

# London's Blueprint for a Whole System Approach to Women in Contact with the Criminal Justice System

2019 - 2022

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# Acknowledgements

This Blueprint has only been possible thanks to the support of the stakeholders who have helped co-develop it. We would like to thank them for their help.

PRISON  
REFORM  
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**MAYOR OF LONDON**  
OFFICE FOR POLICING AND CRIME

**LONDON**  
**COUNCILS**



**METROPOLITAN  
POLICE**

 Women in Prison

**NHS**

  
**Lambeth**

  
**London**  
Community Rehabilitation Company

  
**National  
Probation  
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**advance**  
SAVING LIVES  
CHANGING LIVES

  
**Hibiscus**  
for social justice

# About the Blueprint

London's Blueprint for implementing a whole system approach to women in contact with the criminal justice system and at risk of such contact (hereafter referred to as 'women') was developed through a consultative process and is intended to consolidate the range of strategies and commitments in respect of women in London and set a foundation for ongoing multi-agency work in this area. The Blueprint is intended to:

- Articulate the signatories' shared vision and aims and all partners' roles and responsibilities.
- Map existing provision for women in London and highlight the gaps.
- Create a foundation for the development of an Action Plan for working towards a sustainable whole system approach, including markers for measuring progress and ensuring shared responsibility and accountability.
- Explain the context and underlying evidence in support of the whole system approach and what this should mean for women in London.
- Provide for the coordination and long-term sustainability of services, laying a foundation for a broader investment base and effective co-commissioning, and supporting the coordinated allocation of scarce resources across agencies to provide the best possible outcomes.
- Support progress towards achieving the devolution commitments agreed by the Ministry of Justice, Mayor's Office on Police and Crime (MOPAC) and London Councils.
- Achieve stronger connections with national and local strategies to tackle violence against women and girls.
- Improved consideration of the impact on children whose mothers are in contact with the criminal justice system or at risk of such contact.
- Offer a starting point for ongoing conversation between all partners and provide a useful source of reference for all those working with women in London.

The Blueprint consists of a Statement of Shared Commitments and an accompanying Annex. The Statement of Shared Commitments has been formally adopted by all partners listed at the end of the Annex ('the Signatories') and articulates the vision and aims of the Signatories. The Annex provides background context for the Blueprint including a case study illustrating many of the needs the Signatories seek to meet, and information about current provision in London. Section 5 of the Annex draws on the evidence base and feedback provided by a range of agencies through the Blueprint consultation to help inform MOPAC's development of an Action Plan and to provide a starting point for discussion and joint work by the Blueprint Delivery Group in implementing a whole system approach.

# **Statement of Shared Commitments**

## **Signatories' Opening Statement**

1. The Signatories to this Statement of Shared Commitments agree that:
  - a. All women in London who are in contact with the criminal justice system or at risk of such contact (hereafter referred to as 'women') are entitled to receive a holistic, trauma informed, woman-centred approach throughout the criminal justice process and in the delivery of early prevention and intervention services. This includes women suspected or convicted of serious offences, as well as the majority of women who are prosecuted for suspected minor, non-violent offences.
  - b. As stated in the government's Female Offender Strategy published in June 2018, there are a number of common underlying factors linked to women's offending, including domestic abuse, sexual abuse and coercion, human trafficking, modern slavery and exploitation, involvement in prostitution, poverty, homelessness, intersectional discrimination, mental health needs, learning disabilities, problematic substance use, and a lack of education and skills training.<sup>1</sup>
  - c. Most of the solutions to women's offending lie in the community, including through early intervention and prevention, diversion at the point of arrest and community sentencing options where available, rather than short custodial sentences for minor offences.
  - d. We are committed to working together to transform the criminal justice response to women in London, improve outcomes and reduce women's imprisonment by developing and implementing an evidence-based, sustainable whole system approach. This includes a commitment to systemic change.

## **Commitment to close joint working**

2. The Signatories agree that achieving better outcomes for vulnerable women requires close joint work between criminal justice agencies, health and social care agencies and voluntary sector services. There may also be opportunity for work with the women themselves. The Signatories acknowledge and respect each other's distinct legal duties, professional responsibilities, objectives and cultures. No single agency has the ability to achieve the Signatories' ambitions on its own and some agencies will have more influence over some areas than others. Success relies on collaborative work towards shared goals. All Signatories have a key role to play through performance of their statutory functions and in commissioning or delivering services for women. The Signatories agree to work together to ensure they fulfil their

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<sup>1</sup> Ministry of Justice (2018) Female Offender Strategy, London: MoJ

responsibilities in a strategic and coordinated way which supports their shared aims, noting the following:

