

A Five Year Strategy for
Protecting the Public and
Reducing Re-offending



A Five Year Strategy for Protecting the Public and Reducing Re-offending

**Presented to Parliament by
the Secretary of State for the Home Department,
by Command of Her Majesty**

February 2006

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Contents

Foreword by the Home Secretary	5
Executive Summary	7
Protecting the public	7
Punishment, Reparation and Rehabilitation	7
Managing offenders better to stop them re-offending	8
A vibrant system that values its staff	8
Chapter 1: Introduction	9
The context	9
Chapter 2: Protecting the public	11
Who should be in prison, and why?	11
Assessing offenders for risk	11
Keeping the most dangerous offenders in prison for longer	12
Life sentences	12
High security prisons and more specialist provision, including for prisoners with serious mental health problems	12
Safer decisions about parole	13
Protecting the public from high risk offenders in the community	13
Monitoring serious offenders	14
Chapter 3: Punishment, Reparation and Rehabilitation	17
Quicker, simpler, fairer punishments for the most minor offences	18
Fines	18
Making amends to the victim of the crime	19
Tough community sentences	19
Community Payback – unpaid work for the community	19
Persistent offenders	21
Custody Plus	21
Prison for serious offenders	22

More honest sentencing	22
Doing more to make sure the right people get the right sentences	22
Remand	24
Black and Minority Ethnic Offenders	24
Young Offenders	24
Women	24
Foreign Nationals	25
Prisoners with mental health problems	26
Chapter 4: Managing offenders better to stop them re-offending	27
End-to-end offender management	27
Earlier and better assessment and intervention	27
‘Going straight’ contracts	28
Better partnerships to stop re-offending	28
Health	28
Education, Skills and Employment	29
Accommodation, finance and benefits	29
Social and family links	29
Different prisons for different offenders – with new Community Prisons	30
Chapter 5: A vibrant system that values its staff	31
A vibrant mixed economy of providers	31
Restructuring probation to reduce re-offending	32
Leadership	32
Supporting our staff	32
Assessing the impact of our strategy	33
Chapter 6: Timetable for change	35
Annex A: Summary of the Victims Green Paper	37
Annex B: The Criminal Justice Act 2003	39
Protecting the Public from Dangerous Offenders – New Public Protection Sentences	39

Foreword

Charles Clarke



The way we deal with those who break the law is fundamental to the health of our society.

Making sure that those who commit crime are punished helps to build a fair society which protects and rewards the law-abiding citizen. It also allows us to live in a society based on the rule of law, where other forms of revenge or retribution are outlawed and unnecessary, and it complements our efforts to prevent crime in the first place.

Keeping the public safe is the first duty of the Criminal Justice System. We must do all we can to protect the public from serious, violent and dangerous offenders. This means using prison better, reserving it for more serious offenders but keeping the most dangerous in prison for longer.

But although punishment and imprisonment are necessary to protect the public and serve justice, we must do more. As well as needing offenders to be punished, a healthy and safe society needs them to be given every opportunity to reform – to get back onto the straight and narrow and become constructive contributors to the good of society as a whole. This is not just because it is morally right to enable people to change their lives for the better and overcome their failures and mistakes. It is also a practical recognition that more than half of all crime is currently committed by people who have been through the system and have not yet changed their behaviour. Reducing re-offending will cut crime and make Britain safer.

This strategy sets out how we will reshape our system to make sure that time in the criminal justice system is as effective as it can be in turning lives around and stopping people offending again, rather than serving as a brief interlude in a criminal career. It explains how we will protect the public and punish offenders, but at the same time tackle the linked factors that make them more likely to commit crime again. That necessarily involves ever closer joint working with a wide range of partners beyond the criminal justice system.

At the heart of this will be much closer links with communities. We have developed a vision for community prisons, as well as for more schemes to build on Community Payback, where local people have a say in what offenders will do to give something back to society to make good the harm they have done.

Taken together, this strategy will transform the way we punish and manage offenders, reduce re-offending, and cut crime. It will support the law-abiding citizen and the rule of law, and make our society stronger and safer for everyone.

A handwritten signature in black ink, appearing to read 'Ch Clarke', with a long, sweeping underline that extends to the right.

Charles Clarke
HOME SECRETARY

Executive Summary

Crime is going down, and at the same time we are succeeding in catching more criminals. But more than half of all crime is committed by people who have been through the criminal justice system before. We need our prison and probation system to work far better – and with a wider range of partners – to cut re-offending, giving more offenders the help they need to go straight.

Protecting the public

We must keep the public safe from violent and dangerous people. We need to make sure that we are keeping the right people in prison, and that dangerous people are imprisoned for as long as necessary; that we are protecting the public effectively; and that our prisons are fit for purpose.

ACTION:

- New **indeterminate sentence for public protection**, which means that seriously dangerous offenders will not be released until the Parole Board assess that it is safe to do so. In some cases, this may be never.
- Keeping up our **excellent record on escapes** from high-security prisons (with **no escapes of Category A prisoners since 1996**); and setting up more **specialist units** to deal with problem groups.
- Better **parole** decisions, with the Parole Board putting the safety of the public first; and **every released lifer living under the threat of recall to prison**.
- Continuous improvement in the way offenders are supervised in the community, with better management of risk and offender managers

working jointly with police, the Prison Service and others to supervise dangerous offenders.

Punishment, Reparation and Rehabilitation

It is important that offenders are properly punished for their crimes. But sending people to prison is not the only way of punishing them. Community sentences are tough, and getting tougher, and can be more successful at helping offenders stop offending again, which means fewer crimes, and fewer victims. Some very minor offenders can also be punished swiftly, fairly and effectively without going to court.

ACTION:

- Faster and fairer justice for minor offences, including extending the use of **conditional cautions**. Conditions can include paying compensation or making another kind of direct reparation to the victim of the crime.
- **Day fines**, which vary according to ability to pay – so that fines will be as tough for a rich offender as for a poorer one.
- Replacing all existing community penalties with a single **Community Order**, with a mix of up to twelve different requirements.
- Putting unpaid work at the heart of community sentences – rising from 5 million hours in 2003 to approaching 10 million by 2011.
- All unpaid work branded as **Community Payback** putting focus on the fact that offenders have to make amends to society for the wrong they have done, giving local

councils and communities a say in what offenders do, and making it much more visible.

- **New sentences which combine prison with community punishment and supervision afterwards**, working better to stop people offending again.
- **Better advice and local information** for judges and magistrates about what works, to assist in the sentencing process.

Managing offenders better to stop them re-offending

Whether offenders are in prison or in the community, we need to manage them better to stop them re-offending. We need to offer them the chance to change, and address the multiple problems that many of the most persistent offenders face. This is the central aim of our strategy, because it is key to reducing crime.

ACTION:

- A **named offender manager** for every offender, who will be responsible for making sure that they are both punished and rehabilitated properly; and who will get involved as early as possible in managing the offender.
- Bringing prison and probation together under the **National Offender Management Service** to make the system seamless.
- **‘Going Straight’ contracts** – a compact between the offender and the offender manager, with clear and meaningful incentives and sanctions, so that offenders committed to changing get rewarded.
- New strategy for adult prisons, in the Spring, explaining our vision for **Community Prisons**.

To tackle re-offending we are building strong partnerships across Government and beyond to address the many linked problems that contribute to offending, and in particular **health (including drugs and alcohol), education and employment, housing, finance and social and family links**.

A vibrant system which values its staff

As we put more focus on the individual offender – looking at the risk they pose, and at the support and challenge they need to stop re-offending – we need to make sure that the way our system is designed helps us bring in the best possible people and organisations to support every offender. We want to harness the dynamism and talents of a broader range of innovative and effective providers from the public, private and voluntary and community sectors.

ACTION:

- A system built on **commissioning** so that those who buy services for offenders are separated out from the providers of those services – so that there is no incentive to deliver services that do not work.
- A phased programme of **contestability** for Prison and Probation Services, with a **prospectus**, so that we can make sure services are provided by the best possible partnerships and providers, drive up standards, and improve results so that we can cut re-offending still further and faster.
- Legislation to turn Probation Boards into **Probation Trusts**, giving flexibility to get the best possible providers of probation services, with the focus on improving standards, not cutting costs.
- A focus on excellent, well-trained, and well-supported staff, with new **occupational standards**, better support for **good leadership** and **more freedom for high-performing prisons and probation trusts**.

Taken together, our strategy will ensure we can protect the public, and turn offenders’ lives around in a way that cuts re-offending and makes the country safer.

Whilst the direction of this strategy covers both England and Wales, full account will be taken of the devolved responsibility and role of the Welsh Assembly Government and the specific organisational structures in Wales.

Chapter 1

Introduction

The context

1.1 Crime is going down. The risk of being a victim of crime is at the lowest level for 24 years.

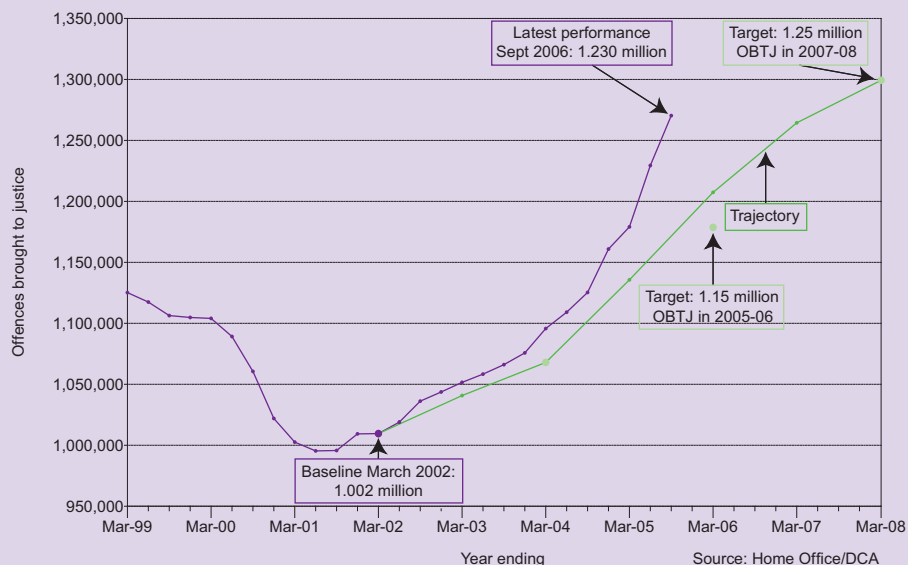
1.2 Prevention is better than cure, and we are investing heavily in preventing crime. £45 million has been allocated to youth offending teams for youth crime prevention activities such as Youth Inclusion and Support Panels, Youth Inclusion Programmes and parenting programmes. Following the publication of *Every Child Matters*, we have already put in place a national change programme of reform to children’s services. This will help ensure children and young people are deterred from engaging in crime and tackle the circumstances which make some more likely

to offend. From the early years up to adulthood, we are putting in place a series of measures that tackle the causes of youth offending and other related poor outcomes. As we promised, we are being tough on the causes of crime.

