
21st century justice

**Open borders? Balancing economy
and community**

Efficient, accountable policing

An integrated criminal justice system

Revolutionising rehabilitation

With David Banks, Oliver Bretz, Helen Edwards CBE, Nick Gargan,
Blair Gibbs, Helen Goodman MP, Damian Green MP, Savas Hadjipavlou,
Laura King, Chris Ledgard, Kevin Lockyer, Mike Maiden, Les Murray,
Sir Hugh Orde OBE QPM, John Samuels QC, David Sturman and
Glyn Williams

Clifford Chance
10 Upper Bank Street
London
E14 5JJ

Tuesday 1 February 2011



Cost

People

Organisation

Prioritisation

Productivity

Performance

Central
Government

Law
Enforcement

Criminal
Justice

Cashable savings, Collaboration, Culture change, Direct costs, Employee law, Employee relations, Implementation, Indirect costs, Integration, Job content, Lean and six sigma, Managerial control, Optimisation of intelligence processes, Organisational design, Overhead reduction, Performance management, Process redesign, Procurement, Protection of frontline services, Risk and reward, Value chain analysis, Work force planning

Collinson Grant Limited

33 St James's Square London SW1Y 4JS Telephone (0)20 7661 9382

Ryecroft Aviary Road Worsley Manchester M28 2WF United Kingdom Telephone (0)161 703 5600

Part of Collinson Grant Group Limited

collinsongrant.com

21st century justice

Contents

Programme	2
The <i>Reform</i> team – setting the agenda	3
The challenge and the way ahead	4
Open borders? Balancing economy and community	5
Efficient, accountable policing	6
An integrated criminal justice system	8
Revolutionising rehabilitation	10
<i>Reform</i> – join us in 2011	12
Register your support	13

Kindly sponsored by:



Collinson Grant

REFORM

Reform
45 Great Peter Street
London
SW1P 3LT

T 020 7799 6699
info@reform.co.uk
www.reform.co.uk

Programme

08.30 – 09.00	Registration and breakfast	
09.00 – 09.15	Welcome and introduction	Andrew Haldenby, Director, Reform Chris Ledgard, Director, Criminal Justice and Law Enforcement, Collinson Grant Oliver Bretz, Partner, Head of Public Policy, Clifford Chance
09.15 – 09.40	Keynote speech	In his keynote speech to the conference, Damian Green MP, Minister of State for Immigration , will set out his agenda for reforming UK immigration policy while advancing the economy and higher education. Chair – Andrew Haldenby, Director, Reform
09.40 – 10.15	Open borders? Balancing economy and community	Over a period of decades, immigration has enriched the UK's culture, society and economy. But with the country's population predicted to increase to 65 million by 2018, opinion is divided as to how open the country's borders should be. The Coalition's official policy is to limit annual net immigration, but Vince Cable, Boris Johnson and the CBI are amongst those who have criticised this policy. This session will discuss what would constitute a practical immigration policy that would address concerns over mass movement of people while safeguarding the UK's economic future. Glyn Williams, Head of Immigration Policy, UK Border Agency Laura King, Global People Partner, Clifford Chance David Sturman, Senior Consultant, Collinson Grant Chair – Andrew Haldenby, Director, Reform
10.15 – 11.10	Efficient, accountable policing	Police in England and Wales have to cope with increasingly numerous and complex threats – terrorism, serious organised crime, fraud, e-crime – and yet are expected to be increasingly prominent and effective on the streets. As the policing budget starts to fall, this session will consider how to improve the efficiency of the police to maintain the quality of provision, including the use of technology and collaboration, structural changes to the police service and the introduction of new accountability mechanisms such as Policing and Crime Commissioners. Sir Hugh Orde OBE QPM, President, Association of Chief Police Officers Nick Gargan, Chief Executive, National Policing Improvement Agency Blair Gibbs, Head, Crime and Justice, Policy Exchange and former Advisor to Rt Hon Nick Herbert MP Chris Ledgard, Director, Criminal Justice and Law Enforcement, Collinson Grant Chair – Dale Bassett, Research Director, Reform
11.10 – 11.30	Coffee	
11.30 – 12.20	An integrated criminal justice system	The UK has one of the most expensive criminal justice systems in the world, composed of a web of national and local organisations that do not always work together as effectively as they should. This session will look at how to better integrate the criminal justice system, to improve efficiency, increase value for money and deliver better outcomes for the individuals involved. It will examine the relationship between the national and local and consider whether a devolved and locally accountable criminal justice system could be more effective than one controlled from Whitehall. Helen Goodman MP, Shadow Minister of State for Justice Helen Edwards CBE, Director General, Justice Policy Group, Ministry of Justice John Samuels QC, Chair, Prisoners' Education Trust Les Murray, Director, Collinson Grant Chair – Nick Seddon, Deputy Director, Reform
12.20 – 13.15	Revolutionising rehabilitation	Almost two thirds of adult prisoners reoffend within two years of release. This session will discuss how the prison and probation services can be changed to improve rehabilitation, and consider the role of community sentencing. It will also examine the potential for using private and third sector providers in rehabilitative roles and the extent to which a "payment by results" system could improve outcomes. Mike Maiden, Chief Executive, Staffordshire and West Midlands Probation Trust Savas Hadjipavlou, Head, Partnerships and Health Strategy Unit, Ministry of Justice Kevin Lockyer, Director of Services, Nacro David Banks, Group Managing Director, Care and Justice Services, G4S Chris Ledgard, Director, Criminal Justice and Law Enforcement, Collinson Grant Chair – Andrew Haldenby, Director, Reform
13.15 – 13.30	Closing remarks	Andrew Haldenby and Chris Ledgard will sum up and close the conference.
13.15 – 14.00	Lunch	

