

Engaging Communities in Criminal Justice Summary



INTRODUCTION

This is a summary of the Green Paper, Engaging Communities in Criminal Justice, which sets out the Government's proposals for transforming criminal justice from a system that does things to communities into a true service that does things for and with communities.

The Green Paper sets out a vision of a criminal justice service in which all partners are focused on local communities and work together to tackle crime, deliver justice and provide high-quality services that inspire public confidence.

A summary of the Green Paper, a link to the full Green Paper document and an online consultation facility can be found at: <http://consultations.cjonline.gov.uk/>

The consultation will run until **Friday 31 July 2009**.

SUMMARY

1. The criminal justice system (CJS) belongs to the people it serves. The public need to believe that to be the case. If people understand and trust the system, and indeed see it as a public service more than a system, they will feel increasingly free to get on with their lives without fear of crime, secure in the knowledge that there are consequences for those who do not play by the rules.
2. Significant improvements have been made but there are challenges with the system as a whole. Louise Casey, the author of the Cabinet Office Review *Engaging Communities in Fighting Crime*, said: “Too often the public don’t believe that their voice is heard, don’t believe wrong-doers face adequate consequences for the crimes they commit, don’t believe they are told enough about what happens in the system and, perhaps because of this, they don’t believe that crime has fallen when they are told so.”
3. We are determined to change this. We must open up the justice system to the public so that local communities have the confidence to play their part. If they trust the system to deliver on its promises, they will be more willing to report crime; to come forward to give evidence as witnesses; to participate as volunteers and jurors or to consider a career in the CJS.
4. The *Engaging Communities in Criminal Justice* Green Paper and consultation exercise are the next stage in the journey towards our vision for a criminal justice service that is effective, delivers justice for all, has the interests of victims and witnesses at its heart and which inspires the trust and confidence of the people it serves.
5. The Paper sets out our proposals for further improvements and on these we seek the views of the public and the very many dedicated professionals and volunteers who work in and with criminal justice organisations.
6. Our proposals are centred on three areas:
 - strengthening the connections between communities and the prosecution and court services;
 - ensuring that justice outcomes are more responsive and more visible and, lastly,
 - improving communication between local people and their criminal justice services.
7. We look forward to hearing your views on our plans to achieve our ambition of transforming criminal justice from a system that does things to communities to a true service that does things for and with communities.

The Prosecution and the Courts: responding to community concerns about crime (Chapter 1)

8. Engaging communities effectively is central to improving public confidence in the way in which crime is tackled and justice delivered. The police service has taken an effective and innovative lead through Neighbourhood Policing in engaging with the public to help shape the better service they deserve. We need to ensure that the police are supported in this very important

role by improving the responsiveness and accountability of the CPS and the magistrates' courts to the communities they serve.

Community Prosecutors

9. The CPS has been less well recognised among the public as part of the CJS. This apparent lack of visibility of the prosecution team locally and poor public awareness of the role of the CPS may affect the communities' level of confidence. This figure is improving as people become more aware of the CPS's role but we want to accelerate this improvement and ensure that the CPS is also recognised as the community's prosecution service.

10. To help us do this, we propose a new Community Prosecutor approach, which will enhance the service the CPS provides to local people and the visibility of its work.

11. Community Prosecutors will be more involved with their communities, more aware of local concerns and better able to reflect those concerns when making case decisions

12. We will introduce Community Prosecutors in at least 30 pathfinder areas for 12 months in 2009-10 to strengthen the contribution of the CPS to community engagement activity alongside the police, the courts and other partners.

Community Impact Statements

13. The police, CPS, the courts, the judiciary and the probation service should all understand the concerns of the local community. Community Impact Statements give local people the opportunity to voice their concerns to criminal justice services and to the courts in particular.

14. The Community Impact Statement is a summary of crimes committed in a local area which includes a section on the concerns of local people. The statement ensures crime and justice agencies are aware of the feelings of individuals and the wider community and enables practitioners to take into account the harm inflicted on both individuals and the community as a whole.

