

Neighbourhood by neighbourhood: local action to reduce re-offending

Coalition on Social and Criminal Justice

The coalition

The Coalition on Social and Criminal Justice is comprised of a number of public and voluntary sector organisations that share an ambition to reduce crime and better protect the public. The coalition believes that in light of its wealth of criminal justice knowledge and experience it is well positioned to make a significant contribution to the ongoing debate. Coalition members include:

- Clinks
- Crime Concern
- Kings College London
- The Local Government Association
- The Prison Reform Trust
- The Probation Boards' Association

Introduction

This is a pivotal moment for the criminal justice system and represents a fundamental change and upheaval in the way offenders are managed both in custody and in the community. Despite falling crime rates, the prison population has hit record levels and public confidence has been severely tested by high profile cases in which grave crimes have been committed by offenders under supervision in the community. The Coalition on Social and Criminal Justice is keen to ensure that the eventual shape of the new offender management system provides a realistic, balanced and effective approach to crime reduction, re-offending, increasing community safety and building on public confidence and understanding.

To achieve this, the coalition believes that it is necessary:

- For the government to fully embrace the opportunities provided by the new local delivery landscape emerging around Local Area Agreements (LAAs)¹ and strengthened Local Strategic Partnerships (LSPs)² as the means of achieving joined up working on offender management
- For the National Offender Management Service (NOMS) to be better integrated into existing local delivery mechanisms
- To provide end to end offender management system with a named offender manager for each offender
- For greater community involvement in offender management and re-settlement
- For a greater role for the voluntary sector in providing services which are known to reduce the chances of re-offending
- For the number of people who offend receiving custodial sentences to be minimised
- That any new arrangements for probation services are locally accountable

Closer working between prison and probation services is clearly a prerequisite for the seamless management of people who offend. However, in order to effectively meet the needs of many of the most prolific offenders in prison and the community, it is vital to go further and ensure the active participation of and close joint working between a wide range of partners beyond the criminal justice system.

In particular, the new arrangements must increase the involvement of local authorities, local employers, communities, faith groups, social enterprises and not-for-profit organisations. The system must certainly be careful to avoid becoming a criminal justice 'silo' that fosters better communication between prisons and probation at the expense of wider community engagement. Employment, housing, family contact, healthcare and education, along with effective offender supervision, form the proven means to reduce re-offending. These must be provided and sustained alongside but outside the criminal justice system.

The system must be more transparent and accountable system at the local level so that local communities can see justice being done and be involved in its delivery. Local councils are well placed to

¹ Local Area Agreements are agreements between central government and the local area (the local council, LSP and other key local partners) which set out the priorities for the local area. They are structured around four blocks; children and young people, safer and stronger communities, healthier communities and older people, and economic development and enterprise. A number of performance indicators are set in relation to each block.

² Local Strategic Partnership (LSPs) are single, non-statutory, multi-agency bodies which matches local authority boundaries and aim to bring together at a local level the different parts of the public, private, community and voluntary sectors.

provide robust and accountable leadership. Through LSPs they can deliver a network that goes beyond and adds value to the criminal justice system. LAAs could be used to ensure delivery of measures to reduce re-offending across different agencies and to help put into effect national standards and priorities.

The Local Government Association report *Going Straight*³ argued that the criminal justice agencies alone were not able to provide or to guarantee effective resettlement of prisoners and that greater recognition should be given to the major role that local authorities can play in reducing re-offending. As the report illustrates, there are already many instances where local services that are key to reducing re-offending and building safer communities are managed at a local level. Additionally, local management is the best means of understanding the level and extent of local provision and identifying where gaps in provision exist and how they may be met. This ensures that resources are most effectively used. Local communities can also be mobilized to contribute positively to the reducing re-offending agenda via different community engagement tools – e.g. volunteering.

People who live and work in local communities have a personal and collective stake in breaking the cycle of crime and re-offending. It is these communities in which offending takes place and it is these communities to which prisoners will return on their release. All of the evidence of 'what works' in the rehabilitation of people who offend points to the fact that effective solutions are community based and are delivered locally.

Most work to reduce re-offending and protect public safety must be delivered locally, through community links and networks. The good and visible local delivery of this work is the surest way to create public confidence.

