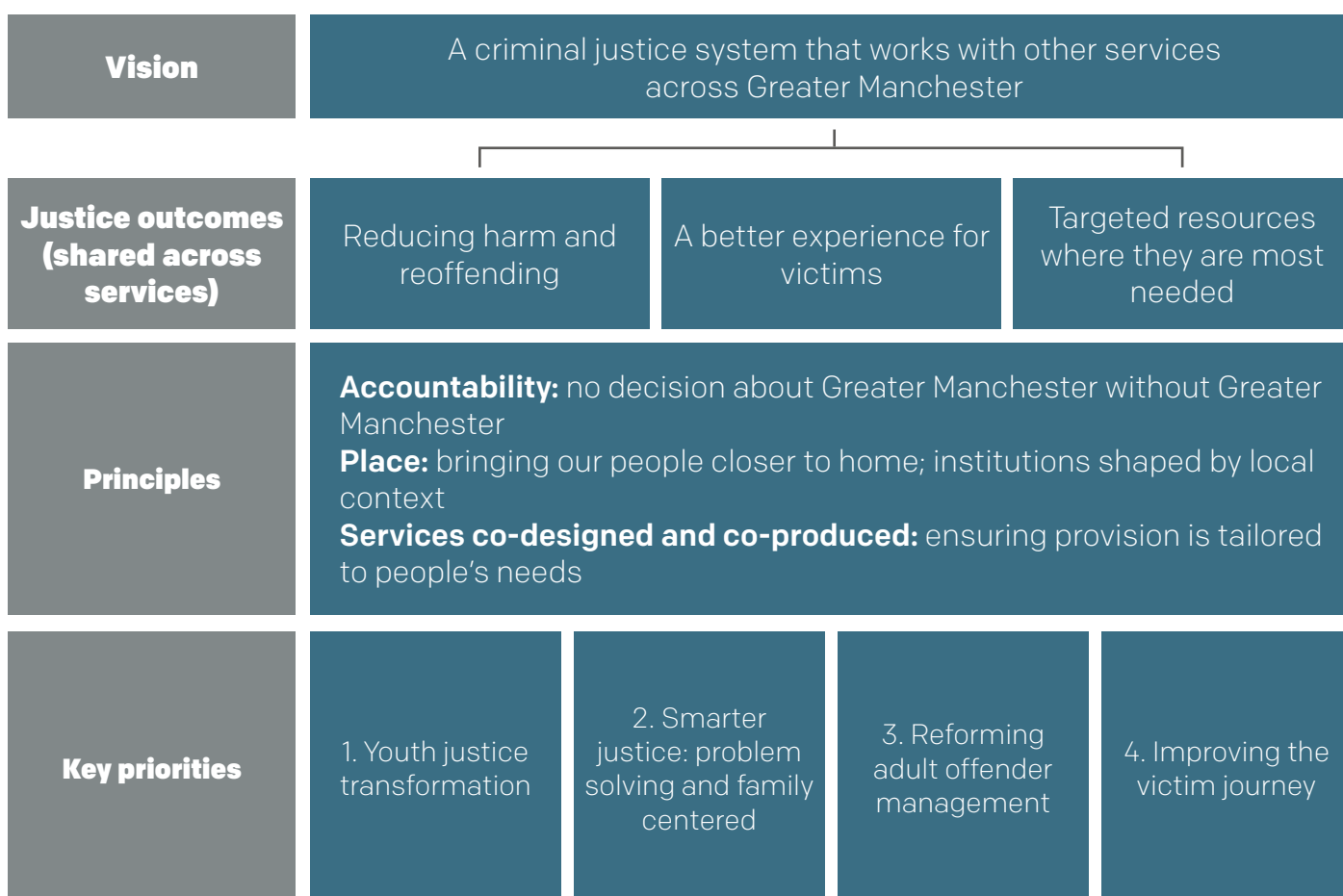
- Exploring investment options subject to GM demonstrating reductions in demand, such as reoffending
- Where there are grant funds - to consider multi-year funding – for example victim services

Place-led improvement approach to implementation:

- Public service organisations in Greater Manchester are responsible for leading the delivery of improved outcomes for people in their area
- Public service organisations in Greater Manchester are accountable locally for the implementation of The GM Model of unified public services
- There is collective responsibility for the implementation of The GM Model of unified public services across Greater Manchester as a whole
- The role of the GMCA is to provide tools, consultancy and horizontal support to facilitate implementation of The GM Model of unified public services

A JUSTICE OUTCOMES FRAMEWORK FOR GREATER MANCHESTER

The approach for Justice Devolution will be based on the principles contained within this MoU and delivery will be focussed on the Justice and Rehabilitation Executive Board priorities and outcome measures. The development of a criminal justice outcomes framework has been focussed on the following priorities:



YOUTH JUSTICE TRANSFORMATION: AN INTEGRATED OFFER FOR GREATER MANCHESTER'S YOUNG PEOPLE

Ambition: Youth Justice is one of the more 'devolved' areas in the criminal justice system in terms of offender management in the community but not in relation to custody. There is no dedicated facility in or near GM, meaning that young people are far from home which impacts on resettlement and rehabilitation and ultimately reoffending. The MoJ Secure Schools initiative recognised this but progress to deliver a North West facility has been slow and GM asks that it is a priority partner with the MoJ for any initiative, which could bring our young people closer to home.

