

# Justice reinvestment - from aspiration to implementation

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Policy backdrop

# A holistic approach

1. Justice mapping - to determine where reinvestment is required
2. Devising options
3. Quantifying savings and reinvestment
4. Measuring the impact of interventions

Justice Committee 2010

# Distinguishing features of Justice Reinvestment

- Attenuate the political costs of being 'soft on crime'
- Systematic use of evidence to shape criminal justice and social policy
- Delivering a better return to society for the same or less cost

Fox, Albertson and Wong 2013

Attenuate the political costs of being "*soft on crime*"

Employing the rational approach of economics to address the "*silliness of politics*"?

**The Columbus Dispatch**



# Systematic use of evidence to shape criminal justice and social policy

The screenshot shows a web browser window with the address bar displaying <http://www.wsipp.wa.gov/BenefitCost/Program/233>. The browser tabs include "Intranet Homepage" and "Washington State In...". The page content is divided into two main sections: "BENEFIT-COST" and "META-ANALYSIS". The "BENEFIT-COST" section contains a "Benefit-Cost Summary" table. The "META-ANALYSIS" section is currently empty. Below the table, a paragraph of text explains that the estimates shown are present value, life cycle benefits and costs, and that all dollars are expressed in the base year chosen for this analysis (2013). The text also mentions that economic discount rates and other relevant parameters are described in a technical documentation link.

Program benefits		Summary statistics	
Participants	\$0	Benefit to cost ratio	n/a
Taxpayers	(\$517)	Benefits minus costs	\$4,445
Other (1)	(\$3,344)	Probability of a positive net present value	98 %
Other (2)	\$2,603		
<b>Total</b>	<b>(\$1,258)</b>		
<b>Costs</b>	<b>\$5,703</b>		
<b>Benefits minus cost</b>	<b>\$4,445</b>		

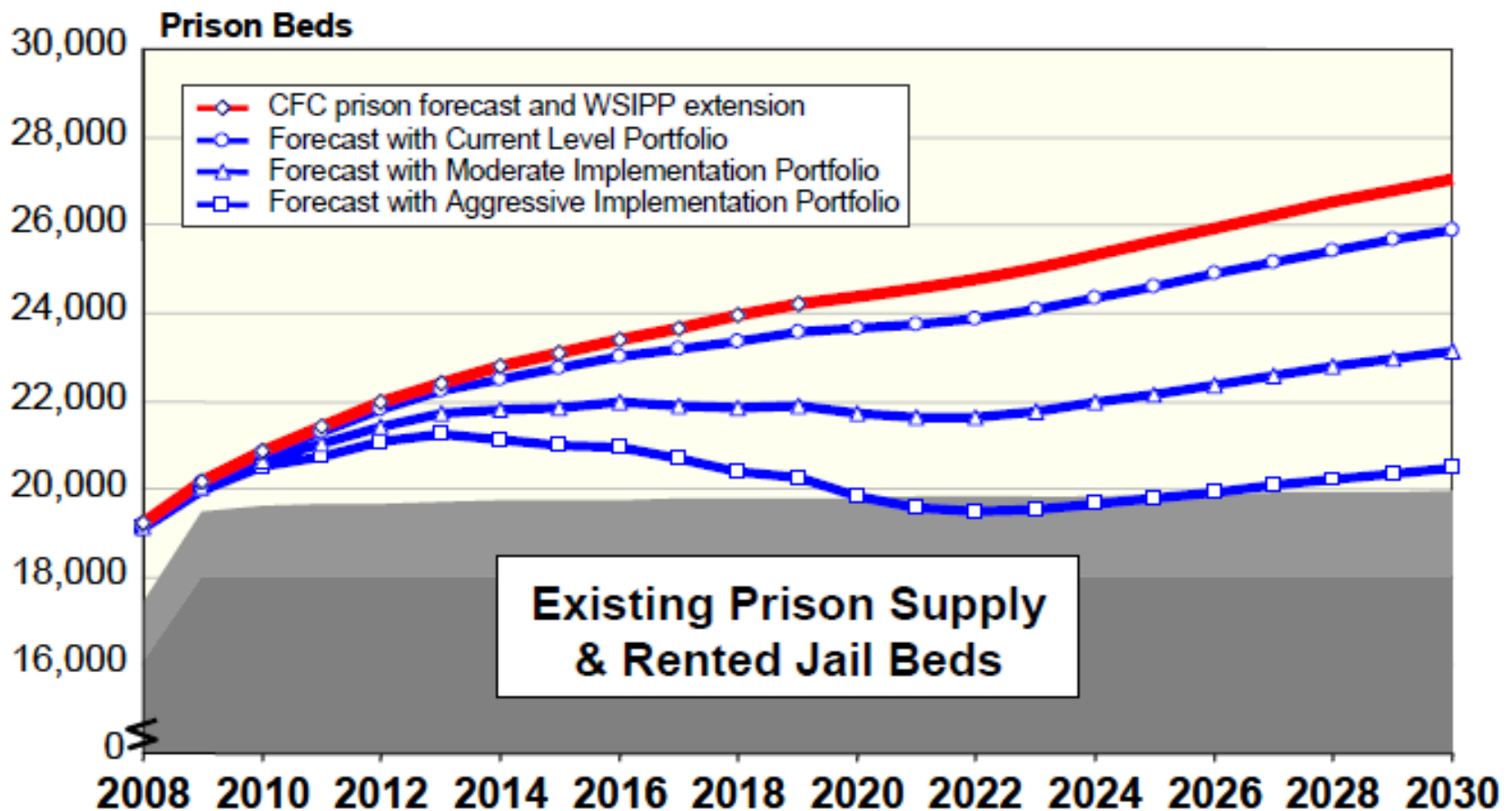
The estimates shown are present value, life cycle benefits and costs. All dollars are expressed in the base year chosen for this analysis (2013). The economic discount rates and other relevant parameters are described in our [technical documentation](#).