- a. Local authorities are uniquely placed to work strategically with local stakeholders to ensure the needs of women in their local area are identified and met, and they perform a central role both in commissioning and providing services and in coordinating provision locally.
- b. The Mayor's Office on Police and Crime (MOPAC) has a key leadership and commissioning role and is uniquely positioned to support criminal justice agencies, health and social care agencies and local authorities in developing a London-wide approach. The close working between local authorities and MOPAC through the co-commissioning model has been instrumental in supporting closer collaborative working across a number of local authorities to support women in the criminal justice system. The Signatories aim to build on this in future working arrangements, strengthening working relationships with housing providers, health and social care agencies and the judiciary amongst other partners.
- c. The Metropolitan Police Service's support for women in the criminal justice system is key to improving outcomes for women and their families, including diversion where appropriate.
- d. The Crown Prosecution Service performs a key function in making the appropriate prosecution of all suspects and defendants including women, pursuant to the Code for Crown Prosecutors.
- e. HM Courts and Tribunals Service (HMCTS) provides oversight to the criminal courts processing women in London.
- f. HM Prisons and Probation Service (HMPPS) manages public prisons and the contracts for private prisons. Most women from London are imprisoned in HMPs Send and Downview, which are publicly owned, and HMP & YOI Bronzefield, which is privately run. HMPPS delivers probation services via the National Probation Service (NPS) and oversees delivery by the London Community Rehabilitation Company (London CRC).
- g. Through their statutory functions, the NPS and London CRC perform an essential role in managing women through the criminal justice process, including the NPS' role in preparing pre-sentence reports to support sentencing. London CRC also has an important commissioning function.
- h. NHS England, Public Health England and Clinical Commissioning Groups all have key functions to play in the provision and commissioning of high-quality services for women in contact with the criminal justice system and at risk of such contact.

- i. Voluntary and community sector agencies provide essential and specialist gender specific services to support women.

## **Underlying legal obligations**

### Equal treatment

3. Pursuant to our obligations under the Equality Act 2010 and the findings of the Lammy review<sup>2</sup>, the Signatories are committed to achieving equal treatment of all women, including:
  - a. Black, Asian and minority ethnic women;
  - b. Foreign national women;
  - c. Women with disabilities;
  - d. Gypsy, Roma, and Traveller women;
  - e. Women of different faiths; and
  - f. LGBT women.

We will scrutinise outcomes for women in these minority groups and, where disparities appear with no justifiable explanation, we will implement reforms in consultation with women and specialist service providers. MOPAC will prepare an equality impact assessment at an early stage and this will inform the regular review of the Blueprint.

### Non-prosecution of victims of human trafficking and modern slavery

4. The Signatories are committed to ensuring the non-prosecution of victims of trafficking in line with the law, by establishing better systems for the early identification of women who are potential victims and ensuring decisions on whether to prosecute are well informed.

### Best interests of children

5. The Signatories are committed to fulfilling their legal obligations to protect the best interests of children whose mothers are in contact with the criminal justice system. We will work towards achieving the following:
  - a. Separation by imprisonment is avoided wherever possible;
  - b. Imprisonment of pregnant women is avoided wherever possible;
  - c. Where imprisonment cannot be avoided, support is provided to both children and mothers in order to limit the negative effects of separation. This could include services being commissioned to facilitate regular telephone and face

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<sup>2</sup> Ministry of Justice (2017) The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System, London: MoJ

to face contact with children where appropriate; and best practice is followed in the treatment of pregnant women and new mothers including ante-natal care, birth and post-natal care;

- d. Proper account is taken of women's parenting responsibilities and measures implemented to help ensure these do not operate as a barrier to their compliance with criminal justice proceedings, including meeting the requirements of out of court disposals, community sentences and licence and supervision requirements. This will take into account safeguarding law and best practice and that the best interests of the child may not always align with the mother's wishes; and
- e. Parenting support is provided where it is needed, including offering support dedicated to the mother in addition to the child's social worker.

#### Homelessness Reduction

- 6. We will work towards establishing a shared approach across London, working closely with local authority housing departments and London Councils, to address the housing needs of women in contact with the criminal justice system, including preventing homelessness and resettlement on release. This will include:
  - a. Working together to intervene earlier and more effectively to prevent women being made homeless, in line with the Homelessness Reduction Act 2017 and Code of Guidance;
  - b. Aiming to ensure that all women are resettled into safe and suitable accommodation, either long term or including a realistic plan for achieving long term accommodation; and
  - c. Aiming to ensure that all women have access to tailored wrap around support to meet their emotional, health and practical needs upon resettlement

#### Building on existing provision

- 7. The main building blocks for developing a whole system approach in London are:
  - a. The South London Alliance and Advance Minerva co-commissioned projects to deliver a whole system approach for women up to March 2021 across a total of 21 London boroughs;
  - b. Advance Minerva provision funded by London CRC up to 2020 across 21 London boroughs;
  - c. London CRC's women's strategy, including women specific training and the development of women's hubs in the seven boroughs not covered by the South London Alliance or Advance Minerva;

- d. The Metropolitan Police Service's female offender diversion pilot, due to be launched across two basic command units in 2019 until March 2021;
- e. A focus on reducing the number of women in custody by the NPS in London by taking a gender and trauma informed approach to sentencing and through breach and recall proceedings. Trauma informed training to be available to NPS staff in 2019;
- f. Liaison and Diversion services operating across the whole of London to identify women who have needs relating to mental health, learning disability, substance misuse or other vulnerabilities when they first come into contact with the criminal justice system, to support them into appropriate health or other services (where available into women specific services);
- g. A range of women specific provision commissioned by local authorities across London; and
- h. A range of women specific provision provided by voluntary and community services with charitable funding.