1.3 We are also shifting the focus of the system more onto the needs of the victim. Our Green Paper on Victims’ Services invited views on ways to support victims more practically and effectively (Annex A gives more details of our proposals).

1.4 And we are being tough on crime itself. We are catching and convicting more criminals. The number of offences brought to justice has improved significantly since 2002, as shown in Figure 1.

Figure 1
Offences brought to justice



1.5 We know that catching people is a good way to deter people from offending – figures show that the likelihood of getting caught is a more important deterrent than how tough sentences are.

1.6 But despite all this progress, over half of crimes are committed by offenders who have been through the criminal justice system before. If we want to cut crime, we have to stop people re-offending.

1.7 At the moment, our system has made a small amount of progress in cutting down re-offending – with a reduction in re-offending rates of 1.3% between 1997 and 2002 – but it is not nearly enough. (Source: Re-offending of adults – results from the 2002 cohort, statistical bulletin 25/05, Home Office)

1.8 For too many people, prison acts as nothing more than a brief interlude in a life of crime. Community sentences can be an effective means of stopping people re-offending, because alongside punishment comes support to make the offender tackle the underlying factors that make them more likely to offend again. But they are still not successful enough and are too often seen as a soft option – we need to make them more visible and win public confidence.

1.9 At the same time, we need to be as certain as possible that our system can keep the public safe from dangerous offenders. There have been no Category A escapes from prisons since 1996 – but there have been some recent failures where our system has not picked up or supervised properly people who have been released into the community and have then committed serious offences.

1.10 Failures in our system are often not the fault of the staff who work in prisons and in the probation service. Their hard work has brought about the improvements that we have seen over the last few years. But to move from incremental improvements to the kind of change that will bring real success needs us to take a fundamental look at the way the system works.

1.11 The main change we need to make is to focus much more on the individual needs and risks of each offender. Our reform of the Youth Justice system has already brought together responsibility for all young offenders – whether in prison, serving community sentences, or just at risk of offending – under the Youth Justice Board, and gives responsibility to Youth Offending Teams for managing each young offender as an individual, looking both at the things that will stop that person offending again, and at their individual risks.

1.12 We want to have concentrated, end-to-end management for every single adult offender, and so we have set up the National Offender Management Service – which brings together the Prison and Probation Services. Focusing more on the individual, with much better and earlier assessment, will mean better management of risk; and far better success in giving offenders a chance to change, and cutting re-offending. But making it a reality means major change to our whole system. This strategy sets out what we will do.

Chapter 2 Protecting the public

Who should be in prison, and why?

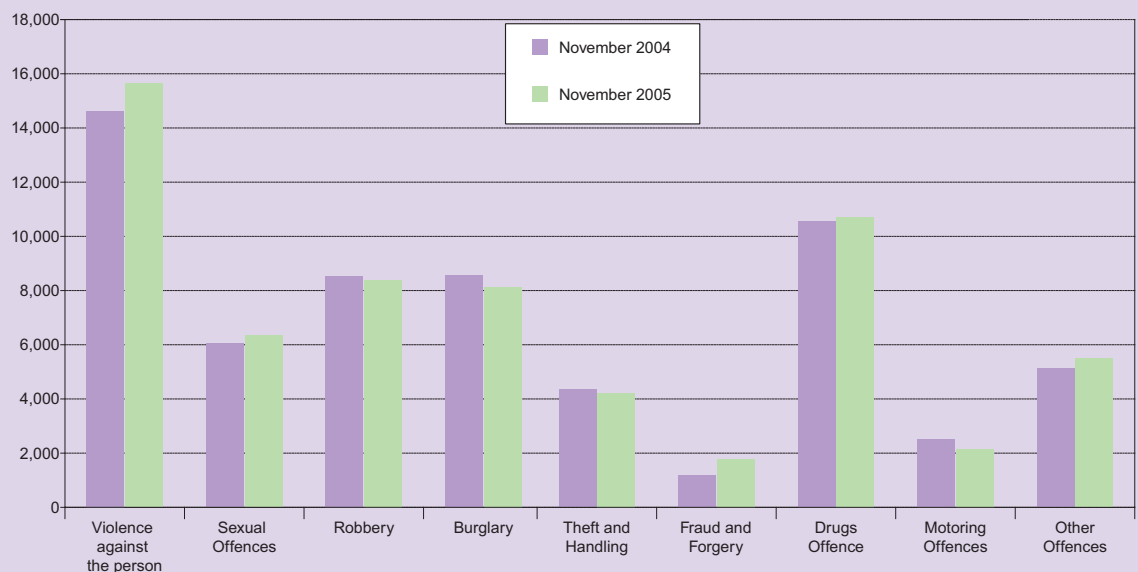
2.1 Keeping the public safe is the first duty of the criminal justice system, and the overriding priority of those working with offenders. People rightly expect that offenders will not pose a threat to the public while they remain under the control of the state. This is why we believe that prison should be reserved for serious, violent and dangerous offenders; so that those who are dangerous can be kept in prison for as long as necessary.

Assessing offenders for risk

2.2 All offenders coming before the courts are screened for the risks that they may pose, by

looking at their background and offences. Where there is any cause for concern they will be given a fuller analysis using a structured risk assessment called OASys. OASys is considered to be the most advanced system of its kind in the world. It uses actuarial and professional assessment to produce a detailed analysis of risk factors. Where particular risks – such as domestic abuse or sexual offending – are indicated, more specialised risk assessments will follow. We will also identify and manage the wider risks posed by people who may not be directly dangerous, but who cause very significant harm to society – including, in particular, organised criminals.

Figure 2
Sentenced population in prison establishments (England & Wales) by offence type



Source: November 2005 population in custody tables, Home Office/NOMS

Murder is included in violence against the person. "Other offences" includes a range of offences for example, kidnapping, blackmail, firearms offences, perverting the course of justice, public health offences, failing to surrender to bail.

2.3 All these assessments will travel with the offender throughout their time in prison, on licence, or under community supervision, and will be regularly updated. They will be the key factor in how the offender is managed. About 7% of offenders assessed by OASys are considered to present a high risk of harm, and will be managed accordingly.

Keeping the most dangerous offenders in prison for longer

2.4 Courts should be rigorous in using their powers to protect society against dangerous and violent criminals.

2.5 Dangerous and violent offenders should only be let out of prison if it is clear that they are no longer a risk to the public. Under the old sentencing system, when an offender had served a fixed length of time, there was no option but to release them; and sometimes dangerous people were released early and went on to commit more crime.

ACTION: We have introduced a new **indeterminate sentence for public protection**, as part of the Criminal Justice Act 2003. Where the court assess a serious sexual or violent offender as posing a significant risk to the public, and the offence carries a penalty of ten years or more, an indeterminate custodial sentence should normally be given (unless a life sentence is available and appropriate). This means that the offender will not be released into the community until the Parole Board assess that it is safe to do so. In some cases, this may be never. We have introduced this sentence to make sure that the most dangerous offenders really do spend the whole of the rest of their life in prison – even if they do not have a life sentence. We will keep the system under review to make sure that it does this.

Life sentences

2.6 Indeterminate sentences are based on the risk an offender poses – they can be given for offences that at the moment do not carry a life sentence, if the court thinks the offender is dangerous enough.

2.7 But we have also kept life sentences for some offences. A life sentence is mandatory for any offence of murder, and is also the maximum penalty for some of the most serious and violent offences. Life sentences mean that the offender spends the whole of their life under sentence, being managed by the system. Judges can decide that for some offenders a life sentence should mean their whole life in prison; but if lifers are released from prison they remain on licence for the whole of their life. If they do anything that suggests they are still a risk, they can be sent back to prison.

High security prisons and more specialist provision, including for prisoners with serious mental health problems

2.8 For serious offenders, high security in prison will continue to be paramount, and we intend to continue our excellent record on escapes, with no escapes by Category A prisoners at all since 1996. We will also work with the Serious and Organised Crime Agency to make sure that organised criminals are not able to control activity or build up networks inside prisons and that we can pass on information we have that helps to crack down on organised crime outside.

2.9 We need to make sure that prisons and units are able meet the specialised needs of various groups of offenders, especially those with drug problems or severe mental illness.

ACTION: We will consider expanding the number of **specialist units** that are set up to deal with particular types of offender, or those needing particular interventions – for example, those with severe personality disorders, or with severe drug dependencies. We will also continue to make sure that offenders who are mentally ill get the right treatment. This may mean diversion away from custody and better treatment alongside their sentence. But where an offender has a mental health problem which also makes them dangerous, we will continue to use secure mental hospitals to make sure that the public are protected properly from them.

Safer decisions about parole

2.10 The Parole Board is an independent panel which decides whether prisoners should be given parole. We want to make sure that the Parole Board can really focus on dangerous offenders, with fewer but more significant release decisions to make so that they can consider them even more carefully. The Criminal Justice Act 2003 means that the Parole Board will now only make decisions about sentences for public protection, recalls and life sentences. They will get a full report on each offender whose release they are considering, using OASys assessments, and will usually meet personally to discuss the case in full.