Program name <small>(click on the program name for more detail)</small>	Date of last literature review	Total benefits	Taxpayer benefits	Non-taxpayer benefits	Costs	Benefits minus costs (net present value)	Benefit to cost ratio	Chance benefits will exceed costs
Functional Family Therapy (youth in state institutions) <b>NEW</b>	Dec. 2014	\$37,554	\$8,012	\$29,542	(\$3,358)	\$34,196	\$11.21	100 %
Aggression Replacement Training (youth in state institutions) <b>NEW</b>	Dec. 2014	\$28,955	\$6,126	\$22,829	(\$1,552)	\$27,403	\$18.69	96 %
Functional Family Therapy (youth on probation) <b>NEW</b>	Dec. 2014	\$29,944	\$7,728	\$22,216	(\$3,357)	\$26,587	\$8.94	100 %
Multisystemic Therapy for substance abusing juvenile offenders	Sep. 2013	\$27,227	\$5,235	\$21,991	(\$7,578)	\$19,648	\$3.60	76 %
Multisystemic Therapy	Apr. 2012	\$23,082	\$5,495	\$17,587	(\$7,576)	\$15,507	\$3.05	92 %
Aggression Replacement Training (youth on probation) <b>NEW</b>	Dec. 2014	\$16,076	\$4,121	\$11,955	(\$1,552)	\$14,524	\$10.38	96 %
Family Integrated Transitions (youth in state institutions) <b>NEW</b>	Dec. 2014	\$25,586	\$6,419	\$19,167	(\$11,565)	\$14,021	\$2.22	76 %
Functional Family Parole (with quality assurance)	Jan. 2013	\$14,478	\$3,475	\$11,003	(\$4,478)	\$10,000	\$3.24	79 %
Multidimensional Treatment Foster Care	Jun. 2014	\$17,286	\$4,256	\$13,031	(\$8,111)	\$9,175	\$2.13	67 %
Multidimensional Family Therapy (MDFT) for substance abusers	Jul. 2014	\$14,185	\$4,281	\$9,904	(\$7,805)	\$6,380	\$1.82	67 %
Coordination of Services	Apr. 2012	\$6,446	\$1,693	\$4,753	(\$406)	\$6,040	\$15.90	76 %
Therapeutic communities for chemically dependent juvenile offenders	Dec. 2012	\$10,364	\$2,628	\$7,735	(\$4,576)	\$5,788	\$2.27	76 %
Drug court	Jul. 2014	\$7,318	\$2,092	\$5,226	(\$3,159)	\$4,159	\$2.32	65 %
Victim offender mediation	Apr. 2012	\$4,386	\$1,197	\$3,189	(\$596)	\$3,790	\$7.37	88 %
Other chemical dependency treatment for juveniles (non-therapeutic communities)	Dec. 2012	\$220	\$441	(\$221)	(\$3,193)	(\$2,973)	\$0.07	28 %
Scared Straight	Apr. 2012	(\$13,491)	(\$3,429)	(\$10,062)	(\$66)	(\$13,557)	(\$204.33)	1 %