Reform comment



Andrew Haldenby, Director, Reform



Nick Seddon, Deputy Director, Reform



Dale Bassett, Research Director, Reform



Will Tanner, Researcher, Reform

2011 is an important year for policing and the criminal justice system. Budgets are subject to significant cuts, reoffending is high and the Government is introducing a series of major reforms, from elected police commissioners to a "rehabilitation revolution".

England and Wales have one of the most expensive criminal justice systems in the world. But savings will not be easy to achieve, particularly given a desire to preserve "front line" services. Reforming leaders will re-think the structure of their services and understand that a desire to blindly preserve the "front line" could lead to further inefficiency.

Police and criminal justice reform is a high priority for the new Government. The Home Office has published a White Paper setting out plans for a new National Crime Agency and a Bill to introduce elected Policing and Crime Commissioners. Ken Clarke, the Justice Secretary, has outlined radical thinking on saving money in the criminal justice system, including reducing the prison population.

Today's conference will consider the implications of these reforms, and develop ideas that will help practitioners and service providers to continue to improve outcomes while driving down costs.

The challenge and the way ahead



Chris Ledgard

We hold this truth to be self-evident: *“The job of a manager is to get extraordinary performance from ordinary people”*

Fads in management and consulting come and go. We know. We have seen them all. But what persists is the need to pay close attention to the detail and to the staff. This is as true today in the criminal justice system (CJS) as in any other spending Department. Maybe more.

Lots of money has been spent in the CJS in the last ten years. So politicians and the public alike have come to expect higher levels of performance. But, worryingly, the managers do not seem to have raised their game.

Throughout the system, from the police, to the courts and out into the vast hinterland of prisons and probation, managers have focused on process. They want to do things in the right way. And lots of progress has been made. But at what cost?

“Where the emphasis is on internal procedures, costs soar. Navel-gazing lets them rise again. Managers take their eye off the ball - the customer. As the HMIC reported: ‘The police have retreated from the street.’”

But not just the police. The problem is endemic throughout the CJS.

Argue, if you like, that “the public sector is different”. Claim that some parts of the CJS are special cases, with particular needs. That may well be so. But will it help managers in the CJS meet the future head on? Maybe not.

What will help them is to think out answers to such questions as:

- What should we do less of, more of, or not at all?
- Who is - or should be - in charge?
- Where should accountability for performance lie?
- What will happen to the whole of the CJS if I make this little change?

This looks like a simple instruction:

“Stop trying to do things right: Start trying to do the right things.”

But it is not a question of one or the other. The CJS has just spent ten years trying to do things properly. The need now is to do the right things – not instead of, but as well as. Whether the emphasis should fall on the doing or on what is done will depend on the specific circumstances. Habits that have built reputations and met targets can be hard to break.

We reckon that the CJS needs to put three things into rapid effect.