2.11 The Parole Board also knows what happens to the offenders it releases. If an offender released on parole commits a serious offence, the Board does a full review of what happened so that lessons can be learnt for future decisions.

Protecting the public from high risk offenders in the community

2.12 But not all offenders who might be considered a risk to the public are convicted of very serious offences. Some may come to the notice of the criminal justice system for a relatively minor offence, so that they cannot be imprisoned indefinitely, but are still assessed as being a risk to the public.

2.13 And for some years dangerous offenders sentenced under the old sentencing structure – which we replaced last year – will have to be released when their sentences come to an end. Even though we cannot keep these offenders in prison, we can make sure that as much as possible can be done to reduce the risks that they pose while they are under supervision in the community.

2.14 We have placed a duty on the police, probation, prisons, and local organisations to exchange information about potentially dangerous offenders, and to work together to manage the risk they pose. These arrangements are called Multi-Agency Public Protection Arrangements (MAPPA). About 13,000 high risk offenders are managed in this way, of whom about 1,500 are considered very high risk. We have also created a new database called VISOR (the Violent and Sex Offenders Register) to improve the flow of information and intelligence on dangerous people between police, prisons and the probation service.

2.15 Close **monitoring** of every risky offender is central to these arrangements. Every offender covered by MAPPA is subject to careful supervision, and we will extend this to involve both regular and unexpected visits to their homes as well as requirements that they report to police or probation. Offenders can be given special licence conditions, such as curfew at night, residing at a particular address, or treatment programmes.

2.16 These arrangements also cover dangerous sex offenders, who are monitored closely, and for whom conditions might include not going into certain areas (perhaps near a school), active surveillance, electronic monitoring, or living in Approved Premises so that the police and probation services can monitor them even more closely.

2.17 We are also working with the Serious and Organised Crime Agency to make sure that these systems can be used to manage serious organised criminals effectively.

2.18 In rare cases, in addition to ensuring the management and control of the offender, the MAPPA may also need to address issues of public order and the need to protect the offender from serious harm. All such instances are informed by a police threat assessment and any protection afforded will be no greater than that provided to victims under the same level of threat. Where any additional protection is requested, the costs will be met by the offender.

Sending offenders back to prison if risks increase

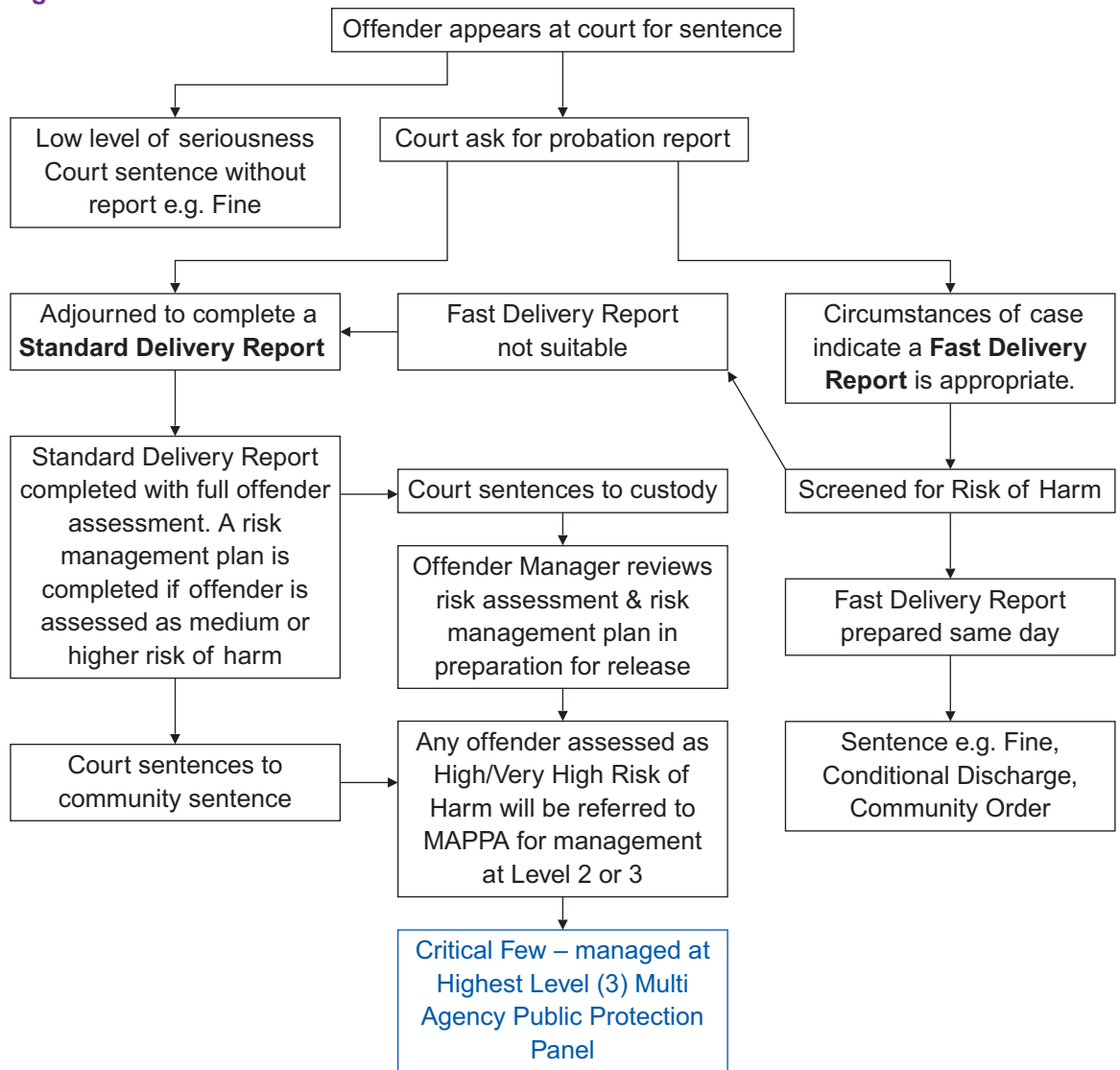
2.19 All offenders covered by MAPPA are subject to regular assessment to make sure that the conditions on them are the right ones. If something happens that makes the offender manager or a police officer think that the risk the offender poses has become too great, they will be immediately recalled to prison. 90% of recall decisions are made within 24 hours. Even when they are no longer subject to licence conditions, dangerous sex offenders are still monitored under these arrangements by the police.

2.20 In 2004-05 10% of high risk and 16% of very high risk offenders in the community were recalled to prison before they could re-offend. Nevertheless this pre-emptive action was not enough and 0.6% of high risk offenders did commit serious further offences (Source: MAPPA Annual Report 2004-05). The steps which we are taking with the new sentences, and better risk management, are intended to ensure that this number is kept to an absolute minimum.

2.21 An independent study of MAPPA arrangements recently showed that they are more effective and consistent than ever before. (Source: Kenshall et al, De Montfort University, 2005, Home Office Development and Practice Report No. 45)

ACTION: Over the next five years, the Responsible Authorities for MAPPA, the police, prison and probation services, will be required to improve and increase the consistency of monitoring and surveillance systems. The priority is to target resources on the critical few highest level offenders to make sure that every step is taken to avert serious further offending. We will continue to examine every case of serious further offending while under probation supervision in order to understand better how risk can be identified and dealt with. And we have set new targets for the speed of assessment, so that the highest risk cases can be quickly identified.

Figure 3



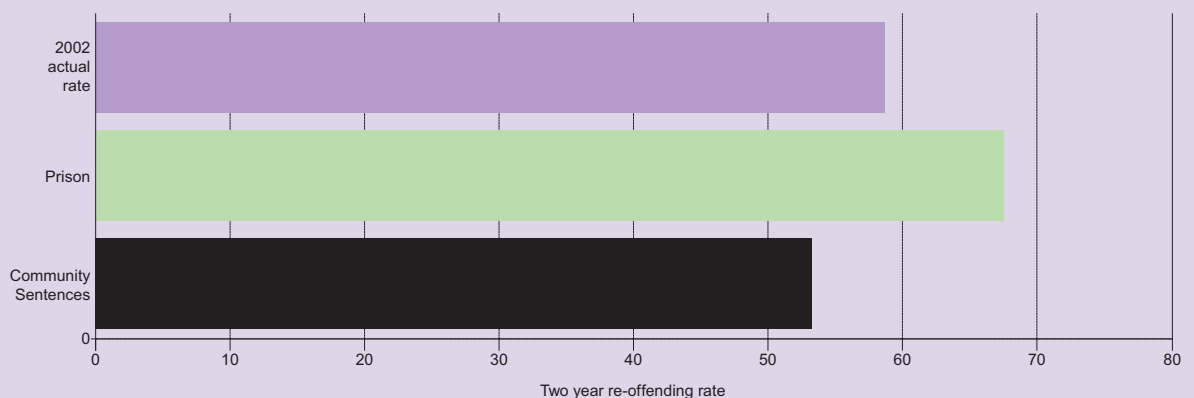
Chapter 3 Punishment, Reparation and Rehabilitation

3.1 It is important that offenders are properly punished for their crimes. But sending people to prison is not the only way of punishing them. We want to use punishments which give us the best opportunities to address the issues that might make someone more likely to offend again. Prison in many ways asks less of offenders than community punishments, which can mean hard work on behalf of others, or a strict curfew while an offender holds down a job. And community punishments also give us better opportunities to rehabilitate offenders and get them going straight.

3.2 We also want to make sure that full use is made of fines, and of other quick, simple, effective punishments for minor offenders.

3.3 The Criminal Justice Act 2003 introduced a coherent set of sentences which protect the public, punish offenders and can be used to rehabilitate them.