<p style="text-align: center;">2020 Vision</p> <ul style="list-style-type: none"> • Youth justice integrated into a GM-wide offer for vulnerable children, built around their capacity to change rather than their risks • Resources concentrated at points in the system where they have greatest impact i.e. before they reach the Criminal Justice System • Enabling young people in custody to be brought closer to home and reintegrated into society • Evidence led policy in place based on robust, shared data • A new person-centred, preventative, problem-solving approach to transition which puts the people in the right service, at the right time 	<p style="text-align: center;">The impact it will have</p> <ul style="list-style-type: none"> • Fewer young people growing up in fear from crime • Fewer victims of crime • Improved life chances • Better educational/ health outcomes • Reduction in harm to individuals & society • Reduced risk of criminalisation
<p style="text-align: center;">What Greater Manchester can do</p> <ul style="list-style-type: none"> • A new early help, targeted youth offer – focused on young people on the cusp of the Criminal Justice System • Test approaches which seek to divert young people from criminality and change behaviour such as : <ul style="list-style-type: none"> • New Out of Court Disposal pathways • Increasing confidence in community sentences working with Youth Courts, GM's young people and youth justice services • Incorporating the Child-Centred Policing approach within our transformation programme • Developing a scrutiny role in relation to inspections and regular performance management updates 	<p style="text-align: center;">Commitments</p> <ul style="list-style-type: none"> • To participate in a GM resettlement Consortium with a focus on considering priority issues for GM children leaving custody in relation to: family support, education, learning and skills, substance misuse, health and accommodation • To continue to progress the improvements in safeguarding of GM's young people sentenced to custody and provide robust actions and effective communication • Building on the development of GM Youth Justice Analytics through an overarching data sharing agreement • To support GM to test approaches to youth to adult transitions which target interventions appropriately, irrespective of lead agency • To prioritise specified cohorts in youth justice initiatives, including data sharing, who are: at risk of serious violence; care experienced; subject to disproportionality; suffering from mental health issues or at risk of homelessness and family breakdown

SMARTER JUSTICE – TAKING A PROBLEM SOLVING APPROACH AND USING FAMILY CENTRED PRINCIPLES

Ambition: It makes sense to divert people from the justice system in an intelligent and sustainable way. It also makes sense to support victims to cope and recover through swifter justice, ensuring that the justice system does not compound trauma faced by victims and witnesses. The GM Criminal Justice Shared Outcomes Framework will help to identify key issues in the local justice system, the Justice and Rehabilitation Executive will aim to ensure the correct levels of governance and accountability are in place. GM would want the MoJ to respond to identified systematic, structural or long-standing challenges and this MoU provides an opportunity for agreeing escalation processes, without fettering Judicial Independence, to solve these problems.

<p style="text-align: center;">2020 Vision</p> <ul style="list-style-type: none"> • Greater involvement of the families and carers to support compliance, with regular judicial supervision • Greater engagement with the person, clearly communicated and a contract agreed with the person • Giving a meaningful voice to the public • A local justice system that gets the balance right between efficiency and effectiveness • Improved understanding of performance to help evaluate local confidence in the justice system 	<p style="text-align: center;">The impact it will have</p> <ul style="list-style-type: none"> • Fewer people in the criminal justice system • Tackling areas of concern voiced by those who have experienced the justice system • Improvements to trial effectiveness including understanding and dealing with key reasons for trial failure • Improved time taken through the different stages of the criminal justice prosecution process • Increased confidence in Community Sentences
<p style="text-align: center;">What Greater Manchester can do</p> <ul style="list-style-type: none"> • Develop community and asset based approaches to support people and their families • Developing new interventions, integrating with local provision, including health • Women offenders: identification at court, delivering a personalised service and review meetings • Develop a performance dashboard to track end-to-end delivery • Develop a wider scrutiny role across the local criminal justice system, for example the Greater Manchester Rape and Sexual Assault Round Table 	<p style="text-align: center;">Commitments</p> <ul style="list-style-type: none"> • That an inter-agency plan to increase confidence in community sentences is developed, to include input from: Courts; Sentencers; Probation Services; User Voice representatives; voluntary and community sector. • To ensure Pre Sentence Reports identify where offenders are care experienced/leavers; suitable for Intensive Community Orders; substance misusers; homeless etc • To enhance problem-solving approaches; to seek to identify where family centred principles are best integrated at different points in the system

REFORMING ADULT OFFENDER MANAGEMENT: FROM CONVICTION, TO CUSTODY, TO RESETTLEMENT AND REHABILITATION

Ambition: It is important to use all powers available with partner agencies to enforce compliance with programmes that will help address the causes of offending. GM seeks to identify, understand and intervene early in behaviours and life events that are known to precede offending behaviour and encourage people at risk of offending to engage voluntarily with support services. Those who are 'care experienced' should be identified and prioritised for support and intervention. GM accepts that there are national and regional frameworks but expects that it will be a priority partner for any current and future initiatives such as, the roll out of the new 'Through the Gate' model and a resettlement prison in Greater Manchester.