- It needs to apply a comprehensive measure, like

the waterfall we set up in the Ministry of Justice and the Home Office. This will encourage the staff to improve systems and cut costs across organisational and budgetary boundaries without impairing performance elsewhere.

- It needs to stifle the sterile debate about who is “front line” and who is “back office”. Such labels are nonsense. A Police Constable having a meal break is doing a “back office” activity to facilitate a front line duty. Any activity can be “front line” or “back office”. It is the activities that count. And in looking to reassess them, policy makers and politicians will have to work out a reasonable ratio of front-line to supporting activity, and to investigate any imbalance.

- It needs to measure the costs of inputs and outcomes, to show value for money. Many parts of the CJS are not subject to the financial constraints that other public spending bears. But that should not mean that financial performance and outcomes

can be ignored. Managers in the CJS will have to learn what raises costs - and how to maximise outcomes for a given cost, or to minimise the cost of an irreducible outcome. The challenge is clear. And so is the way ahead. Managers in the CJS need new skills and support. They need to manage activities, not “people in jobs”. And they need to get extraordinary performance from the fewer people who will be available.

Chris Ledgard, Director of Crime and Justice, Collinson Grant

Open borders? Balancing economy and community



Will Tanner

Striking the right balance

Over a period of decades, immigration has enriched the UK’s culture, society and economy. But with the country’s population

predicted to increase to 65 million by 2018, opinion is divided as to how open the borders should be.

The Government has committed to limiting annual net immigration, despite criticism from Vince Cable, Boris Johnson and the CBI that an immigration cap will damage UK business interests. In November the Home Secretary announced “a sensible compromise”, outlining an annual limit of 21,700 for immigrants emanating from outside of the EU, with a specific bias towards short-term, highly skilled and intra-company migration to the UK.

While these measures go some way to allay business fears, there nevertheless remain significant questions around employers’ ability to effectively recruit talent in the short-term and the long-term sustainability of the UK population. At a time of economic recovery and increasing demographic pressure, the need for a practical policy that promotes sustainable immigration while safeguarding the economic future of the country is vital.

Will Tanner, Researcher, Reform

Damian Green MP

A sustainable immigration agenda



The Government is committed to reducing net migration to the UK from the unsustainably high levels of the last decade. Migration will benefit Britain, but only if it is controlled and we are selective.

In November, we announced the first reforms, including an annual limit of 21,700 skilled workers from 6 April. We shall keep Britain open to the brightest and best while ensuring, at a time of high unemployment, that Britain only takes the workers it really needs.

We shall review in the coming months the other pathways to migration to Britain. For example we shall look at how migrants can settle here, whether through work or family reasons.

The consultation on the student visa system is part of that wider review. The majority of non-EU immigrants are students. We recognise the important contribution international students make to the UK but remain concerned about abuse of student visas.

Over 40% of international students are not studying at degree level. Levels of

compliance with immigration requirements vary between types of education institution. The proposals in the consultation on students are designed to raise compliance standards through tougher entry criteria and to reinforce the temporary nature of student migration.

The public consultation on students closed on 31st January and we will announce our response as soon as possible.

Damian Green MP, Minister of State for Immigration

Efficient, accountable policing



Dale Bassett
A tough beat

Police in England and Wales have to cope with increasingly numerous and complex threats – terrorism, serious organised crime,

fraud, e-crime – and yet are expected to be increasingly prominent and effective on the streets.

The Government and the police service itself are tackling these challenges. Elected Policing and Crime Commissioners will provide direct accountability to improve outcomes and value for money. Tom Winsor's workforce reform review will consider how to make the policing workforce fit for the 21st century, following the example of forces such as Surrey who have led the change to a new workforce mix. Efficiencies will continue to be sought, with innovations such as the QUEST programme demonstrating the scale of savings achievable.

As the policing budget starts to fall, policymakers and practitioners alike must consider how to improve the efficiency of the police to maintain the quality of provision, including the use of technology and collaboration, structural changes to the police service, and the introduction of new accountability mechanisms.

Dale Bassett, Research Director, Reform

Sir Hugh Orde OBE QPM
On the front line



Like many parts of the public sector the police service is facing deep cuts, and there are no easy choices to make. As Chief Officers, we will do all within our power to ensure that we protect the front line of the service – and we are fully committed to this. However, it must be accepted that the scale of these cuts is so significant that “protecting the front line” cannot mean “maintaining the front line at current levels”. In this context, protection means mitigating the impacts and ensuring that every avenue for efficiencies is exploited, before reaching the point where front line resources are reduced.