15. We will test the use of Community Impact Statements in at least 12 areas for six months and the results will then be assessed to inform national rollout.

16. As part of our plans for keeping communities better informed (Chapter 3) we will also look at developing a response to the Community Impact Statement, which will give communities feedback on how their views were incorporated into the justice process and what outcomes were achieved.

Increased problem-solving in the court room

17. Magistrates and the communities from which they are drawn are frustrated by seeing the same people appearing in court again and again. Many magistrates want to be able to do more to help offenders focus on their underlying problems, to reduce the same patterns of offending, and minimise further harm to communities.

18. By identifying the problems typically leading low-level offenders to commit crime and helping them to access help to address these problems, the problem-solving approach enables the court to help offenders to focus on their problems, change their behaviour, stop offending against the community, and rejoin the law-abiding majority.

19. We want as many communities as possible to benefit from problem-solving approaches and want them to be applied to cases where it is most effective.

20. We have already introduced problem-solving approaches in the 13 community justice areas and are now looking at how these can be adapted for wider application across magistrates' courts in England and Wales by March 2012. By the end of 2009, we will have identified six areas to implement problem-solving techniques to provide us with further information about costs and benefits to inform further roll-out.

21. We will build on the approach already used in youth courts, and in the courts operating the Community Justice projects, and provide magistrates with similar additional training and awareness sessions to enable them to engage directly with the defendant in court.

Judicial continuity and case review

22. Bringing a defendant back before the same judge, or the same panel of magistrates, each time they attend court can have a powerful effect. It allows the judiciary to develop a rapport with defendant, understand their personal situation and keep track of changes in circumstances. At the Community Justice Centre in North Liverpool, the judge provides motivation and rewards progress – but also reprimands and deals firmly with breaches, as necessary.

23. We will look at ways of improving the continuity of judges or magistrates from hearing to hearing for an individual case.

24. Section 178 of the Criminal Justice Act 2003 enables the Community Court to review offenders' progress as they carry out Community Orders. This means that when an offender over the age of 18 is given a Community Order, the court can require the offender to come back to court on a regular basis to consider their behaviour during the sentence. This increased oversight by the judiciary encourages offenders to comply with the conditions of the sentence.

25. We are evaluating the use of Section 178 in the 13 Community Justice courts to help us decide whether to introduce these powers for appropriate cases in other areas across England and Wales.

Intensive solutions for the most persistent problems

26. For the areas with more acute crime and anti-social behaviour problems, fuelled by social disadvantage, we propose to take a more intensive and focused approach to get to the root of the problems. We have successfully tested this approach in a number of neighbourhoods, and local communities are seeing real change for the better.

27. This intensive, multi-agency approach is being used in the 13 Community Justice projects across England and Wales. The first two projects, in North Liverpool and Salford, were set up in 2005, in response to persistent local problems affecting people living in those neighbourhoods.

28. Community engagement is a core component of the Community Justice approach. At the North Liverpool and Salford sites, activity has focused on improving awareness of the court and criminal justice services; keeping local people

informed about criminal justice outcomes and successes; and seeking to involve the community actively in the development and operation of the criminal justice services.

29. Close multi-agency working is also critical to the success of Community Justice. The availability on-site of all criminal justice agencies for multi-agency pre-court meetings at the North Liverpool Centre has led to higher levels of case preparedness. The co-location of a range of different advice, support and voluntary sector agencies enables the Centre to deliver an immediate holistic, tailored and responsive approach to offenders' needs and swift intervention, linked to the sentence imposed.

30. In light of the experience in North Liverpool and Salford, we applied the principles of the intensive Community Justice approach and used them to underpin the operation of 11 further Community Justice projects. All of the new sites operate from mainstream magistrates' courts. All apply the principles flexibly according to local need and circumstances. We continue to evaluate these projects.

31. The multi-agency approach to problem-solving has other benefits. Victims and witnesses, as well as the wider community, can use the on-site support services that were set-up to help offenders with their problems. This means all parts of the community can benefit.

32. We will expand our use of the successful principles and practice pioneered through the Community Justice projects and apply them intensively where local community needs and concerns, backed by evidence from crime and justice information, suggest the approach is most needed.