Figure 4
Two-year re-offending rates for adults serving prison and community sentences¹



Source: Home Office statistical bulletin 25/05

¹ Not taking into account the different characteristics of offenders serving these sentences.

Figure 5

Serious and violent offences	↑ e.g. Murder ↓	Prison, life sentences, indeterminate sentences if court considers dangerous	6,000 lifers in prison
Serious offences	↑ e.g. GBH ↓	Prison first, then supervision in the community; punished for whole of sentence	46,900 offenders in prison with sentences over 1 year
Less serious offences	↑ e.g. Burglary ↓	Tough community sentences unless persistent offender – if seriously persistent, custody plus	7,700 in prison with sentences of less than 1 year of whom nearly 6,000 persistent (convicted at least 5 times previously)
Minor offences	↑ e.g. Theft ↓	Fine, Penalty notice, conditional caution	

Source: Prison statistics and re-offending statistics 2004, Home Office/NOMS

3.4 Over the past three years, the criminal justice system has become more efficient at bringing offences to justice, with the police detecting more crime and working with the Crown Prosecution Service to make sure there are fewer ineffective trials. The increased likelihood of being caught and punished helps reduce re-offending by serving as a deterrent. And the criminal justice agencies are also putting extra focus on prolific and other priority offenders as they go through the system, which means that more of the people who are responsible for most crime are caught and punished.

Quicker, simpler, fairer punishments for the most minor offences

3.5 The least serious offences are often punished without the need for going to court – for example, parking offences are dealt with mainly through fixed penalties. These punishments are very swift, and save court time, but also give a person the opportunity to go to court if they really feel they are being punished unfairly. We have already extended the use of Fixed Penalty Notices to cover more low-level offences – 60,000 Fixed Penalty Notices for Disorder were issued in 2004. (Source: Penalty notice for disorder statistics 2004, Home Office online report 35/05)

3.6 We have also introduced conditional cautions. These are formal cautions with specific conditions attached, with which the person cautioned must comply or face prosecution for the original offence. At the moment, conditions must be focussed on rehabilitation or on making good to the victim, and might include anger management or drug treatment.

ACTION: We are considering more of this kind of faster and fairer punishment – including, for example, extending the use of **conditional cautions**. We are also considering allowing conditions which have the aim of punishing an offender to be attached to a conditional caution, including for example a fine.

3.7 We have also introduced a range of court orders aimed at making sure low-level disruption and offending gets tackled. Anti-social behaviour orders can prevent behaviour that might not be classified as criminal, but which is causing disruption and misery.

Fines

3.8 Less serious offenders are often punished by the courts with fines. Fines hit offenders in the pocket, but are cheap for the taxpayer, making them a good option for minor offences. Their main drawback is that they hit poorer offenders harder than richer ones.

3.9 Until recently, collection rates for fines were poor. In 2001-02, payment rates were only 59%. This meant that judges and magistrates lost confidence in fines, and gave more community sentences instead. Collection rates are now far better – up to 81% – so we expect sentencers’ use of them to rise again too. (Source: Department of Constitutional Affairs)

ACTION: We intend to legislate to introduce **day fines**. An offender would be given a fine expressed as a certain number of ‘days’, with more ‘days’ for more serious offences. The financial value of each ‘day’ would be different depending on people’s ability to pay – so that fines will be as tough for a rich offender as for a poorer one.

Making amends to the victim of the crime

3.10 We want to make sure that the way offenders are punished helps victims feel that justice has been done. We know that restorative justice – where the offender and the victim have contact and the offender apologises to the victim, and may make other amends, perhaps including doing work for the victim or compensating them – can give a better sense of satisfaction and resolution to victims than more remote punishments. Restorative justice can be used at any stage of the criminal justice system, and can be used alongside other punishments like prison or community sentences. We want to increase the use of restorative justice, where it is appropriate, as part of our efforts to focus the system more on the needs of victims.

3.11 We also know that in many cases it is important to the victim that the offender is punished quickly, and so we are working to make sure that there are more ‘fast delivery’ reports for courts which allow them to speed up the process. We will also make sure that courts increasingly have the best information, including victim assessments, on which to base sentences.

Tough community sentences

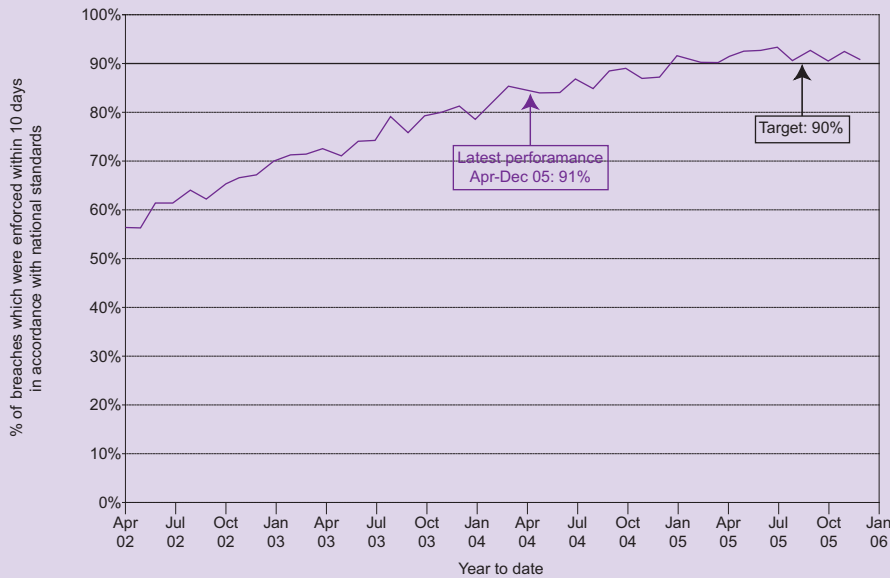
3.12 Community sentences are already demanding and increasingly well-enforced. They can be tougher than prison, because they require offenders to work and to address their problems seriously. But they are still too often seen as a soft option, and they can be hard to understand. Giving sentencers and the public more confidence in community sentences as a tough punishment is vital for our strategy, because we know that they can offer the best chance of stopping offenders offending again, and, as we improve the way we manage offenders, they can get better still.

3.13 The graph overleaf shows that, when an offender breaches their community order, over 90% are enforced (meaning that the process of sending the offender back to court to be punished for breaching their sentence, begins) within ten days. (Source: Home Office Performance Research for Offender Management Targets 04/05)

3.14 The Criminal Justice Act 2003 replaced all existing community penalties with a single **Community Order**, which involves offenders doing things to get themselves back on the straight and narrow – like getting off drugs or getting a better education. There will continue to be increasingly tough enforcement, and offenders who are not prepared to make the effort and who do not keep to the conditions of their community sentences will have extra conditions added, or end up in prison. It is essential that the authority of the court is upheld, and that offenders who do not keep to their Order should face further punishment.

3.15 Community Orders can include up to twelve different requirements, including unpaid work, drug treatment, and curfews. Sentencers can select from these twelve requirements, and advice to sentencers suggests that there should be more requirements for more serious offenders, and that minor offenders should only have one or two requirements. 51% of those commencing Community Orders in April to September 2005 had one requirement, 32% had two, 14% had three and 2% had four or five. (Source: Home Office/NOMS)

Figure 6
Community penalties – initiating breach action within 10 days



Source: National Probation Service quarterly performance reports

ACTION: It is clearly right that Orders should be tougher for more serious offences, but it is also right that we consider how we can improve the targeting of requirements for all offenders on community orders to reduce re-offending within the orders laid down by the court.

Community Payback – unpaid work for the community

3.16 We think that unpaid work should be at the heart of community sentences, because it is about offenders making amends to the community for the harm they have done. It should be an option the courts consider for the majority of offenders punished in the community. At the moment unpaid work is a part of about half of all community sentences.



3.17 We have recently introduced **Community Payback** to make the 5 million hours of compulsory unpaid work done in a year by offenders more visible to the public, so that they can see offenders paying back for their crime. It gives local people (including victims of crime), and faith, voluntary and civic communities, the chance to say what work offenders should do in the community, with leaflets and websites to encourage people to choose particular schemes. A highly visible Community Payback logo shows where work has been done by offenders. Offenders in Avon and Somerset probation area gained qualifications in carpentry while restoring Brunel's ship SS Great Britain; and in Ipswich, offenders have removed graffiti from park walls and buildings and cleaned up a children's playground.

ACTION: We will clearly identify the unpaid work that offenders do as **Community Payback**, either with the public choosing schemes, or with local councils deciding on useful local work that offenders could do (or both). We expect to see the amount of unpaid work that offenders do in the community increase for example with the introduction of custody plus. We expect the number of hours of unpaid work done by

offenders to rise from 5 million in 2003 to approaching 10 million in 2011 (Source: Home Office/NOMS). We hope this will include an important contribution towards the work necessary to prepare for the Olympic games.

3.18 Already in developing Community Payback, probation areas are working closely with a wide range of partners. We want to see increasing innovation and even stronger partnership working in the future.

ACTION: As Community Payback gathers increasing momentum, we want to ensure that we are using the available resources to maximum effect in meeting rising demand. To do this, we will review the way that unpaid work is delivered to ensure that it provides best value.

Persistent offenders

3.19 We know that a relatively small number of very prolific offenders are responsible for a large amount of crime. Our *Prolific and Other Priority Offenders Strategy* targets 10,000 offenders, with local areas identifying the people that they are going to focus their attention on. The strategy means that these offenders are supervised particularly closely, picked up more often when they do commit crime, and also given intensive support to change their ways.