Our front line, core service is to keep the public safe from harm – that is our unwavering mission. However that cannot mean cutting everything bar visible patrols. Neighbourhood policing is a cornerstone of policing, but only effective in concert with invisible parts: intelligence, public protection, counter terrorism, detectives, response, public order. I believe that the key to a future where the public is protected, to the best of our ability, lies in achieving the right balance

between all of these critical aspects of policing.

Add to this intensifying operational challenges which include an ongoing terrorist threat; public order; and preparations for the Olympics, and we can be certain that the time ahead will be both challenging and busy. The operational need for the police service to pull together and work seamlessly across forces when required will be greater than ever.

There can be no doubt that these are times of huge change. The coming months and years will see the introduction of new accountability structures; the police pay review; the formation of a national crime agency; and a new role for ACPO - all measures that are going to radically impact upon the way we do business.

I accept that the Government's proposed reforms to police governance seek to improve our service delivery to the public. Ministers have been emphatic in their commitment to preserve operational independence alongside strengthened local accountability; and it is plainly not appropriate for chief officers to select the precise method in which they are held to account. But, for such reforms to have the desired effect, there is a need for clarity around the way the proposals will work. Today we have an opportunity to have a considered debate on these issues, which are absolutely critical for the future of policing.

Despite the tough times that are to come, I believe that we

have much to be optimistic about. This is down to the men and women who serve in the Office of Constable and the staff working alongside them. Their professionalism and dedication continues to inspire and gives us every reason to be confident for the future.

Sir Hugh Orde OBE QPM, President, Association of Chief Police Officers

Nick Gargan
A clear strategy is needed



British policing is good. Indeed, by global standards, it is very good. We take for granted the proposition that our police will be overwhelmingly restrained, trustworthy, approachable and effective. This has helped us overturn the most basic piece of saloon bar criminology: namely that crime goes up in a downturn. Last year the British Crime Survey saw levels fall to the lowest since 1989. But just as the service has reached new heights of effectiveness, attention has turned away from that measure of success towards measures of efficiency.

This shift was not immediately welcome to a service that has historically focused on performance over

productivity. The “examination question” for Chief Officers has changed quickly: in a period of 18 months the presumption has gone from one of reduced growth, to standstill, to reductions of four, then eight, then 12 and more per cent.

There are many ways of taking money out of policing. We must do so quickly, but the challenge is also to do so intelligently. Individually, forces have already achieved a great deal, but collectively as a service, we do not have the most impressive track record in this respect. Inefficiency is built in to a system where 43 forces deliver the full range of policing services through structures that are essentially replicated 43 times. Our structure has prevented us from achieving true economies of scale that come from doing some things once: at a national level.

Take police spending on ICT, for example. Costing up to £1.4 billion, it represents over 10 per cent of our total spend on policing – the per capita cost being roughly double of what one might hope to see in a comparable technical field-based occupation. Attempts at convergence have been undermined by parochialism in forces and a lack of credible delivery from the centre. Yet improvements in police ICT, by accelerating an existing long term trend towards convergence, could reduce the need for cuts on the front line.

Passage of the Police Reform and Social Responsibility Bill will deliver a greater level of accountability. Pushing back

accountability to the local level can be balanced by a consolidation and aggregating up of functions where expensive local variation is not simply unjustifiable, but actually hampers the delivery of our service. Hamstrung by what one Home Office official describes as “the narcissism of small differences”, forces have little to show for four years of collaboration in terms of hard cash savings. We are unlikely to see a step change without stronger encouragement, incentivisation or mandation from the centre.

We need demarcation – and quickly. One of the reasons that collaboration between forces never realised its full savings potential has been the almost complete absence of a clear strategy about who should collaborate with whom and in what activities. I can remember witnessing my first negotiation between a police commander at a football match and the match day referee: “The green bit's yours ref, the rest of it's mine” said the Chief Superintendent. From that moment onwards, everybody knew where they stood.

Our efforts to make the Spending Review savings from across the police service would benefit from simple clarity for those charged with developing successor arrangements to the NPIA and other elements of the national landscape. A clear Ministerial strategy is needed, detailing the level at which policing services are to be delivered, supported by credible empowered organisations with

an unambiguous mandate. This will provide us with the best possible opportunity to deliver Spending Review savings while maintaining the best police service in the world.