The context: Mind the gaps

Lord Carter's report *Managing Offenders, Reducing Crime* was published in December 2003 and in response the government announced the creation of the National Offender Management Service. The report advanced the ideas of offender management and of contestability: that is contracting out services to the best provider. Offender management simply meant ensuring that the progress of offenders through the criminal justice system was individually managed across a patchwork of institutions and providers. Coherent management was one of the key ways of reducing re-offending. So the report recommended that the prison service and the probation service as well as the management of private contractors be brought together under the National Offender Management Service. However, the Carter Report did not just identify 'gaps' between probation and prisons. It also stressed community links:

"There remain gaps in the system, with, for example, interventions in prison often not being followed up in the community." (Carter, p4)

Another benchmark report, *Reducing Re-offending by Ex-prisoners*, published by the Social Exclusion Unit in 2002, with an introduction by the Prime Minister, probed the best way to stop re-offending. It put the cost of re-offending by ex-prisoners at £1.1bn a year. It also identified some simple measures to reduce re-offending. Employment reduces the risk of re-offending by between a third and a half, stable housing can reduce re-offending by more than 20 per cent. Education and family contact are also crucial. The report identified huge gaps between prisoners leaving prison and registering with a GP for continuing treatment or access to healthcare. Finally, it identified a terrible gulf between prison and drug treatment in the community, helping to account for the high rates of mortality among ex-prisoners in the weeks after their release as they resume a drug habit after no or limited usage.

Together these factors which do most to reduce re-offending; housing, employment, healthcare, employment, family support, would enable an ex-prisoner to more easily resettle in his or her community.

The Carter Report talks of offender managers who specialise in specific types of offender and in particular types of area, perhaps rural or urban, for example. Achieving success in the factors associated with reducing re-offending takes local intelligence and deep, well-developed local networks. Securing a job for offenders or ex-offenders means offender managers working with local agencies and local employers and knowing the local employment market. Housing not only requires local knowledge in all cases, but in some will require a sensibility towards local community feelings that goes far beyond anything that could be known or guessed remotely.

³ Going Straight reducing re-offending in communities, Local Government Association, February 2005

The coalition welcomes the government's commitment to building on partnerships and working with LSPs and LAAs as set out in *A Five Year Strategy for Protecting the Public and Reducing Re-offending*⁴ however this commitment must become a reality and the government must use existing local delivery mechanisms to achieve its aims.

Successful offender management is delivered in large part through local partnerships and local knowledge. The aspirations of the Alliances (Civic Society, Corporate and Faith, Community and Voluntary Sector) established by the government in November 2005 reflect the importance of engagement at a local level. Links with the voluntary sector, employers, local authority services, education, police and many others are vital, just as better links between prison and probation are. In many cases crime, victimisation, offenders, ex-offenders and even fear of crime will be tightly concentrated in particular neighbourhoods or areas. Prison governors will talk of receiving much of their intake from a small area. Huge amounts of criminal justice investment if focused on small areas.

Research carried out in the USA (Rose, Todd and Ryder 2001) shows that one of the unintended consequences of incarceration is that a neighbourhood can reach a 'tipping point' whereby a disproportionate number of people from the area are located in prison leading to increases in crime and disorder in the area and other problems associated with exclusion.

Recent research carried out in the north east of England has found tight geographical concentrations of people who offend, both adult and youth in areas of highest deprivation. Despite high levels of need among people who offend, information about them is rarely shared between the statutory and voluntary agencies that could help – three per cent of authorities are notified about releases.

Local Government

Going Straight recommended that local authorities be given a properly funded leadership role to co-ordinate the work of local partners in providing support to people who offend returning to their communities. It pointed out that the key to successful transition lies in an integrated multi-agency approach drawn from the local authority, health service, police, Job Centre Plus and housing associations – the kind of model that has already improved interventions for young offenders.

NOMS

The coalition strongly supports continuous and consistent management of individual offenders and the principles that underpin it. Most of those sent to prison will have experienced a lifetime of social problems, which have not been properly addressed. Community-based projects provide better long term safety for local communities rather than recycling offenders through a series of short term prison sentences.

The coalition therefore welcomes the offender management model of the Carter Report as a way of reducing re-offending, and hopes that NOMS can deliver on that promise. However, it is vital that NOMS develops a national framework for encouraging and funding local solutions to crime and re-offending. This will not happen reliably, or across the board without a determined commitment to involve local partners.

Commissioning

The current commissioning and contestability model proposed for NOMS affords a major role to the regional level, with 10 regional offender managers responsible for commissioning services for offenders in prison and the community. This regional approach runs counter to the aims shared by government and the coalition of strengthening multi-agency partnership working via LAAs and LSPs. There is a significant risk that regional commissioning via the Regional Offender Managers may not be sensitive enough to the specific needs of localities.