3.20 Where persistent offenders do offend, sentencers take into account their history (including 'bad character', which includes things short of previous convictions such as ASBOs and even bad debt) when they sentence. The likelihood of receiving a custodial sentence increases with increasing numbers of previous convictions. For burglary convictions in 2000, less than 50% of offenders with no previous convictions received a custodial sentence. For those offenders with 5 or more previous convictions, the figure was over 70%. (Source: Carter, Patrick; 2003 *Managing offenders, reducing crime: A new approach*)

Custody Plus

3.21 A large number of the people who pass through prisons are sentenced to short sentences, less than a year long. In 2004

61,670 offenders went into prison for less than 12 months (Source: Offender management caseload statistics 2004, Home Office/NOMS). This includes many persistent but petty offenders, for whom prison is being used as a punishment of last resort; they are not dangerous to the public, but the system has not stopped their offending so far. But the kind of short prison sentences that are given to persistent petty offenders are not very effective either at punishing the offender, or at stopping them committing crime again. The offender is released without any requirements on them about what they should do back in the community, and often offends again.

3.22 We believe that the new, tougher community sentences will often be a better way of dealing with these offenders, because they are increasingly well-enforced and will make them deal with the issues that lie behind their offending. But where the judge or magistrate decides that prison really is needed, we want to make sure the sentence is effective, giving the offender a short exposure to prison before making them address their problems properly in the community.

ACTION: In Autumn 2006, we will introduce a new sentence called **Custody Plus**. This will apply to all sentences of less than one year. It will combine a short period in prison with a longer period of supervision in the community, which will make it much easier to focus on stopping people offending again – pushing them to get a job, to sort out their housing problems, to learn self-control, or to tackle whatever other factors are contributing to their crimes. Custody Plus can also include **unpaid work**, which will mean many more offenders doing work in the community.

Prison for serious offenders

3.23 It is right that those who commit serious crimes should go to prison. But here again we want to make sure that their time in prison is followed up with close supervision in the community to get them going straight.

3.24 Until recently, most offenders served the first half of their sentence in prison; and then were on licence until the three-quarter point. After that, the offender was not supervised at all.

ACTION: As part of the Criminal Justice Act 2003, we have changed the system so that offenders who are not assessed as dangerous will serve the first half of their sentence in prison, and the whole of the second half of their sentence under licence in the community – with conditions on their licence which are there to stop them offending again. If they breach any of the conditions of their licence they can be returned to prison – so those who are ready to go straight will get some of their punishment in the community, but those who are not will serve longer in prison. And there will be punishment – restriction of their liberty – throughout the length of their sentence. Judges can also indicate when they sentence an offender any particular conditions which they think should be included in the licence under which the offender will spend the second half of their sentence, in the community.

More honest sentencing

3.25 We believe that this will also help to make sentencing more transparent and honest. Under this system, someone sentenced to four years will spend four years being punished.

ACTION: We believe that this new system will work better to punish offenders and to rehabilitate them, and also to make sentences clearer. The new system represents a fundamental change that is still being worked through. But as the system beds down, we will keep it under review.

Doing more to make sure the right people get the right sentences

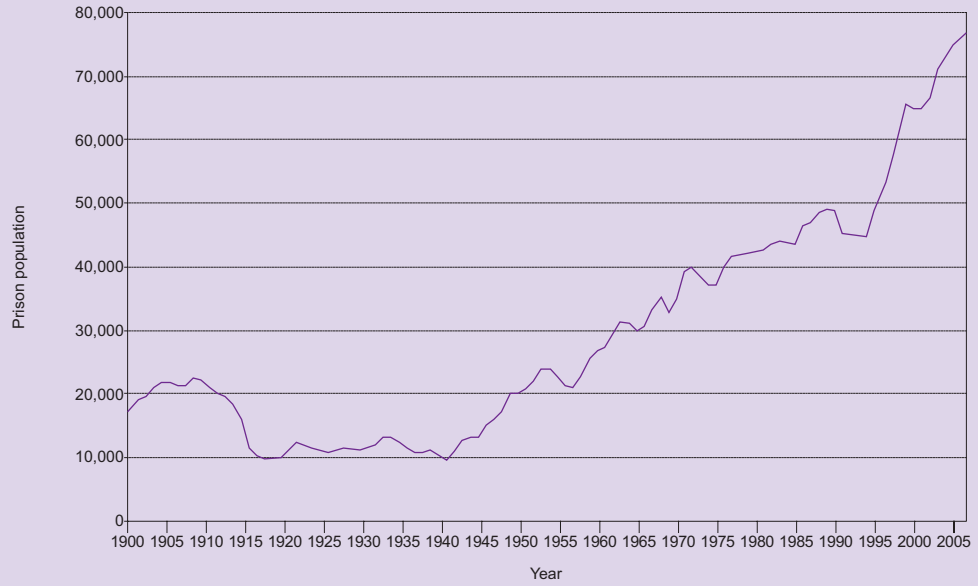
3.26 We have said that overall we think prison should be used for the most dangerous, violent and seriously persistent offenders; and that others are usually best punished in the community. The prison population has been rising for decades, even during periods (like the most recent period) when crime has not been getting worse – see Figure 8.

3.27 There are also some groups of offenders where there are signs that too many people are ending up in prison who would be better dealt with elsewhere; and others where the average length of sentences has been rising even though the number and seriousness of crimes has not. Figure 9 shows that the average length of sentences for almost all crimes has gone up since 1984.

3.28 Different courts can vary considerably in the way they sentence. For example, in one area the average sentence length at crown courts increased by 13 months between 1993 and 2004, whilst in another similar area the increase has been 5 months. Similarly, during this same period, the proportion of people sent to custody in one area increased by over 30 percentage points whilst in another similar area it only increased by around 3 percentage points. (Source: Sentencing trends local courts area comparisons, January 2006, Sentencing Guidelines Council)

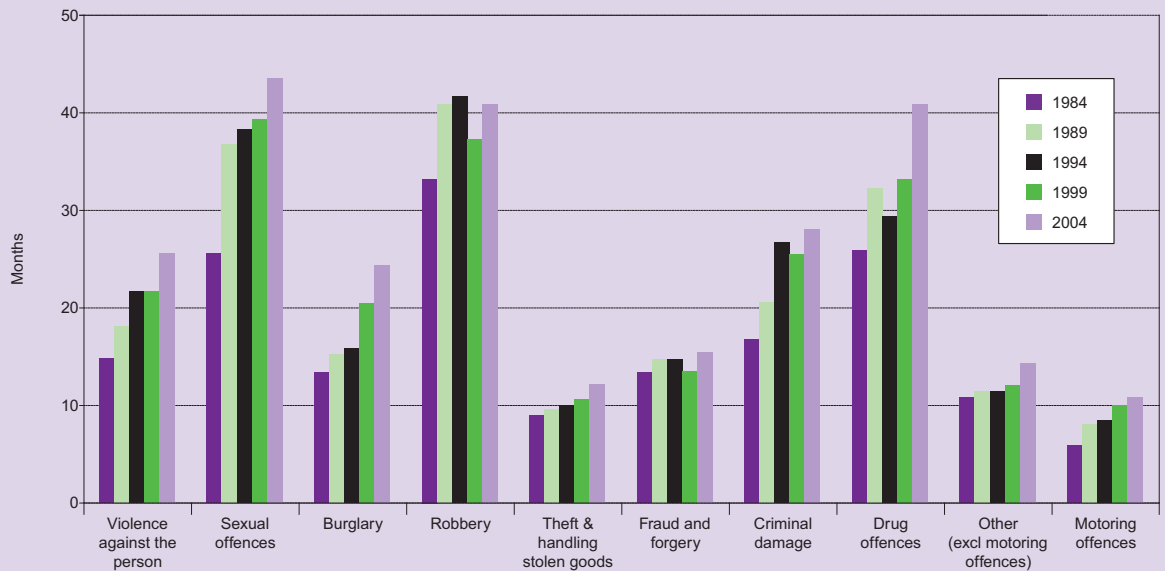
ACTION: We will make sure that judges and magistrates get **excellent information** about which sentences work best for which groups of offenders. The independent **Sentencing Guidelines Council** gives advice and guidance to sentencers to ensure a more consistent approach, and also provides information on local sentencing trends; but we will expand the work that we do locally to make sure that every court knows what is happening to the offenders they sentence. We need to develop our understanding of what works best to reduce re-offending, and make sure that courts are not sending people to prison who would be better managed in the community. You can find out more about how the National Offender Management Service works with sentencers at <http://www.noms.homeoffice.gov.uk>

Figure 8
Annual average prison population (1900 to 2005)



Source: Offender management caseload statistics, Home Office/NOMS

Figure 9
Sentence lengths of adults sentenced at the Crown Court by offence groups 1984-2004²



Source: Sentencing statistics, Home Office/NOMS

² Adults classified here are those who are 18 years or more. 'Other (excluding motoring offences)' includes a range of offences, for example, kidnapping, blackmail, firearms offences, perverting the course of justice, public health offences, failing to surrender to bail, etc.

Remand

3.29 We want to cut down on the number of prisoners held on remand, and the length of time they spend in custody. A small number of defendants represent such a risk to the public that they need to be in custody before they are tried and convicted. But in principle it is right to avoid imprisonment before trial wherever possible, and if it is necessary, to speed up the system so that they are not held for long, because it is costly and inefficient.

ACTION: We have introduced **electronic tagging on bail** which can be used instead of custody, particularly for defendants that the court thinks may be likely to abscond, but who are not dangerous. We intend to extend this programme and encourage judges and magistrates to make more use of it. We are also exploring ways of making sure that cases where defendants are remanded are **heard more quickly**. Our criminal justice reforms are intended to speed up all court cases, including those where the defendant is remanded in custody. In the short term, performance advisors are working intensively with those Local Criminal Justice Boards with the poorest performance on speed of cases and the greatest pressure on remand prison places.

Black and minority ethnic offenders

3.30 Black and minority ethnic groups are over-represented in every part of the criminal justice system. They are more likely to be victims, more likely to be arrested, more likely to be convicted, and more likely to be given tougher sentences, including imprisonment, than their white counterparts. The number of black prisoners relative to the total population was seven times higher than for white people.

ACTION: We will continue to work with judges, magistrates and other agencies of the criminal justice system to improve the quality of recording of ethnic monitoring data. We will then ensure all those involved use that data to take action to ensure that black and minority ethnic offenders are being **treated fairly** by the system.