Nick Gargan, Chief Executive, National Policing Improvement Agency

An integrated criminal justice system



Dale Bassett
From prevention to probation

England and Wales have one of the most expensive criminal justice systems in a world composed of a web of national and local organisations that do not always work together as effectively as they should. This lack of integration creates delays, costs money and inhibits effective rehabilitation.

At a local level much progress has been made to improve integration between the police, the different facets of the criminal justice system, and related services including education and health. Those responsible for local delivery must consider how to better integrate the criminal justice system, from prevention to probation, to improve efficiency, increase value for money and deliver better outcomes for the individuals involved. At a national level, policymakers should ask whether a devolved and locally accountable criminal justice system could be more effective than one controlled from Whitehall.

Dale Bassett, Research Director, Reform

Helen Goodman MP
Towards an integrated criminal justice system



For the criminal justice system (CJS) to be effective, it must protect the public, deter crime, punish offenders and reform and rehabilitate.

In order to achieve this, the various component parts of the CJS – from the police to the probation service, and the courts to the CPS – need to complement each other, with power, accountability and responsibility appropriately distributed throughout the system.

In the last decade, the Labour Government made some real progress on this. Crime fell by 43 per cent – in times of economic growth and recession; we extended community sentencing, introduced community payback and neighbourhood policing; we cut reoffending by 16 per cent and funded a 15-fold increase for drug treatment; we increased probation service funding by 70 per cent in real terms and improved management structures through the introduction of NOMS. The chances of becoming a victim of crime are the lowest for 30 years and public faith in the CJS has risen.

Much done, but in truth, there is much more to do.

There are some outstanding examples of good practice within the CJS – of innovative, effective solutions to complex and protracted problems – but we need to look at why best practice has not become common practice, and how we can reform the management of the CJS to ensure that this happens.

The Coalition's recent Green Paper on sentencing and rehabilitation, however, raises more questions than it answers. How will prison and probation services maintain high quality services with a 25 per cent cut in their funding and inevitable reductions in staff? Where will resources come from to fund mental health and alcohol and drug treatment programmes? Which prisoners will avoid custodial sentences in order to hit targets for reducing prison numbers? How will community confidence be maintained when so many local courts and services are being closed?

We need to build on the progress of the last decade, rather than ripping it up; we need to extend community services across the CJS and give judges and police, prison and probation officers the support, guidance and resources to deliver an integrated and effective CJS.

Helen Goodman MP, Shadow Minister of State for Justice

John Samuels QC
Silos: Good or bad?



The concept of an integrated criminal justice system – a joined up approach to tackling crime and its causation – simply had no existence until the innovations which coincided with the Millennium. The creation of the Office for Criminal Justice Reform – the coordination of departmental responsibility which impacted on what was becoming recognised in its own right as “criminal justice” – was one novelty. Another was NOMS – seamless offender management from pre-sentence, to sentence supervision, through to rehabilitation. The extent to which that brave new concept has turned out to be a mirage is a sick joke for those in custody, who may at best see their Offender Manager once a year; and for hard-pressed members of the once proud Probation Service, who struggle with caseloads which simply stifle individual effort; and for whom the old by-line of “advise, assist and befriend” has been replaced by rigid compliance with National Standards.

The thesis will not be popular: but it is that the more you apparently focus on the integration of the criminal justice system, the less likely you are to

promote what should be regarded as the primary purpose of sentencing, enshrined in statute, namely the rehabilitation of the offender, and hence the reduction of reoffending. Those whose chaotic lives lead them into crime need an individually tailored approach to the resolution of their problem; and not a tick-box approach to compliance. Those with mental health issues are likely also to have drug and alcohol problems; and the “one size fits all” approach can be guaranteed to fail. Those who sentence to community orders must be enabled to follow up their sentences routinely: not only to satisfy themselves in the interests of the community that the interventions which they have specified are working, but that those subject to the orders are progressing as they should.

Centralism (which is what Government understands by integration) stifles local initiative. Localism promotes a problem-solving approach to criminal justice.

John Samuels QC, Chair, Prisoners' Education Trust

Helen Edwards CBE
Joining-up criminal justice



A joined-up criminal justice system is essential if we are to ensure reductions in reoffending, better value for money and faster, better responses to crime. The recently published Breaking the Cycle Green Paper has put forward proposals on rehabilitation and sentencing as well as considering how responses to crime can be better integrated and victims properly supported and protected. Further work is in hand looking specifically at criminal justice efficiency.