33. Where possible we will co-locate crime and justice teams with advice and support services in one building to deliver community engagement and problem-solving services more effectively to benefit communities.

Selection and deployment: The right people doing the right jobs in the right places

34. Magistrates' courts deal with around 95 per cent of the criminal cases heard in the courts, as well as some family and civil cases. Magistrates, whether District Judges sitting in magistrates' courts or members of the local community who volunteer as magistrates, therefore have enormous potential to influence the quality of life for the communities in which they sit.

35. Magistrates are the personification of justice being delivered in the community. As such, they already make a significant contribution to bringing the courts closer to the communities they serve.

36. Community engagement and problem-solving approaches should be an integral part of the job or role description for all existing district judges and magistrates, and should be incorporated into role specifications for new recruits.

37. We have made a start. During 2008 HMCS and the Judicial Studies Board, jointly created training materials to support magistrates in their community engagement activity.

38. We want to develop a 'national toolkit' to support this work in magistrates' courts across England and Wales, making community engagement and problem-solving part of the standard training for new recruits.

39. We will work with the judiciary to ensure that these functions fit well with the existing role requirements, particularly for magistrates who are volunteers, so that they do not become too great a burden on individuals, or put them under undue pressure to increase the time they give freely to the delivery of justice in their communities.

40. District judges are appointed through a national, open competition, rather than for an individual vacancy for a specific court. De-mystifying the selection and deployment process is a part of bringing courts closer to the community.

41. Our ambition is for community members to contribute to the appointment and deployment process. This would raise awareness about how district judges are chosen, increase confidence in that process and in the court and strengthen the connection and trust between the district judge and the local residents served by their court.

42. It is vitally important that magistrates reflect the diverse experiences and backgrounds of the communities they serve. Since 2004 we have seen a significant rise in the overall number of magistrates and some success in recruiting magistrates from under-represented groups.

43. There is still more to do to encourage applicants from under-represented groups, including those from socially deprived areas, and there is a particular need to attract more candidates under 50 and in employment.

44. We want to explore ways in which awareness of the magistracy as a volunteering role can be raised

among less represented occupational groups and also those who are not in employment.

45. We will also look at ways of attracting more volunteer magistrates from socially deprived areas by using known community leaders as advocates and taking recruitment information to community events in deprived areas.

Magistrates' Courts: Justice for the community, in the community

46. We want more local people to be aware of court services in their area and to see and hear more about the justice outcomes achieved in the courts on their behalf. We also want them to get involved and to have a sense of pride in and ownership of the way their local magistrates' court delivers justice.

47. We are therefore considering the value of inviting or requiring magistrates' courts or other locations delivering courts services to work towards achieving a set of excellence in justice standards, or hallmarks of effective practice in the delivery of justice in the community.

Making Amends: payback, reparation, restorative justice and compensation (Chapter 2)

47. In this chapter we focus on court sentences which are delivered in and for the community – punishing and reforming the offender, and enabling them to make amends to communities – and in particular we look at Community Payback, the unpaid work element of such sentences.

Giving local people more of a say in Community Payback and Asset Recovery schemes

48. Sentences served in the community rather than in prison can be an effective means of punishing and reforming less serious or less persistent, non-violent, offenders.

49. One of the most frequently used is Community Payback. This not only punishes offenders by requiring them to carry out demanding work which benefits others, it is also able to prepare unemployed offenders for work.

50. At the moment, the majority of Community Payback projects are identified by the Probation Service, in partnership with voluntary organisations, local authorities and other community groups. More recently, mayors and other civic leaders have been invited to identify and sponsor Community Payback projects.

51. Members of the public have also been able to ask for work to be undertaken, by contacting the local probation service by website, phone or other means.

52. We will give the public more opportunities to have a say on what work should be done under the Community Payback scheme in their area.

53. Asset recovery is critical to the fight against all levels of crime and is one of the Government's top priorities for law enforcement. We are determined to stop criminals profiting from crimes which affect the lives of the law abiding majority.