To view details of all Juvenile Justice programs in a single pdf, click here.

Delivering a better return to society for the same or less cost.

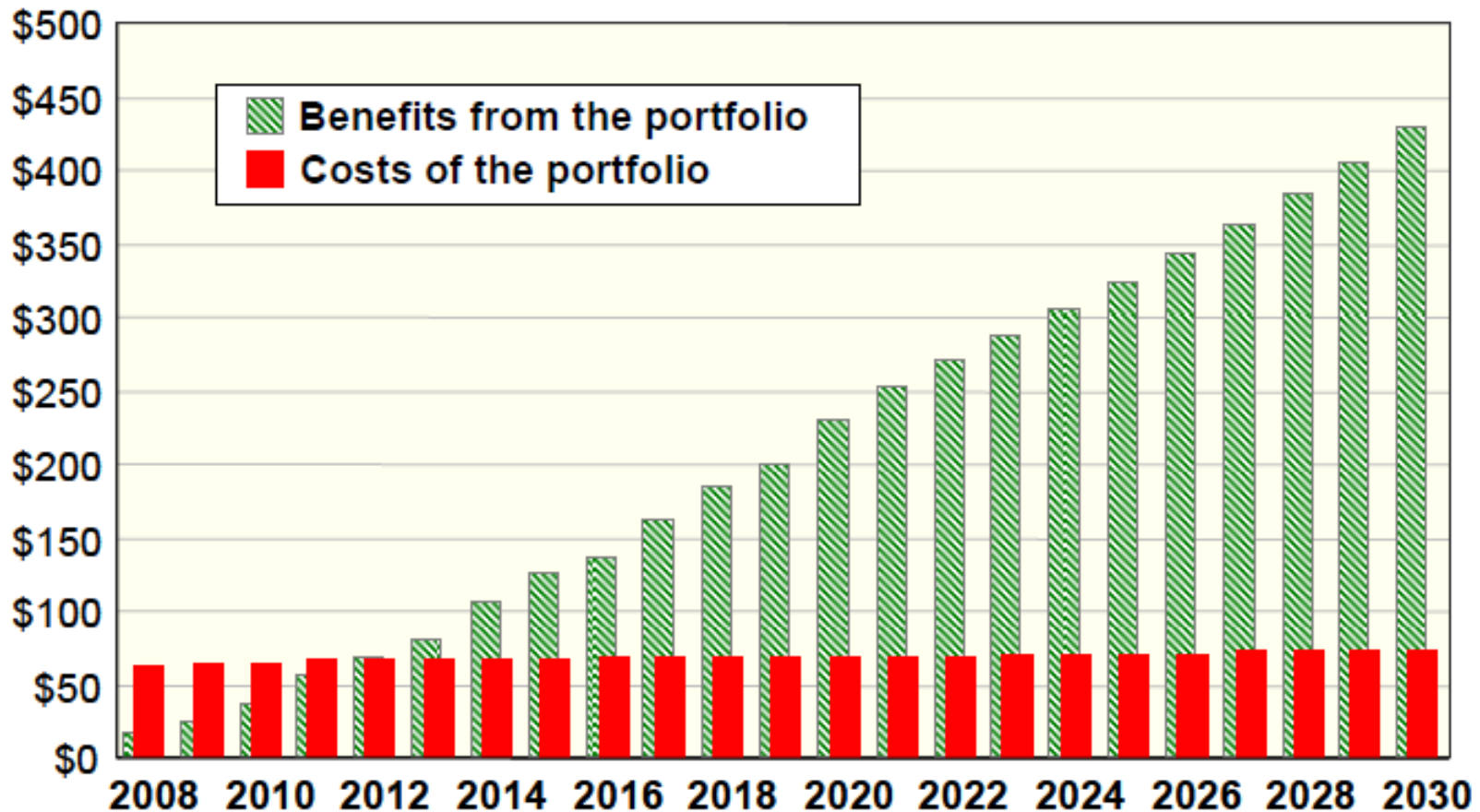
## Adult Prison Supply and Demand in Washington: 2008 to 2030, Current Forecast and the Effect of Alternative Evidence-Based Portfolios