Regional commissioning tends to replicate national contracts and manages them regionally rather than setting a local commissioning framework in place. There is a further danger that regional commissioning could crowd out smaller and non-commercial partners altogether with an incentive to buy in bulk a number of services such as projects for unpaid work. The worst of all worlds would be regional offender managers buying in bulk only from the large companies and charities that can operate at that level and local offender managers simply have to pick the nearest fit from that selection even if it does not meet the particular needs and circumstances of the locality.

⁴ A Five Year Strategy for Protecting the Public and Reducing Re-offending, Home Office, February 2006

The proposals for Probation Trusts, as provider only organisations, are also problematic as they threaten to reduce the strength of existing local links. The local judiciary and local faith groups may be uncomfortable in being associated with what amounts to a consortium that is competing for business. Since there is no guarantee of continuity even for Probation Trusts at the local level, it is vital for faith groups, small charities, employers and others to have a stable local partner to which they can anchor. It would be a perverse outcome if NOMS replaced the current patchwork of voluntary local engagement and partnership with a top down, albeit regional, system.

The coalition also believes that local services and local commissioning can go beyond delivering outcomes required, improving local people's experience, increasing trust and confidence for witnesses and victims alike. Local ownership of resettlement and the provision of community punishments could increase the participation and confidence of black and minority ethnic communities. It is often at the community level, too, that gaps are identified and innovative solutions found. Finally, involving local democratically elected leaders, community leaders and the local press offers the best chance of involving the general public in an informed and constructive debate.

The coalition therefore recommends that the commissioning framework of NOMS must:

- Allow local flexibility in commissioning arrangements
- Enable local partners to pool their local expertise and devise strategic responses to need
- Build capacity in the local market place and not allow it to be replaced by regional 'hyper markets'

This is not necessarily about providing extra resources for people who offend, or offender management, rather it is about tailoring services in a way that best protects communities and lessens the likelihood of further offences being committed. The decision to postpone implementation of the sentence of 'custody plus' offers the chance of a re-think.

Community sentences

There is almost universal agreement that little is achieved by sending more than 50,000 people to prison each year for less than six months. The largest group of these offenders is convicted of theft or handling stolen goods, followed by motoring offences such as driving whilst disqualified. About a fifth of the shortest sentences are served by people who have committed one of a range of unspecified crimes such as breaching anti-social behaviour orders, drunkenness or minor public order offences. Although sentencers say that in the case of the most persistent offenders it is important to express society's view that enough is enough such sentences bring few benefits and damage offenders' jobs, accommodation and family support. These are factors that research shows can prevent re-offending in the future. There is also a risk that incarceration can harden anti-social attitudes or even introduce offenders to gangs, drug addiction or potential accomplices.

When short-sentence prisoners come out of prison there is little in the way of support or supervision. The Social Exclusion Unit reported four years ago that adult offenders serving less than a year are released "in a completely unmanaged fashion, nothing is done with them on release, and indeed because there is no responsible agency, to which they are handed over, very little is done in preparation for release. Yet short-term prisoners have the highest re-offending rates."⁵ It is little wonder that the last Home Office review of sentencing found the lack of utility in short prison sentences to be one of the most serious deficiencies in the present framework.⁶

Rather than simply leave the current arrangements for short term prisoners in such an unsatisfactory state, the government should enable local authorities to coordinate arrangements and commission the necessary services and stimulate a major voluntary sector initiative to assist the resettlement of such offenders.

As well as local authorities, the voluntary sector has a key role to play in effective resettlement. It has experience and expertise in housing, mentoring, drug treatment and employment training, the interventions most required by people leaving prison. Voluntary organisations exist to meet their users' needs and unlike state bodies can take the users side- particularly important for offenders leaving prison for whom formal after care can be perceived as double punishment.

⁵ *Reducing re-offending by ex-prisoners* Report by the Social Exclusion Unit (2002) page 9

⁶ *The Halliday Report Making Punishments Work : Report of a Review of the Sentencing Framework in England and Wales* Home Office July 2001

The expansion of the community justice approach being piloted in Liverpool and Salford offers an opportunity for a new approach. Its objectives – making the court responsive to the community, breaking cycles of re-offending and ensuring the visibility of court orders are ones that the government recognise cannot be delivered by the courts. “Community Justice must be driven forward by other criminal justice agencies, local authorities and the wider voluntary sector”.⁷ One of its key principles - promoting the social inclusion of people who offend - involves “developing pathways to support the reintegration of offenders back into their community”. Where better to start than with short term prisoners?

The Prime Minister recently called for the success of criminal justice to be measured by the reality of the street and community in which real people live real lives. Developing an alternative to ‘custody plus’ is a practical opportunity to develop an approach to resettlement at the very local level which increases both safety and fairness in the most deprived communities.