54. We want to keep up the attack on criminal profits. New asset seizure powers are being introduced in the Policing and

Crime Bill. These will enable the police to seize and detain assets at the earliest opportunity, subject to judicial oversight, to prevent criminals trying to hide them or otherwise dispose of them.

55. We are now proposing to do more to build community confidence through the use of asset recovery, looking at giving communities more of a say in how assets seized from criminals are used.

56. Citizens Panels give local people a particular opportunity to have a say in the type of work that should be undertaken as Community Payback. We are currently running pilots in Bolton, Ipswich, Leicester, Portsmouth, Wiltshire and Denbighshire to test the concept.

57. We propose to extend Citizens Panels throughout England and Wales. As the first step in an incremental rollout, we propose to establish them in the 60 Neighbourhood Crime and Justice Pioneer Areas by the end of 2009.

More visible and more immediate Community Payback for offenders

58. Community Orders benefit communities in a number of ways, not just through direct 'payback', but also because increased supervision and rehabilitative programmes help to reduce re-offending.

59. We announced in November 2008 that we would be introducing new uniforms for adult offenders undertaking unpaid work through the Community Payback scheme.

60. As well as making Community Payback literally more visible, we will also raise its profile, and make people more aware of

the projects being carried out through more opportunities to have a say in the type of work carried out and giving more information about outcomes.

61. We will investigate urgently the viability of expanding the proportion of Community Payback carried out in this way. This will include looking at the potential costs and other implications and the scope to achieve better value for money through the way the work is contracted.

62. We will also review, subject to resources, National Standards for the Management of Offenders and the specification to which all probation areas work, to see if all offenders could start on Community Payback projects more quickly.

Restorative Justice and Compensation – Repairing harm, restoring communities, compensating victims of crime

63. Under Restorative Justice, the victim of a crime may be involved in a process in which the offender seeks to make reparation for the harm they have done, and which should contribute to the offender's rehabilitation.

64. A Youth Restorative Disposal is currently being piloted in seven areas of England and Wales, using the principles of Restorative Justice, bringing the offender and the victim of the crime together and agreeing on steps the young person must take, including apologising for their actions.

65. Restorative processes deliver positive outcomes for victims, offenders and the community. Some programmes bring offenders and victims into direct contact. Other models involve indirect or proxy victims, or community representatives.

66. We are working with stakeholders, including the Restorative Justice Consortium, to develop a stronger and more systematic victim-focused adult Restorative Justice strategy that will build on the learning from the previous research pilot projects.

67. We will also look at what further action we can take to develop the strategy and make Restorative Justice more widely available for adults in more areas in England and Wales.

68. We have made many significant improvements to criminal justice services for victims of crime. Victims now have better information, more of a voice in the system and signposting or access to services which are better tailored to their needs.

69. On financial compensation, we have in place a Criminal Injuries Compensation Scheme which makes payments to innocent victims of violent crime and which remains one of the most generous in the world

70. We continue to support the provision of consistent and high standards for victims across England and Wales. We will continue to step up our efforts to improve the collection and enforcement of compensation orders.

Keeping Communities Informed, Getting People Involved (Chapter 3)

73. Community engagement empowers people to hold criminal justice services to account. Whether it is the provision of information and public consultation or involving people in local decisions, it can bring multiple benefits to the criminal justice

services and increase trust and confidence that local crime and justice services are fair, effective and, above all, on the people's side.

Better information, better presentation

74. Making information on crime more readily available to the public is part of the Government's commitment to strengthen community engagement in policing.

75. Information about crimes brought to justice, for England and Wales and for each of the 42 Local Criminal Justice Board areas, is already published in detail in the annual publication *Criminal Statistics* and in a more summary form on the CJS Online website, which is updated quarterly.

76. We need to develop the available information. Wherever possible members of the public should be able to get information about crime, policing and justice, whichever site they access initially, through working and obvious links that enable people to move seamlessly from one site to another.

77. One way in which access to information about local criminal justice outcomes might be given is through the continuing development of crime maps. All 43 police forces in England and Wales now have their own online maps with information about the volume of crime, crime trends and comparisons with the rest of the country.