Our proposals for breaking the cycle of crime are based on four principles: protecting the public; punishing and rehabilitating offenders; transparency and accountability; and decentralisation. Proposals include ensuring that prisons become places of hard work, that rehabilitation programmes are opened up to innovation from the private and voluntary sectors, paid on the basis of results, and that the whole system is focused on reducing reoffending. This will involve the greater use of restorative justice, more work to get offenders off drugs and welfare benefits, a simplified sentencing framework and ensuring local people play a

greater role in criminal justice.

The Ministry of Justice is committed to playing its part in reducing spending to return the country to economic growth. Our proposals should prevent offenders cycling through the criminal justice system time and time again wasting public money and doing little to protect communities. In taking forward this agenda, the Ministry of Justice is working closely with other departments to address mental health, drug, education and employment issues, as well as with the Home Office, the police, the Crown Prosecution Service, judiciary and other partners to make sure that the criminal justice system operates as efficiently as possible end-to-end.

Tackling both crime and inefficiency requires effective joint working at the local as well as the national level. We will provide front line professionals with greater freedoms in how they manage offenders. There will be fewer targets for providers and less prescription in the way that different agencies work together. We will also provide better information so that the performance of local services is more transparent so the public can hold services to account.

Our ambition is a better integrated criminal justice system that reflects good joint working between agencies and better outcomes for the public. Our policy proposals are designed to achieve this.

Helen Edwards CBE, Director General, Justice Policy Group, Ministry of Justice

Revolutionising rehabilitation



Will Tanner
Reversing the merry-go-round

The criminal justice system is failing to rehabilitate offenders effectively. Almost two thirds of adult prisoners reoffend within two years of release, at an estimated social cost of £10 billion annually.

The Justice Secretary, Ken Clarke, has pledged to reverse this “merry-go-round of incarceration and criminality” by engendering a “rehabilitation revolution” based upon the increased use of community sentencing, “payments-by-results” and the promotion of more integrated services.

These proposals rightly shift the debate away from visible inputs onto tangible social outcomes and promise greater involvement of third-party providers and partners in the rehabilitation of offenders. With significant reductions to budgets over the course of this Parliament and many schemes, including “payment-by-results”, in their infancy, policymakers and practitioners must continue to focus on the best ways to improve rehabilitation and reduce the risk of reoffending.

Will Tanner, Researcher, Reform

Mike Maiden
The ecosystem of offender management



The history of probation is of a service well integrated into local communities. “Patch” probation officers knew the context of offending and knew the resources within communities that could be brought to bear on reducing the risk of reoffending. It may have been successful but no-one measured very much and so no-one knew.

The more recent emphasis on targets has made probation more accountable but has asked questions about effectiveness. However, the questions are asked of a system that is not necessarily doing the right things. Dominated by inputs and processes the system has lost sight of the central roles of the relationship with the offender and the offender’s relationship with the community as keys to real effectiveness. We passed on to our contracted providers the same limited view of what should mark success – we had to in order to meet our own targets.

Silo thinking limited the emphasis on integrated joint working but where it did emerge, for example in prolific offender schemes, much better results were produced. Managing the offender’s situation as an “eco-system,” with multiple interdependencies, usually produced something valuable

but the day to day work with offenders often remained disjointed. Consequently, the “magic bullet” that would reduce reoffending proved elusive. Staffordshire and West Midlands Probation Trust has the best reducing reoffending results in the country, but we would be hard pressed to say exactly why this is the case.

A set of issues needs to be addressed to push forward towards real effectiveness. These issues need to be addressed across the whole system, not in isolated silos and to access the rich picture of provision that is available through private and voluntary sector organisations. The approach should reconnect the reducing offending agenda with local communities and accept that people have a right to express their views. In the conference I will present a model that the Trust has developed to build this new response and will outline some of our early experiences in implementing it.

Mike Maiden, Chief Executive, Staffordshire and West Midlands Probation Trust

Savas Hadjipavlou A more integrated, locally-driven approach

Reoffending blights lives and communities, causing large social and economic costs. How much can prison or probation services, on their own, do to rehabilitate offenders? Who else needs to be involved? These are key questions in looking to improve performance and outcomes in this complex and difficult area.