Young offenders

3.31 We believe that it is important to keep children out of prison if at all possible. There are currently around 2,600 under-18s in custody, 2,200 of them in prisons (Source: Youth Justice Board). The Youth Justice Board says that custody should only be used when there is no other course of action because of the seriousness of the offence, the history of the offender, or the risk to the public. They have a target to reduce the number of under-18s in custody by 10%, partly through making community sentences more robust, and partly by working with magistrates to explain these alternatives better.

ACTION: We will introduce **a new sentencing framework for juveniles** which will clearly set out the purpose of juvenile sentencing and replace the nine existing community sentences with a single Youth Rehabilitation Order, with a menu of interventions including reparation to victims, treatment for mental health problems and drug misuse, supervision and curfew.

Women

3.32 The last ten years has seen a significant increase in the number of women in prison – a rise of 126% between June 1995 and June 2005, compared to 46% for men (Source: Prison population tables, Home Office). This has not been because of an increase in the number of women offenders, nor the result of their offending becoming more serious, but generally reflects the fact that women are being imprisoned more frequently for less serious offences than in the past. We are clear that women who commit serious offences should go to prison, just as men do, but we are concerned about the increase in the use of custody for women and the impact this has, not only for the women themselves but also on their children and families.

ACTION: We published the Women’s Offending Reduction Programme (WORP) in 2004, which contains a wide range of good practice designed to tackle women’s offending and also provide better community punishments for women as an alternative to prison, including better drug and mental health treatment. We would also like to consider more use of **intermittent custody** (for example, weekends in prison) for people with family responsibilities. We will review the outcome of the current pilot and consider the practicality of expansion.

Foreign nationals

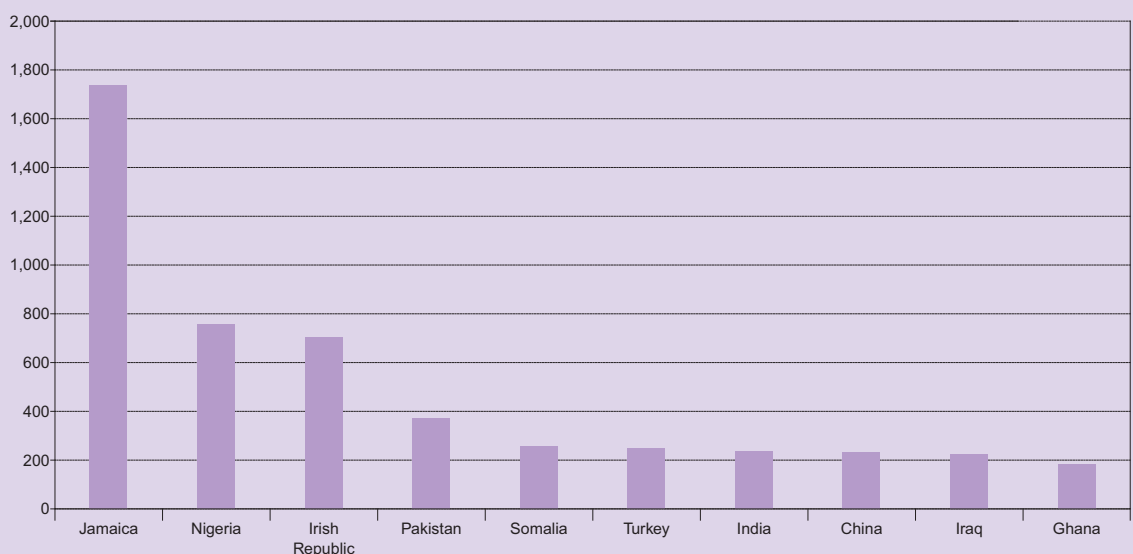
3.33 We also want to reduce the number of foreign prisoners, especially those who are to be deported anyway after their sentence, to avoid wasting taxpayers’ money.

3.34 Under the Early Removal System, foreign nationals can be released to be deported up to 135 days before the end of their sentence. Since the inception of the scheme in July 2004, over 1,500 prisoners have been removed successfully.

3.35 We are also looking imaginatively to see how we might help overseas countries to take back more of their own prisoners, or to try to stop their citizens offending. One example is the provision of scanning equipment to the Jamaican authorities to enable them to scan all departing airline passengers for traces of drugs.

ACTION: We will work to put in place more ‘**prisoner transfer agreements**’, which mean that prisoners can serve their sentences in their own countries; and we will also increase numbers handled by the early removals system. We are deploying immigration officers in prisons so as to identify foreign national prisoners more quickly with a view to increasing the numbers repatriated or removed under the early removal scheme. We are also strongly supporting the adoption of a Framework Agreement with our EU partners which, if agreed, would place Member States under a general obligation to accept the repatriation of their nationals.

Figure 10
Population in prison in England and Wales by nationality



Source: Population in custody quarterly brief April-June 2005, Home Office/NOMS

Prisoners with mental health problems

3.36 We continue to imprison too many people with mental health problems. Dangerous people with mental health problems must be kept secure, and treatment is available for severe personality disorders in prison. Those with the most serious problems can also be transferred to secure hospital places. But the majority of offenders with lower level disorders are not dangerous and could be better treated outside the prison system without any risk to the public.

ACTION: We are conducting a study into the best way to manage offenders with mental health problems; and will work closely with the Department of Health to make sure that they can get access to **effective treatment** whether in prison, in a hospital setting, or in the community. We expect this to mean that there will be fewer people with mental health difficulties held in prisons, and more people helped.

Chapter 4

Managing offenders better to stop them re-offending

4.1 Whether offenders are being punished in prison, or in the community, we need to manage them better in order to stop them re-offending. We need to give offenders the chance to turn their lives around. This is the central aim of our strategy, because it will mean fewer crimes and fewer victims.

4.2 Our understanding of the factors that are linked to re-offending has been developing and we have plans for research to improve the evidence base even further. We are building on the excellent work that the Prison and Probation Services and their many partners have been doing to address the different 'pathways' to reduce re-offending, which were identified in a seminal report by the Social Exclusion Unit in 2002. Current work on the pathways is set out in the NOMS *Reducing Re-offending Delivery Plan*, published in November 2005.

End-to-end offender management

4.3 Re-offending can be made less likely by getting offenders to confront and resolve the factors that make them more likely to offend – for example, by helping or pressing them to get jobs, sort out their housing problems, or get drug treatment.

4.4 Many of the most regular offenders face complex, multiple and inter-related problems, and sorting out these issues one at a time will not work – they need to be managed in the round, with interventions planned and put in the right order. Focusing on each offender as an individual will help us assess risk better; cut re-offending; and will also help us do better at managing a diverse population of offenders well and tackling their individual issues.

ACTION: Every offender will have a **named offender manager** who will be responsible for making sure that they are both punished and rehabilitated properly. They will manage the offender, often from before they are sentenced, throughout any prison sentence, and then during time on a community sentence or on licence in the community. We have brought prison and probation together under the **National Offender Management Service** so that offender managers can work seamlessly. They will provide continuity and will know about the offender – both so that they can rehabilitate them, and so that they can manage any risk they pose. Offender management will start in April 2006, and will cover all offenders by the end of 2008.

Earlier and better assessment and intervention

4.5 The starting point for managing offenders will be good assessment. We are already using the most sophisticated offender assessment system in the world, known as OASys, and we intend to upgrade it as part of a new system called **C-NOMIS** which will let information be shared with anyone involved in managing the offender.

4.6 We want assessments to be done as early as possible, because it means work can start and risks are known and can be managed. We have done this for drug users through the new Drug Interventions Programme, which uses measures like drug testing on arrest to make sure assessment and treatment can begin as soon as possible. But too many prisoners spend time on bail or remand doing nothing, when things could be being done to address practical problems.

ACTION: When resources allow, we intend to extend the role of offender managers to **start from the moment of arrest**, initially for those whose offending is linked to drugs (to build on the Drug Interventions Programme); and to cover everyone remanded in custody or in bail hostels (approved premises), so that we can start working with the offender while they are on remand, and the time is not wasted.

‘Going straight’ contracts

4.7 Offender managers will use the assessments they do to make a plan for each offender, which will include how they will enforce the offender’s punishment, but also often how they will help and support them, perhaps with housing, education and employment, family problems, or drugs. Some will also need help to change their attitudes or behaviour; and some will need intensive supervision and extra precautions to protect the public.

4.8 We are clear that these plans should include help and support where it is needed because that gives the best chance of helping the offender change. But we know that the best chance of an offender changing comes when they want to do it.

ACTION: We will introduce ‘**Going Straight**’ **contracts**, which will work like the systems for earned privileges that already operate in many prisons. They will be a compact between the offender and the offender manager, with clear and meaningful incentives and sanctions. This could mean fewer compulsory supervision sessions for offenders who have shown that they are committed to changing – for example, by getting and holding down a job – and more demands on offenders who have not.

Better partnerships to stop re-offending

4.9 When offenders are committed to changing, we want offender managers to be able to call on support for them in a very wide range of areas – including health, education and skills, employment, social and family links, housing, drug and alcohol abuse, finance and benefits. This needs strong partnership working

across Government and beyond, including with Local Government, employers and the voluntary and community sector, as well as with local people and communities. Partnership working is in everyone’s interests because tackling the problems offenders have tackles social exclusion and helps make society better and safer for everyone.

ACTION: We have forged **strong partnerships** with clear priorities across Government to reduce re-offending; and we have also established three alliances: the ‘**Civic Society Alliance**’ with local partners; the ‘**Corporate Alliance**’ with business, and the ‘**Faith, Community and Voluntary Sector Alliance**’ all aimed at developing our partnership working to reduce re-offending. We have also launched our approach to working with communities and supporting civil renewal. Details of our partnership work are set out in the *Reducing Re-offending Delivery Plan*. And we will build on these partnerships by working with Local Strategic Partnerships as they develop Local Area Agreements, looking at how particular initiatives to support offenders could be delivered through them.