Delivering a better return to society for the same or less cost.

**Annual Taxpayer Costs & Benefits: Forecasted Cash Flows, Moderate Portfolio (Millions of 2006 Dollars)**



## | Justice Reinvestment as a continuum

### **‘Social Justice’ model**

“...approaches which channel resources on a geographically-targeted basis to reduce crimes which bring people into the criminal justice system and into prison” (UK Justice Committee 2010)

“Million dollar blocks” (Tucker and Cadora 2003)

### **‘Criminal justice system redesign’ model**

Criminal justice system re-design at: arrest, pre-trial, case processing; sentencing, re-entry (prison release) community supervision

(La Vigne et al 2010)

# A brief history of Justice Reinvestment in the UK

# Partial implementation of Justice Reinvestment in the UK

- Gateshead Project - Justice Mapping (Allen 2007)
- Diamond Initiative - Resettlement support for under-12 month sentence prisoners (Dawson et al 2011)
- Local Justice Reinvestment Pilot - July 2011 to July 2013
- Youth Justice Custody Reinvestment Pathfinder - Oct 2011 to Sept 2013

# Challenges

# Challenges

- **Further reductions in spending**
- Complexity and alignment of commissioning frameworks
- Cashability of savings inside and outside the CJS
- Scale
- Use of evidence and learning
- Capacity and capability
- **Lack of up-front investment**
- **Willingness and ability to decommission**

# Complexity and alignment of commissioning frameworks

Introduction-to-NOMS-offender-services-co-commissioning.pdf - Adobe Reader

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## Examples of NOMS Co-commissioned Offender Services and their Commissioners