We will work together to ensure the success, sustainability and evidence-based development and expansion of the provision outlined above, sharing expertise and data where appropriate.

### **Aims to be achieved by 2022**

- 8. Over the next three years the Signatories will work together to reduce the number of women from London received into prison year on year, particularly those remanded or serving short sentences. In order to achieve this, the Signatories aim to ensure there is sustained investment in community solutions to women's offending including early intervention and prevention, the effective use of police diversion and triage, robust community sentencing options for those on the cusp of custody (including but not limited to the development of a women specific Community Sentence Treatment Requirement) and through the gate support, all aimed at addressing the root causes of offending by women.
- 9. The Signatories recognise the need to ensure there is direct engagement with judges, magistrates and court staff about the impact on women of short custodial sentences and the availability of community services to support compliance with community orders. This should build on existing opportunities offered by probation liaison groups and the co-commissioned services and should include awareness raising about the effectiveness of voluntary, consent-based approaches to the delivery of women's services.
- 10. We will work together to try and mitigate the challenges arising from the fact that there is no women's prison in London, following the closure of HMP Holloway.

11. We will work with the Ministry of Justice where possible to support its fulfilment of its obligation to establish suitable, women specific Approved Premises in London.<sup>3</sup>
12. We will identify and pursue where possible any opportunities for women in London arising from the government's proposed pilot residential facilities and from the proposed expansion of the Community Sentence Treatment Requirement.<sup>4</sup>
13. We will strive to sustain and improve engagement and retention of women with community-based services through early intervention and prevention work and at all stages of the criminal justice process.
14. The Signatories are committed to working together to explore opportunities for improving outcomes and making the best use of scarce resources through the establishment of regional, specific courts in London where expertise and specialist support can be concentrated and where a problem-solving approach can be adopted.

#### **Sufficient, sustainable investment**

15. We will strive to achieve sufficient, sustainable investment in women specific community services to achieve our aims. This will include:
  - a. Establishing what resources are required to achieve our aims and what funding sources may be accessed, whether 'in kind' or through the use of pooled / aligned budgets, to develop a business case for additional financial investment;
  - b. Services across local authorities, health bodies and criminal justice agencies coordinating effectively with each other and with the voluntary and community sector on a local and regional level to make best use of existing resources in the community and building in a tailored approach to current provision;
  - c. Working collaboratively to align our priorities and budgets and pool resources wherever possible;
  - d. Developing and implementing a sustainability strategy for investment in a network of women's centres within London to operate as hubs for community-based provision as part of developing a whole system approach; and
  - e. Exploring whether future funding arrangements can provide a better link between upfront spending and savings from investment.

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<sup>3</sup> R (Coll) v Secretary of State for Justice [2017] UKSC 40

<sup>4</sup> Ministry of Justice (2018) Female Offender Strategy, London: MoJ

## **Data sharing**

16. Within six months of the launch of the Blueprint, the Signatories will agree a basic data set to be prepared by MOPAC and reviewed regularly by the Signatories in order to establish base lines, monitor progress and drive improvements.

## **Women with lived experience of the criminal justice system**

17. Signatories will agree a process, to be coordinated by MOPAC, for women with lived experience of the criminal justice system to be consulted about the Action Plan and annual Blueprint reviews and for their views and insights to be taken into account.

## **Governance and Action Plan**

18. A Blueprint Delivery Group will be established in which all Signatories will be represented, meeting quarterly to review progress. The Group's terms of reference will be established within three months of the launch of the Blueprint and will be reviewed annually. The Group will be chaired by MOPAC's Director of Criminal Justice and Commissioning and will be serviced by MOPAC with respect to arranging meetings (invites, venues etc.) and taking and distributing minutes of meetings. The Group will review the terms of the Blueprint annually to ensure it remains relevant and reflects the shared aims of the signatories, and the Blueprint will be fully refreshed in 2022.
19. The Blueprint Delivery Group will report to the Reducing Reoffending Board which in turn reports to the Delivery Management Group, chaired by the Deputy Mayor for Policing and Crime, and the London Crime Reduction Board, chaired by the Mayor of London. Each of these Boards will have as a standing item the delivery of the whole system approach to women in London.
20. MOPAC will coordinate preparation of an Action Plan for delivery of the Blueprint, in consultation with the Blueprint Delivery Group, to be finalised within six months of launching the Blueprint.