78. The National Policing Improvement Agency (NPIA) is developing a single national system of crime maps. The Office for Criminal Justice Reform will be working with the NPIA as a matter of urgency during 2009 to explore how information about aggregate CJS outcomes could be linked to crime maps so that they also show justice information.

79. We are looking at ways of making performance information more visible, easily accessible and user-friendly through Directgov and the existing LCJB websites, with easy-to-understand explanations of what each measurement shows.

80. Just as we want the public to be more involved in choosing Community Payback projects, so we also want to proactively make the public more aware of work that has been carried out locally by offenders.

Making individual court case outcomes publicly available

81. Nine out of ten respondents to the Casey Review questionnaire said they were not told enough about outcomes of arrests. The Review noted that the public hear negative stories about what happened to particular cases, but are not aware of wider information that could reassure them that offenders are being punished appropriately.

82. We announced, in September 2008, our intention to provide the outcomes of criminal court hearings on a public-facing website. This will provide the final outcome of court hearings as this is considered the information of most interest to communities.

83. A prototype of the website will be made available for the duration of the Green Paper consultation. This will report specifically on the outcomes of knife possession cases tried in the adult magistrates' courts, supporting the current initiative on tackling knife crime.

84. We will also look at how we can link this website to the continuing development of crime maps, to support the aim of ensuring that

members of the public can get the maximum information about crime, policing and justice in a joined-up way from a linked set of sources, at as local a level as possible.

Local Criminal Justice Boards: Joining up communications and engagement activity

85. All criminal justice services and local partnerships, such as CDRPs/CSPs and other providers should seek to engage collaboratively with their communities to make sure there is an ongoing and really effective two-way conversation about all crime and justice issues in the area.

86. The level of activity is encouraging but we are also alert to the risk of engagement activities cutting across and undermining each other, causing confusion.

87. We believe that a wider LCJB area overview is needed to co-ordinate the communications and engagement activities of all criminal justice agencies.

88. Local Criminal Justice Boards should play a pivotal role in the integration of activity across all agencies in the area. Yet no single person currently works on behalf of LCJBs to deliver this aim. We are proposing a national network of LCJB community engagement Leads with a specific remit to address this important issue.

Promoting volunteering in criminal justice services

89. There are over 63,000 people across England and Wales who regularly and freely give up their time to take on formal volunteering roles with the criminal justice services.

90. We want to encourage more local people from as wide a range of backgrounds and social groupings as possible to get involved in local decision-making processes and services. In particular, we want to give decent law-abiding people whose lives have been blighted by crime and anti-social behaviour the confidence and opportunity to play an active part in improving their neighbourhoods.

91. We believe that we need to do more to co-ordinate and actively promote volunteering information. The new duty to promote democracy being taken forward through the Local Democracy, Economic Development and Construction Bill will help with this. It will require councils to provide information to the public about a wide range of civic and voluntary roles, including magistrates and members of Youth Offending Panels, so there will be a unified initial point of contact for citizens to go to.

92. We will develop and promote the associated guidance with LCJB and national agency representatives and third sector representative organisations.

93. In addition to producing guidance, it is critical to ensure that the case for volunteering is made strongly to, and understood by, key decision makers

within the criminal justice services. We will do this by identifying volunteering champions within individual agencies and disseminating good practice examples.

Consultation Questions (Chapter 4)

73. This chapter contains a summary of the consultation questions.

Responding to this Green Paper (Chapter 5)

73. The Government encourages and welcomes comments on the proposals in the Green Paper. This consultation will be conducted in accordance with the Government's Code of Practice on Consultation.

73. The consultation will run until **Friday 31 July 2009**

73. Responses to the consultation can be made in a number of ways. You can respond using the on-line consultation response facility at: <http://consultations.cjsonline.gov.uk/>

73. Alternatively, you can respond via email to **EngagingCommunities@cjs.gsi.gov.uk** or by post, to the following address:

Engaging Communities in Criminal Justice Consultation Responses

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Criminal Justice System: working together for the public

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