<p style="text-align: center;">2020 Vision</p> <ul style="list-style-type: none"> • Creating a seamless system to support rehabilitation and resettlement – increased understanding of Adverse Childhood Experiences • Stronger links from the prison system to place • Common offers and standards • Diversion earlier in the system 	<p style="text-align: center;">The impact it will have</p> <ul style="list-style-type: none"> • Achieve and sustain increased reductions in reoffending for specific cohorts • Measurement of distance travelled tracking individual needs and improvements • Improved proven re-offending rates • Restorative approaches and out of court disposals delivered which divert offenders and support victims
<p style="text-align: center;">What Greater Manchester can do</p> <ul style="list-style-type: none"> • Future sustainability of funding and evolution of Intensive Community Orders and consideration of other potential alternatives to prison custody • Performance management of Integrated Offender Management to ensure there is a common GM spine • The consolidation and sustainability of the Whole System Approach for Women at Risk • Development and delivery of a GM-wide out of court disposal framework and restorative justice contract • Review and understand criminogenic drivers of crime to ensure services are responsive • Use analytics to target responses & resources 	<p style="text-align: center;">Commitments</p> <ul style="list-style-type: none"> • To work jointly to test how future probation arrangements can better integrate with wider services in Greater Manchester, which recognises that a collaborative approach in Greater Manchester would result in optimum delivery through: <ul style="list-style-type: none"> » Work linked to support increased viability of community sentences, including the development of a GM offender needs analysis to enable the targeting of agreed cohorts » Supporting the continued professionalisation of probation services including consideration of co-location and multi-agency workforce development. » Co-designing approaches to delivery of probation services which support place-based integration and devolved landscape, including developing co-commissioning options through the GM Reform Investment Fund » Jointly develop a local understanding of offender management performance, including data sharing requirements where appropriate.

THE VICTIM'S JOURNEY – JOINING UP THE SYSTEM TO IMPROVE THE QUALITY OF SERVICE AND EXPERIENCE

Ambition: GM wants to be a centre of excellence for putting victims, witnesses and survivors at the core of public service delivery. The criminal justice system does not always serve victims well and this has to change. All parties involved in the delivery of criminal justice need to act as the public's champions, helping to transform the criminal justice system into a service fit for all. GM seeks to be a key partner with the Ministry of Justice to improve confidence by working to join-up the system and provide seamless services, including offering people safe alternatives for reporting and support outside the criminal justice system.

<p style="text-align: center;">2020 Vision</p> <ul style="list-style-type: none"> • Support will be victim centred and tailored to individual needs • Support will be provided that suits individual needs to help them through the criminal justice journey and to cope and recover • Ensure that extra support is provided to vulnerable and/or intimidated victims • Referrals to specialist organisations that support victims of crimes and their families, even if they choose not to go down the criminal justice route. 	<p style="text-align: center;">The impact it will have</p> <ul style="list-style-type: none"> • Experience of the criminal justice system -Increased confidence in the CJS • Improved Health & Wellbeing -Wellbeing including mental and physical health, drugs and alcohol • Better able to cope with aspects of everyday life -Education, skills and employment. Finance and benefits. Family, friends and children . Shelter and accommodation. • Increased feelings of safety - Social interaction and reintegration • Better informed and empowered to act - Outlook and attitudes
<p style="text-align: center;">What Greater Manchester can do</p> <ul style="list-style-type: none"> • Use public service reform principles in commissioning services • Establishing governance arrangements that focus on improving the victim's journey through the criminal justice system • Develop direct referrals for victims to services reducing multiple needs assessment & handovers • Explore digital portals and information pathways • Target key areas for vulnerable and repeat victims for system improvements • Support those victims who do not want to enter the criminal justice system to cope and recover. • Develop a GM Victim Needs Assessment for targeting resources and policy development • Deliver a GM communications plan to inform victims and manage expectations • 	<p style="text-align: center;">Commitments</p> <ul style="list-style-type: none"> • Continuation of Victim Services grant conditions to allow transfer of programmed grant funds into next financial year not exceeding 1% of overall annual funds • To agree that GM is a test-bed for innovative approaches for victims and witnesses including digital pathways; user voice insight and information systems • To undertake joint working to evaluate the effectiveness and quality of nationally commissioned services for victims, in support of a seamless system in Greater Manchester • Adoption of a scrutiny role for the monitoring of the Victims Code of Practice and use the GM dashboard to identify key issues in the local justice system which require a joined up approach to deliver improvements • To agree a programme to develop stronger links and ways of working at local level for the benefit of witnesses in GM • Work with GM to understand the impact of the Criminal Injuries Compensation Scheme on Victims of Terrorism