The Criminal Justice Act 2003 describes the purposes of sentencing as: the punishment of offenders; the reduction of crime through deterrence; their reform and rehabilitation; the protection of the public; and making reparation by offenders to victims and the community. How these elements of the ‘package’ come together will vary from case to case, and the sentence given, and its enforcement, will take account of the nature of the offence, the personal circumstances of the offender, and the need to maintain confidence in the criminal justice system, demonstrating the right action to victims and the wider community.

Prison and probation have a key role in delivering the sentence of the court, securing public protection and achieving rehabilitation goals. What needs to be done will often require more time than the length of the typical sentence, whether in prison or the community. For example, the majority of prisoners serve only a few weeks in custody but drugs, alcohol and mental health problems, unsuitable accommodation, and poor or non-existent job skills are common issues that need to be tackled.

This means that a wide range of community services, voluntary organisations and the business sector also have a role in helping to achieve rehabilitation goals. Dealing with drug or alcohol addiction, ensuring access to treatment for those with mental disorders, finding a place to live and getting a job, are part of the range of interventions and

support that needs to be available to help the offender take responsibility and turn their life around.

The Ministry of Justice Green Paper Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders describes the Government’s proposals in this area. A more integrated and locally driven approach, drawing in the skills and support needed from other organisations, new ways of organising services, incentivising performance by focussing on, and linking payments to, reduced offending outcomes through payment-by-results, will need to form part of the answer.

Savas Hadjipavlou, Head of the Partnerships and Health Strategy Unit, Ministry of Justice

Kevin Lockyer The voluntary sector and the rehabilitation revolution



On the face of it, the Green Paper, Breaking the Cycle, presents a real chance to crack some old problems and some real opportunities for the voluntary sector. But it also presents some risks.

The current system does not work as well as it should. There is a disproportionate reliance on the use of custody. Over the last ten years, the number of offenders going through the courts has stayed largely constant; the numbers being found guilty have fallen, but the prison population has risen inexorably. Too many offenders reoffend after release from prison or completion of a community sentence. Too many people drop out of community sentences, either before they start their programmes or

part-way through. And the public does not have confidence in community sentences.

We need, as a society, to find an effective way through these problems. It is not enough simply to lock up more offenders. It is an expensive way of securing temporary respite from the activities of offenders and with the real possibility of creating longer-term social harm by increasing the risk of reoffending. Resources should be better targeted to deliver better social outcomes, not just in meeting the punitive requirements of the justice system. Nacro therefore welcomes the Green Paper’s commitment to increased pluralism of provision and to providing space for genuine innovation by providers.

Increased charity involvement must have much to commend it. Voluntary sector providers have an unrivalled track record of reaching even the hardest-to-reach; getting involved on the ground in the heart of neighbourhoods; providing practical help to people in trouble; and delivering cost-effective services.

As a means of delivering the right offence reduction outcomes, a shift to payment by results (PBR) makes absolute sense:

- responsibility for the design and implementation of intervention moves to the provider
- in turn, the commissioner invests in the delivery model and the organisations who are best able to meet the required outcomes, irrespective of whether they are charity, public, and/or private sector.

In order for the rehabilitation revolution to succeed, it must prove its effectiveness on a large scale. This requires investment, because few charities have the capacity to carry the financial risks associated with PBR. It also requires new learning in terms of business development, contract management and partnership working - including joint ventures. This could lead to bigger charities born out of mergers, acquisitions, and delivery partnerships.

The key challenge is to ensure that, as the delivery landscape changes, charities are able to retain the connectivity with the community which has been such a vital part of their offering to date. At a time when the need for public confidence has never been greater, we must ensure that any developments build on and do not detract from charities’ ability to reach and to involve people including employers, corporate partners, voluntary and local groups, as well as offenders and their victims.

The proposals in the Government’s Green Paper are exciting. But, as ever, the devil is clearly in the detail, especially as the proposals are being rolled out at a time of severe pressure on public finances. Nacro looks forward to taking part in the debate and welcomes the opportunity to demonstrate the strength of the voluntary sector in reducing crime and reoffending.

Kevin Lockyer, Director of Services, Nacro

Reform
45 Great Peter Street
London
SW1P 3LT

T 020 7799 6699
info@reform.co.uk
www.reform.co.uk