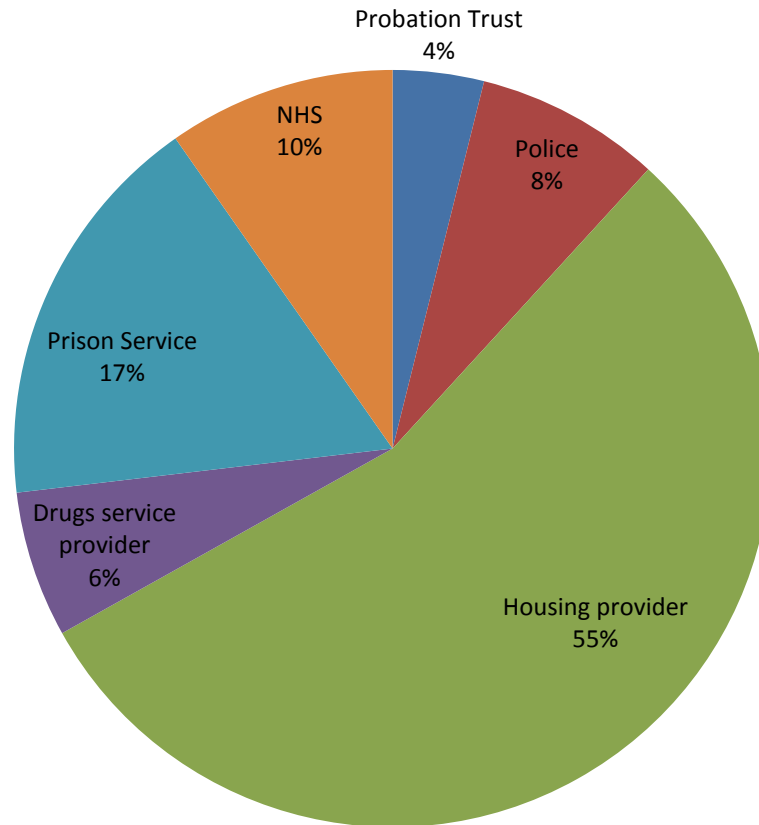
Service	Example	England		Wales	
		Custody	Community	Custody	Community
Health and Substance Misuse	Primary Care (e.g. GP services)	NHS England	NHS England	Local Health Boards/NOMS	Local Health Boards
	Secondary Care	NHS England	Clinical Commissioning Groups	Local Health Boards	Local Health Boards
	Mental Health	NHS England	Clinical Commissioning Groups	Local Health Boards	Local Health Boards
	Community Care	NHS England	Clinical Commissioning Groups	Local Health Boards	Local Health Boards
	Out of Hours Services	Clinical Commissioning Groups	Clinical Commissioning Groups	Local Health Boards	Local Health Boards
	Drug and Alcohol	NHS England	Local Authorities	Local Health Boards / NOMS	NOMS / PCCs / Local Health Boards
Offender Personality Disorder Services	Prison and Community PD treatment and progression services	NHS England Specialised Commissioning/ NOMS	NHS England Specialised Commissioning/ NOMS	NOMS	
Learning and Skills	Offender Learning and Skills Service (OLASS)	Skills Funding Agency (SFA)	N/A – offenders access mainstream services	NOMS	Mainstream / NOMS (through Probation)
	Careers Service	Skills Funding Agency (SFA)	Skills Funding Agency (SFA)	NOMS	Welsh Government (Careers Wales)
Employment and Welfare Benefits	Work Programme	DWP	DWP	DWP	DWP
	Benefits Advice	DWP	DWP	DWP/JCP	DWP/JCP Welsh Government
Children and Families	Family Learning (some via OLASS)	Skills Funding Agency (SFA)	Offenders access mainstream services	Public Prisons family support services	Families First programme - multi-agency provision at local authority level
	Troubled Families and access to Family Support	Local Authorities varies according to local arrangements	Local Authorities varies according to local arrangements	Families First Programme - depending on local arrangements	

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# Cashability - where do savings fall?

## Proportion of costs incurred by different local agencies

*Total costs incurred by an offender over a 12 month period = £60,598*



Fox (2012)



# Cashability? – Local Justice Reinvestment

Cohort	Metric	Measure	Price	
Adult	Custody convictions	Conviction count for custodial sentences of less than 12 months	£440	
	Custody months	Total months sentenced for custodial sentences of less than 12 months	£360	
	Court order convictions	Conviction count for community orders and suspended sentence orders	£440	
	Court order requirements	Total requirements given to offenders by requirement type:		
		- Accredited programme		£430
		- Unpaid work		£290
		- Drug treatment		£270
		- Supervision		£270
		- Specified activity		£230
		- Mental health		£220
		- Alcohol treatment		£170
		- Residence		£150
		- Curfew		£550
	- Exclusion		£150	
- Prohibited activity		£150		
- Attendance centre		£190		
Other convictions	Conviction count for non-custody and non-court order sentences	£300		

(Ministry of Justice 2013)

## Local Justice Reinvestment - Cashable saving V Cost

**Cashable/realisable 'saving'** made through reducing by one month a custodial sentence of under twelve months = £360

**Estimated average monthly cost** of a custodial sentence of under twelve months = £2,616\*

(\*Based on £31,398 the annual resource expenditure cost per prisoner in a male local prison - Ministry of Justice 2013)