Health

4.10 Working with the Department of Health, we have moved prisoners’ health into the mainstream, with Primary Care Trusts taking responsibility for prison health. This means health services in prisons are starting to be comparable with those outside for the first time. We have also got better at tackling offenders’ drug use. In 2004-05, around 60,000 drug users engaged with clinical and CARAT services in prison, and 5,000 completed intensive drug rehabilitation programmes (Source: Home Office). We are also treating more drug users in the community. We want to build on this success.

ACTION: We will learn from our successful drug treatment programmes and give offenders better access to **alcohol interventions**, especially where their offending is linked to alcohol. We will also do more to make sure that **people with mental disorders** who offend get the treatment they need.

Education, skills and employment

4.11 We are making progress in cutting the number of offenders who have poor basic skills. 73,000 basic skills awards were made to offenders in 2004-05, and over 40,000 offenders were released from prison with an education, employment or training place to go to. (Source: Performance Reports Offender Management Targets 04/05, Home Office)

4.12 But we can and should do more to make sure that offenders can get jobs – because we know this can cut the chances of re-offending. Our aim is to involve employers in the design and delivery of programmes, so we know that the training offenders receive while serving a sentence prepares them for real job opportunities. We can also do more to make sure that the work offenders do in prison and as part of unpaid work in the community is meaningful and helps to give them skills that will help them on the outside.

ACTION: With the Department for Education and Skills and the Department for Work and Pensions, we have published a Green Paper: *Reducing Re-offending through Skills and Employment*. It puts the focus clearly on jobs, with **employers** driving the design and delivery of programmes more and more. It suggests some new options for intensive work-focused support for offenders – for example, more job placement schemes – and we will use the consultation on the Green Paper to decide which of these to test. We also want to work more closely with employers on **work in prisons**, aiming for more schemes where prisoners can train or work with an employer while in prison who may then employ them on release.

Accommodation, finance and benefits

4.13 We have also made progress on accommodation for those released from prison. Over 87% of recorded prisoners now have accommodation to go to on release (Source: Home Office), and we have helped bridge the gap from custody to community by improving access to the Social Fund.

4.14 But there is more to do, particularly in ensuring that everyone has planned accommodation at the end of their period in custody. We know that not having somewhere to live can be a risk factor that makes people more likely to offend again.

ACTION: We will work with partners at the local and regional level to help prisoners **keep their accommodation** while they are in prison; support prisoners to help them with applications for accommodation and work with local housing providers to encourage them to consider applications from serving prisoners; work with stakeholders to develop and roll out a standard prisoner housing form and encourage landlords to use it; and get offenders involved in renovation schemes which can help make more housing available both for them and for the local community³. We will also **close the ‘finance gap’** that some prisoners face between being released and getting benefits, but will do it in a way that incentivises work.

Social and family links

4.15 Supporting offenders’ social and family links is often the key to successful resettlement, and can help sort out other problems like employment or housing. We need to make sure that social and family links are at the heart of offender management. For this, partnership with the faith communities and the voluntary and community sector is especially important. Most parenting programmes and many mediation schemes are already delivered by voluntary organisations rather than by probation officers or social workers; and many faith groups have successful and innovative programmes to help offenders build better family and social links.

ACTION: Our plans for community prisons (below) will help prisoners maintain their family ties; and we will build on work like the successful **Community Chaplaincy** projects, which bring in faith groups to work with prisoners before and after their release, with the aim of providing extra support in the community.

³ The Home Office remains committed to ensuring that no unfunded burdens fall on local authorities (including police authorities). We will keep the financial implication of these proposals under review and discuss them with Local Government.

Different prisons for different offenders – with new Community Prisons

4.16 We need to make sure that we have the prisons to match our strategy. We want to make sure that offenders can be re-integrated back into the community when they come out of prison; and we know that staying in touch with family and friends while they are in prison helps offenders ‘go straight’ more successfully once they get out.

4.17 We need to develop Community Prisons. In particular, we want to look at facilities for less serious offenders, and for those getting close to release, which are local; which link to the local community, and to local services; and which can also be shared with probation and used for delivering community sentences – so that a prisoner on ‘Custody Plus’ could be held in their local prison, stay in touch with their family, and start a course of drug treatment or cognitive behavioural therapy which they can carry on with, in the same place, when they are let out for the second, community-based, part of their sentence. Such a facility could have modest levels of physical security, with a greater emphasis on the continuous delivery of targeted interventions during and after custody. They could be closely linked to Community Courts.

4.18 The Youth Justice Board have recently published their strategy for the Young Offenders’ estate, which focuses on making sure that where young people have to be detained, they are held in institutions which are focused on providing excellent education and training that can break young people out of the cycle of re-offending. We will work with the Youth Justice Board to look at whether we can also develop more community-based facilities for young offenders.

ACTION: We will publish a new estates strategy for adult prisons (including those holding women prisoners) in the Spring, which will set out in detail our **vision for Community Prisons**. It will also explain how, as part of this, we will test the idea of a new facility which could bridge the divide between custody and community – acting as prisons as well as providing secure facilities for the most serious offenders being supervised in the community. And it will explain our plans for developing specialist facilities, and set out how we will use the resources we have to begin to move towards a different kind of prison estate.

Chapter 5

A vibrant system that values its staff

5.1 As we put more focus on the individual offender – looking at the risk they pose, and at the support and challenge they need to stop the re-offending – we need to make sure that the way our system is designed helps us bring in the best possible people and organisations to work with every offender

5.2 Since 1997, spending on prisons has risen by more than 25% in real terms, and since 2001, spending on probation has risen by 39%. We now spend about £300 million a year on rehabilitative regimes in prison alone. However, despite this investment, almost 60% of people who pass through the criminal justice system re-offend within two years. This figure, which accounts for half of all crime, must be reduced. We need to make a step change to the way we manage the system if we are going to improve this significantly.

A vibrant mixed economy of providers

5.3 To achieve our goals, we must move further away from a one-size-fits-all model where we provide services based mainly on what has always been provided before. We want to separate out deciding what needs to be provided, from providing it – so that there is no incentive to provide services that do not work or are not needed. We also want to make sure that we are driving up standards in every part of the system, so that no organisation that works with offenders can become complacent. The goal, in short, is to harness the dynamism and talents of a much more diverse range of best-in-class public, private and not-for-profit providers, each with their own set of special skills and expertise.

ACTION: For these reasons, we have designed the National Offender Management Service as an organisation with **commissioning** at its heart. The National Offender Manager, nine Regional Offender Managers, and the Director of Offender Management for Wales will map out the services that are needed, and put together contracts with a wide range of different partners who can best meet these needs, with funding incentives for the providers that do best to reduce re-offending and protect the public.

5.4 Often, contracts and agreements will be with the public sector Prison Service or the Probation Service; but where others can show they can do the job better, or fill gaps in existing provision, they will get the job. This is not about cutting costs, but about improving standards across the board, encouraging innovation and getting the best services possible to manage offenders. Any savings will be reinvested in improving services for offenders still further.

5.5 The multi-faceted needs of victims and offenders often need a partnership response which draws on the talent and skills of the public, private and voluntary sectors. Over 1,000 different voluntary and community sector organisations already work with prisons and probation areas, including on drug treatment programmes and resettlement of offenders.

5.6 We expect this to continue and deepen, and think that many of the most successful bids will draw on all three sectors. We also want to be able to use providers (or consortia) which can work across prison and probation boundaries – for example, using one provider to support drug treatment across a region, so that offenders get seamless treatment in prison and on release. And we believe that with more providers, and

no-one guaranteed the right to work with offenders, standards will rise and our system will work better to cut re-offending.

5.7 The public sector Prison and Probation Services will remain vital. We are confident that both can rise to the challenge of contestability. Recent competitions in the prison estate have resulted in two prisons being passed from the private to the public sector. More generally, there is strong evidence that competition has helped improve the performance of prisons across the board.

ACTION: We will introduce a phased programme of **contestability** for Prison and Probation Services – putting out particular services to tender. This will build on what we have already done in the prison estate, and will take full account of our primary aims of protecting the public and reducing re-offending. Our programme will be published in a **prospectus this Spring**, outlining the timetable and areas of service in which we will introduce contestability.

Restructuring probation to reduce re-offending

5.8 At present, Probation Boards are statutory bodies with the right to provide all probation services. We want to bring the benefits of our commissioning model to probation services, bringing in more different providers, and driving up standards to make probation work more effective. We believe both new providers and the Probation Service can do better at providing effective interventions for offenders in the community which will help to reduce re-offending.

5.9 We recently consulted on our proposal to change Probation Boards into Probation Trusts – which would have contracts with the Regional Offender Manager. We will publish a full analysis of the consultation responses. A wide range of concerns were expressed about the proposals alongside some support for bringing in new providers, and for the discipline which a commissioning approach will bring.

ACTION: We will legislate to turn Probation Boards into **Probation Trusts**. We will carefully consider the results of the consultation as we do so to make sure that we can overcome any risks and practical difficulties, but still get the benefits of commissioning. As and when competition results in changes of provider, we will make sure that any staff who transfer to new employers are covered by TUPE protection of their terms and conditions and fair deal protection for their pensions. ‘Two-tier workforce’ protection will apply to new staff recruited by a contractor to work on public sector contracts, to ensure we will not see big gaps in pay and conditions opening up between public and private providers.

Leadership

5.10 As we make these changes, we will develop and support leadership in every part of the system – building up the skills of those who will commission services and making sure that there are excellent leaders in our prisons, in probation trusts, and in other providers.

5.11 We want to give good leaders in our system the opportunity to make a real difference, by giving them more independence from the centre so that they can drive change and be innovators.

ACTION: We will develop plans to give some high-performing prisons and probation trusts **greater freedom and independence** from the centre, and will consider with our providers what kinds of freedom would be most useful to them in improving the way they work.

Supporting our staff

5.12 We also need to value and develop the staff who work with offenders, making sure that they are supported to be professional and effective, have clear roles and responsibilities, and get the training and development they need. This will apply whether they work for the Prison and Probation Services, or for private, voluntary or community sector providers. We want to make an extra effort to make sure that we have the right people managing offenders, with the right skills.