The way forward: achieving sustainable reductions in re-offending

The coalition recommends that:

- Local Strategic Partnerships are enabled to deliver close joint working with a range of partners beyond the criminal justice system
- Local Area Agreements are developed as the primary means of achieving joined up working across agencies to reduce re-offending, and hold those agencies to account
- The government must ensure better integration of the NOMS agenda with the developing LAA and LSP agendas
- Local councils through elected members can best provide the leadership, governance and the vital links to local people which are needed to rebuild public confidence. All local councils should be encouraged to realise the longer term financial benefits and benefits for the whole community that can be realised by close joint working with partners to reduce re-offending
- Any new arrangements for probation services are locally accountable.

The potential benefits of closer integration with LAAs and LSPs are:

- Reducing re-offending moves closer to the mainstream of local partnership activity and multi-agency solutions
- Government expectations on local councils and partners, in helping to reduce re-offending, can be communicated to all local partners
- The relative priority of these expectations and targets can also be made clear
- Local authorities and their partners would not need to set up parallel processes and partnerships to tackle re-offending. This work could be overseen and directed through the same arrangements (LSP and its thematic sub-partnerships) as for the LAA as a whole
- Progress can be tracked through the regular Government Office/local council/LSP dialogue with LAAs. This involves a 6 month review and an annual LAA ‘refresh’. The need for a separate Whitehall monitoring of council/LSP contributions to offender management is lessened, if not eliminated
- Locally based accountability of offender management activities can be similarly integrated within the expanded overview and scrutiny role across the totality of LAAs, as proposed by the Department for Communities and Local Government
- Local partners (police, NOMS/probation, Connexions, Registered Social Landlords, Primary Care Trusts) can be involved through existing joint working arrangements on the LAA, overseen via the LSP, reducing the need for separate partnerships and meetings
- Consultation and involvement with local people on offender management issues can be linked into wider activity on the LAA

There is already a level of integration between offender management and LAAs. The question is how much further this could be taken.

At present:

- LAAs involve a ‘safer and stronger’ block through which LSPs/councils are asked to define better outcomes on safer communities/crime and disorder

⁷ *Delivering Simple, Speedy, Summary Justice*, Department for Constitutional Affairs, July 2006

- For round 3 of LAAs (i.e. those now being prepared for an April 2007 start) the Home Office has added to the LAA framework a 'mandatory outcome' on reducing re-offending, alongside similar outcomes on crime and Respect
- While there are no specific area-based Government funding streams to support the work of councils/LSPs in delivering on re-offending targets, some areas have access to funding streams which can be used for this purpose. Funding to tackle Prolific and Priority Offenders comes via CDRPs
- Several areas in earlier LAA rounds have already included targets on offender management and related projects/initiatives to deliver these in their LAAs

The diagrams below set out how offender management and resettlement could fit in to the new local delivery landscape of partnership working around LAAs and LSPs. They suggest how the local delivery landscape might be streamlined and realigned, with new-style CDRPs/CSPs (as being implemented via the Police and Justice Bill and CDA Review) taking the lead responsibility, on behalf of LSPs, for the full range of community safety and criminal justice partnership at local level.

The GO/LSP performance management relationship, built in to the LAA process would provide the necessary assurance and feedback to Government on multi-agency delivery of offender management outcomes at the local level.

Examples

The Depaul Trust – Durham

This trust supports people after their release from the Deerbolt Young Offenders' Institution near Durham. Of the 75 YOI leavers the charity has worked with in the last 12 months, only 35% have re-offended - half the 70% national rate. It works with probation services and housing agencies to the region. Funding for the offender re-settlement programme, which helps 16- to 25-year-olds, has come from Northern Rock. Each youngster gets personal support from a worker, accommodation, as well as training and work opportunities. Once the young people are suitably housed, workers then help them sign up to training courses and find work. As well as getting somewhere to live, the young people are also helped with benefit arrangements, to give them an income and reduce temptation to steal.

The Bridges to Inclusion Programme

The Bridges to Inclusion Programme has been set up Knowsley MBC to reduce offending by vulnerable young people (age 10-18 years), or those likely to offend. The programme has linked over 100 community mentors (recruited from the local community, Knowsley MBC workforce and local businesses) to young people who have been referred through the Youth Offending Team, local schools, children's services, children's homes and the council's Youth First programme. The scheme is lead by the council in partnership with Merseyside Police, Crime Concern, Knowsley Community College, National Youth Agency, Qualifications and Curriculum Authority and the Prince's Trust.