## Pathfinder – cashability?

**Cashable/realisable ‘saving’** - average weighted bed price across the secure youth estate, i.e. Young Offender Institution (YOI), Secure Training Centre and Secure Children’s Home (Youth Justice Board 2010)

**Scale:** At least 50 young people in custody at any one time

(Youth Justice Board 2011)

# Scale & commissioning/jurisdictional structures

- Need for **scaleable interventions** which are proven to be cost effective
- **Geographical scale** or a **sufficient population/throughput** of offenders which would allow scaleable interventions to deliver savings
- **Operational co-terminosity** between key CJS agencies – Police, Probation, Courts, PCC, Prisons (relative co-terminosity)
- **Commissioning co-terminosity** – finding the right level

Wong, Meadows, Warburton, Webb, Young, Barraclough (2013)

# Use of evidence

Pilot	Findings on use of evidence
LJR (Wong et al 2013)	<ul style="list-style-type: none"><li>• Limited 'what works' evidence base</li><li>• Limited CBA of interventions</li><li>• Limited use of evidence to inform decisions on which interventions to deploy</li></ul>
Pathfinder (Wong et al 2013)	<ul style="list-style-type: none"><li>• Use of evidence around practice improvements to reduce custodial demand</li><li>• Poor use/ignoring evidence in choosing interventions</li></ul>

# Learning?

Pilot	Findings on learning
LJR (Wong et al 2013)	<ul style="list-style-type: none"><li>• Limited/no performance management</li><li>• Limited incentive for learning</li></ul>
Pathfinder (Wong et al 2013)	<ul style="list-style-type: none"><li>• Micro-management</li><li>• Regular and active performance management</li><li>• Review of practice</li><li>• Limited review of performance and reviewing of practice, slow to respond to data</li></ul>

## Capability of providers to implement and deliver

Pilot	Findings on implementation and delivery
LJR (Wong et al 2013)	<ul style="list-style-type: none"><li>• Good planning and development of a delivery framework – hampered by insufficient resources</li><li>• Disconnect between interventions their outcomes and the outcome for the pilot</li></ul>
Pathfinder (Wong et al 2013)	<ul style="list-style-type: none"><li>• Early planning and co-design of solutions between front line staff and managers</li><li>• Good strategic and operational oversight coupled with effective use of data and ‘can do’ attitude</li><li>• Evidence of poor planning, poor implementation and lack of strategic oversight; poor buy-in</li></ul>

Potential solutions?



## In conclusion....

- Justice reinvestment approaches continue to have resonance because of the ongoing pressures on all local budgets
- No clear model for taking forward in England and Wales.
- In the absence of a central Government stimulus, the best prospect appears to be a bottom-up approach.
- The justice reinvestment pilots demonstrate that there is potential to incentivise local partnerships to make their spending both more efficient and more effective in reducing demand on the system over a relatively short period of time.

# Potential solutions

- Accept that structural challenges are unlikely to change in the short to medium term
- Adopt a criminal justice system re-design approach - within the gift of CJS agencies but requires focus on *understanding and acting on MI data and competent strategic and operational management*
- Adopt a place based model approach - requires....



## Aims/outcomes of Pathfinder

- Reduction in number of custody bed nights for offenders under the age of 18 – a bespoke figure calculated for each area of between 10% and 20%, from an agreed 2010/11 baseline.
- Overall, Pathfinder aimed to reduce the use of custody (measured via bed nights) by approximately 60 beds

Wong, Meadows, Warburton, Webb, Ellingworth, Bateman 2013

# CJS re-design model - Pathfinder

Process/practice changes and supporting interventions to reduce the use of custody focussed on:

- Reducing remands into custody – better bail support packages
- Reducing the number of custodial sentences – offering robust alternatives to custody
- Reducing the duration in custody – supporting defence appeals on sentence
- Reducing breach offences – compliance panels, better engagement with young people, more engagement of families