5.13 We have already done a great deal to make sure that we recruit and retain the right staff, and that they are supported and trained to do their jobs well. Places for trainee probation officers are always oversubscribed, retention rates are very good, and training units make sure staff get the training they need. The Prison Service also has a number of schemes to recruit and retain high quality staff at all levels, including a fast-track management programme called the Intensive Development Scheme. The next step is an £8 million programme to professionalise the prison workforce still further through improved and accredited training for all grades.

5.14 The Prison and Probation Services have also made important progress in improving the diversity of the workforce, particularly in recruitment from black and minority ethnic communities. We will set targets for further progress, and we expect new providers to demonstrate similar commitment.

5.15 We will also act to make sure that new providers take training and development for staff at least as seriously as the Prison and Probation Services have done.

ACTION: We are working with Skills for Justice (the sector skills council) on learning and development needs for staff working in offender management, including new **occupational standards** and learning and development standards, which will be part of all offender management contracts. Every person who works with offenders will have clear standards to meet; and every organisation that employs them will have to invest in their skills and professional development.

Assessing the impact of our strategy

5.16 As we put our strategy into practice, we want to make sure that it is having the effects we intended, and in particular that it is helping us to cut re-offending, and to work more effectively with a diverse group of offenders.

ACTION: We will carefully monitor our strategy in practice, looking at re-offending rates to judge our success. We have carried out regulatory impact assessments on specific elements of the strategy as policies have been developed, we will continue to do so and draw out an analysis of the overall impact of the strategy. We will also specifically assess the impact of our strategy on race and diversity, because we know that we need to do better in the future than we have done in the past.

Chapter 6

Timetable for change

Taken together, our strategy describes the most radical change for generations to the way we manage offenders. It will underpin the rule of law, protect the public, and turn offenders' lives around in a way that reduces re-offending and makes the country safer.

Below, we set out our outline timetable for change:

Already, following the Criminal Justice Act in 2003 we have

- Set up the National Offender Management Services to bring together Prison and Probation Services
- Introduced a new community order and suspended sentence order
- Introduced public protection sentences
- Trialled intermittent custody
- Placed regional offender managers in each of the government office regions and Wales
- Introduced electronic tagging on bail
- Launched a delivery plan on reducing re-offending
- Set up 3 alliances with the local partners, the corporate sector, and faith and voluntary and community groups to tackle re-offending

By 2007 we will have

- Laid out our plans for contestability in a detailed prospectus
- Introduced legislation to set up probation trusts
- Set out our strategy for the prison estate
- Ensured that offender management roll out is well under way
- Introduced the new short prison sentence of custody plus

By 2009 we will have

- Introduced day fines
- Completed the roll out of offender management to all offenders
- Made 'going straight' contracts an integral part of working with offenders
- A better IT system for managing offenders with the current OASys system fully integrated into C-NOMIS
- Legislated for a new sentencing framework for juveniles

Our long term aim

- A 10% reduction in re-offending and a safer society
- A system that protects the public, punishes all offenders and rehabilitates and resettles offenders to reduce the risk of further crime

Annex A

Summary of the consultation

“Rebuilding Lives – Supporting Victims of Crime”

What is the overall focus?

The consultation sets out proposals for improving services to victims that deliver help that is immediate, local, practical and tailored to the victim’s needs. The range of options put forward in the consultation, alongside existing measures and recent initiatives (some detailed below) will provide a single point of contact to ensure end-to-end support for victims and witnesses of crime.

What are the main areas covered?

The consultation sets out improvements to date through

- The new Code of Practice for Victims of Crime, and the Witness Charter which provide for victims and witnesses to be better informed about police action and the prosecution of their case
- The establishment of 165 Witness Care Units to provide support to witnesses attending court
- Giving victims a greater voice in the Criminal Justice System such as having the opportunity to explain to the court how the crime has affected them
- The increase in funding since 1997 to Victim Support (including the Witness Service) from under £12 million to £30 million.

The consultation also suggests new ways of improving support for the victims and witnesses through:

Victim Care Units

- The consultation sets out a range of operating models, costs and a timetable for delivery of the manifesto commitment for “a nationwide network of witness and victim support units that provide practical help”
- Victim Care Units (VCUs) would ensure that the practical and emotional needs of victims were met in a timely way, and would be provided by a mixture of volunteers and professionals. The point is that services would be tailored to the needs of the individual
- We have outlined 4 options for delivering VCUs.

Option 1: Voluntary sector-led VCUs – by working closely with voluntary sector providers, particularly Victim Support, to develop a greater specification of services, an expansion of the range of services and to bring the needs assessment process nearer to the report of the crime and speed up the service delivery. Victim Support would receive additional funding to provide an enhanced range of services provided by a mix of volunteers and specialist staff.

Option 2: Voluntary sector and police partnerships – a partnership of the voluntary sector and the police. This would be similar to the current police and CPS partnerships in the Witness Care Units.

Option 3: Police-led VCUs – a network of police-led VCUs separate from the current voluntary sector providers.

Option 4: National Victim Care Helpline – a national helpline available round the clock to provide victims with advice and information on the support services in their local area and arrange for services, along the lines of NHS Direct.

There is £1 million available to establish pilot projects to test different models. We aim to have pilots up and running by the end of the year.

Criminal Injuries Compensation Authority (CICA)

- We want to target resources better and more importantly to ensure that the best use is made of existing resources to meet the needs of victims;
- The consultation proposes more money for the more serious crimes, speedier payments and increasing the maximum award limit
- It also proposes refocusing the Criminal Injury Compensation Scheme (CICS) around the concept of 'seriousness' in terms of the injury. We have asked for views on how best to define 'seriousness'. Whichever definition is used, we propose that those injuries which did not fall within the definition would no longer receive financial compensation from the scheme but would benefit from improved support services as quickly as possible after the crime
- We believe that many victims of less serious offences need early, practical support, such as help with personal safety and counselling to deal with, for example, mental shock, rather than relatively small amounts of financial compensation which arrive long after the crime
- The Scheme was intended as compensation for violent crime deliberately inflicted on the victims; it was never intended to be a substitute for employers' insurance, or to pay compensation for anything other than violent crime. There is a real debate to be had about whether the CICS should cover these cases
- The consultation also proposes that victims of fatal cases and sexual offences, including those against children, will continue to receive financial awards.

Victims' Fund

Our consultation paper sets out our plans for the Commissioner for Victims and Witnesses to play a key role in recommending where best to spend future resources under the Victims Fund. We are inviting views on whether the focus of

the fund should be widened to cover other serious crime types and will pass these on to the Commissioner, once appointed.

The Fund was launched in 2004 with an initial allocation of £4 million over two years to support the development of services for victims of sexual crime. Grant funding was made available to organisations and projects across the statutory and voluntary and community sectors providing services to victims of sexual violence and abuse.

The Victims' Fund has already supported a wide range of services for a broad cross-section of victims affected by sexual violence and abuse. Grants have been awarded to:

- Strengthen and develop good quality Voluntary and Community Sector (VCS) support services to ensure greater coverage and consistency;
- Increase the coverage of Sexual Assault Referral Centres (SARCs);
- Produce an innovative Care and Evidence training package for front line professionals that brings together for the first time the care/health and evidence/investigation aspects; and
- Produce a free publication entitled *From Report to Court: A Legal Handbook for Adult Survivors of Sexual Violence*.

Many victims have benefited directly from the injection of funding into these services and the increased availability of local, specialist services is making a real difference to people's lives.

A further £1.25 million is going into the Victims' Fund in 2006-07 to continue the development of support services for victims of sexual crime. The new funding scheme will enable us to build on the success of the previous scheme and will again seek to develop and increase capacity in existing organisations. Full details about the new scheme and guidance on how to apply can be found on the Government Funding website at: www.governmentfunding.org.uk.

The intention is, in the longer term, that the Victims' Fund will be funded from a victim surcharge on criminal convictions, for which enabling powers were taken in the Domestic Violence, Crime and Victims Act 2004.

Annex B

The Criminal Justice Act 2003

The Act sets out that sentencing has five main purposes:

- to punish offenders
- to protect the public
- to reduce crime
- to reform and rehabilitate offenders
- and to make reparation by offenders to those affected by their offences.

Under the Act, all existing community penalties are replaced with a single **Community Order** which enables sentencers to select the requirements attached to the order from a range of options. The options can include, for example, a requirement that an offender undertake unpaid work in the community, be subject to a curfew which is electronically monitored, or attend a drug rehabilitation programme. Sentencers can combine and tailor the requirements to ensure that they are particular to the needs of both the public and the offender – twelve requirements are available altogether.

The new sentences of **Custody Plus** and the **Suspended Sentence Order** are designed to replace short and ineffective prison terms. Custody Plus will apply to sentences of less than 12 months and will combine a specified period of custody with a period of supervision in the community.

For those sentenced to **custodial terms of 12 months or over** new arrangements have been introduced which mean that an offender will serve half their sentence in prison, and the whole of the second half under licence in the community. Breach of any conditions of their licence can result in them being returned to prison.

Protecting the public from dangerous offenders – new Public Protection Sentences

In April 2005 two new sentences introduced under the Criminal Justice Act 2003 became available to sentencers. The new sentences, an **Indeterminate Sentence of Imprisonment for Public Protection** and an **Extended Sentence for Public Protection**, are specifically designed to deal with those offenders who present a significant risk to the public.

Where the court assess a sexual or violent offender as posing a significant risk to the public, and the offence committed carries a maximum penalty of ten years or more, they may impose an indeterminate custodial sentence for public protection. Where the same circumstances exist but where the sexual or violent offence carries a maximum penalty of less than ten years, then the court may impose an extended sentence for public protection.

Where an indeterminate sentence is imposed the offender will not be released into the community until the Parole Board assess that it is safe to do so. In some cases, this may be never.



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