# Pathfinder – Year 1 Results

	<b>No. of custody bed nights Baseline Year (Apr 2010 to Mar 2011)</b>	<b>Target number of custody bed nights in Year Two (Oct 2012 to Sept 2013)</b>	<b>Target percentage reduction of custody bed nights in Year Two (Oct 2012 to Sept 2013)</b>	<b>No. of custody bed nights in Year One (Oct 2011 to Sept 2012)</b>	<b>Percentage change between Year One and the baseline</b>
<b>Site 1</b>	47,157	37,725	-20%	34,938	-26%
<b>Site 2</b>	20,262	17,871	-12%	21,086	+4%
<b>Site 3</b>	50,069	44,061	-12%	57,324	+14%
<b>Site 4</b>	27,649	22,396	-19%	33,934	+23%

(Wong et al 2013)

## Aims/outcomes of LJR pilot

- Reduction in the cost of adult demand by 5% or more against an agreed baseline in each year
- Reduction in the cost of youth demand by 10% or more against an agreed baseline in each year

Wong, Meadows, Warburton, Webb, Ellingworth, Young, Barraclough  
2013

## CJS re-design model - across the CJS (Greater Manchester )

To reduce demand at key transition points in the criminal justice system for youths and adults and divert individuals to more cost effective options

- Point of arrest – Restorative Justice, Conditional cautioning
- Point of sentence – Intensive alternatives to custody
- Point of release – Resettlement projects (Choose change)
- Transition between youth and adult CJS



Local Justice Reinvestment - Changes in the cost of criminal justice demand across the pilot sites, Greater London and England and Wales in Year One and Year Two (MoJ 2012, 2013)

	Year One (July 2011 to June 2012)			Year Two (July 2012 to June 2013)		
	Change in cost of demand (adult) %	Change in cost of demand (youth) %	Payment due (000)	Change in cost of demand (adult) %	Change in cost of demand (youth) %	Payment due (000)
Greater Manchester	-8.4	-21.1	£2,670	-14.9	-42.1	£4,986
Croydon	8.1	6.7	£0	-0.9	6.7	£0
Hackney	-7.5	N/A	£189	-20.1	N/A	£659
Lambeth	4.9	13.4	£0	-17.7	-45.9	£737
Lewisham	-6	-20.0	£249	-18.1	-53.1	£792
Southwark	-12.5	-29.2	£514	-26.7	-50.0	£844
Greater London	-5.1	0.1	N/A	-13.4	-28.3	N/A
England and Wales	-4.5	-13.0	N/A	-10.5	-36.8	N/A

# Place based model - tied into demand reduction and economic development

## Community Budgets: Reducing demand today, tomorrow & over generations

GMCA  
GREATER MANCHESTER  
COMBINED AUTHORITY



AGMA  
ASSOCIATION OF  
GREATER MANCHESTER  
AUTHORITIES



# Evidence based commissioning and implementation framework - data driven

**Gate 1:** Proposal Scope: Assessment & Strategic and Operational Context

**Gate 2:** Outline Business Case: Design, Feasibility and Viability

**Gate 3:** Full Business Case: Challenge & Review

**Gate 4:** Investment Decision: Resources, Procurement and Tendering

**Gate 5:** Implementation: Outcome Based Performance Framework

**Gate 6:** Benefits Realisation and Review

Greater Manchester Police and Crime Commissioner Briefing paper 2013

## Initial CBA modelling

Intervention	CBA based on scaling up
Intensive community orders for 18-25 year olds: offender management, family support, transport and compliance, ETE support	£183m return for £13.5m investment, over 5 years' cohorts
Youth Triage – for 8,000 youth and young adults	£3.6m return for £2.4m investment, over 5 years' cohorts, although there is significant uncertainty around this analysis
Resettlement Support – supporting young offenders in custody in order to discourage reoffending and promote employment as an alternative	Possible £2.6m return for £2.1m investment, over 2 years' cohorts

# | Place based solution

## Ingredients for Transformation

- ✓ strong collaborative leadership
- ✓ a new approach to helping people with multi and often complex needs
- ✓ more co-ordinated, long term funding and better local accountability
- ✓ better use of data and digital to deliver smarter public services
- ✓ encouraging places to adapt proven delivery models
- ✓ freeing up local public sector assets to support transformation and growth.

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Table 1: Number of disposals by demand metric and participating area<sup>4</sup>, 1<sup>st</sup> July 2010 – 30<sup>th</sup> June 2011<sup>5</sup> (Local Justice Reinvestment baseline year)

Cohort	Metric	Local area					
		Greater Manchester	Croydon	Hackney	Lambeth	Lewisham	Southwark
Adult	Conviction count for custodial sentences of less than 12 months	4,045	463	474	562	552	628
	Conviction count for community orders (CO) and suspended sentence orders (SSO)	11,757	1,130	935	1,127	1,097	1,122
	Conviction count for all non-custody and non-court order sentences	52,642	8,571	6,794	7,514	8,128	7,368
	Total months sentenced for custodial sentences of less than 12 months	12,781	1,554	1,547	1,821	1,793	2,180
	Total requirements sentenced by requirement type for COs and SSOs:						
	- Accredited programme	2,762	188	120	173	177	135
	- Unpaid work	6,073	610	441	675	645	671
	- Drug treatment	887	98	103	136	101	150
	- Supervision	6,448	473	460	559	495	487
	- Specified activity	3,047	143	110	127	186	148
	- Mental health	69	12	11	5	19	22
	- Alcohol treatment	467	41	61	64	54	76
	- Residence	72	3	11	5	3	19
	- Exclusion	23	7	10	15	14	30
- Prohibited activity	28	19	16	27	18	41	
- Attendance centre	57	15	7	7	3	16	
- Curfew (electronic monitoring)	4,226	300	321	332	332	294	
Youth	Conviction count for custodial sentences of less than 2 years	383	39	N/A	39	62	48
	Conviction count for community orders (CO)	2,701	502	N/A	412	432	321
	Conviction count for all non-custody and non-court order sentences	1,044	175	N/A	97	142	97
	Total months sentenced for custodial sentences of less than 2 years	2,662	272	N/A	334	441	347

**Table 2: Number of disposals by demand metric and participating area<sup>6</sup>, 1<sup>st</sup> July 2012 – 30<sup>th</sup> June 2013<sup>7</sup> (Local Justice Reinvestment year 2<sup>8</sup>)**

Cohort	Metric	Number of disposals					
		Local area					
		Greater Manchester	Croydon	Hackney	Lambeth	Lewisham	Southwark
Adult	Conviction count for custodial sentences of less than 12 months	4,257	469	399	460	492	439
	Conviction count for community orders (CO) and suspended sentence orders (SSO)	9,524	1,094	759	912	914	779
	Conviction count for all non-custody and non-court order sentences	42,621	8,534	5,209	6,467	6,439	5,777
	Total months sentenced for custodial sentences of less than 12 months	13,588	1,544	1,440	1,573	1,608	1,477
	Total requirements sentenced by requirement type for COs and SSOs:						
	- Accredited programme	1,254	117	44	63	91	60
	- Unpaid work	5,098	581	348	467	468	446
	- Drug treatment	710	104	66	91	87	90
	- Supervision	4,869	539	396	388	448	370
	- Specified activity	2,743	238	194	166	220	144
	- Mental health	62	19	15	10	12	16
	- Alcohol treatment	545	43	56	65	66	46
	- Residence	55	1	10	10	0	4
- Exclusion	30	16	16	16	12	16	
- Prohibited activity	17	9	12	15	9	15	
- Attendance centre	82	16	4	6	6	7	
- Curfew (electronic monitoring)	3,825	271	203	205	272	199	
Youth	Conviction count for custodial sentences of less than 2 years	236	58	N/A	21	25	17
	Conviction count for community orders (CO)	1,482	346	N/A	236	213	182
	Conviction count for all non-custody and non-court order sentences	426	125	N/A	85	91	69
	Total months sentenced for custodial sentences of less than 2 years	1,730	480	N/A	146	184	146

1 Metrics relate to where an offender lives rather than where the offence is committed

2 Metrics relate to when the court disposal is administered rather than when the offence is committed