

Cutting Crime, Delivering Justice

A Strategic Plan for Criminal Justice
2004-08

This Strategic Plan has been produced by the Office for Criminal Justice Reform (OCJR) on behalf of three Government departments: the Home Office, the Department for Constitutional Affairs and the Law Officers' Departments.

OCJR is the cross-departmental team that supports all criminal justice agencies in working together to provide an improved service to the public.

Should you have enquiries regarding the CJS Strategic Plan, or wish to receive any of the following: further copies of this publication, copies in braille or large print, or a summary in english or welsh, please contact:

Email: ocjrenquiry@cjs.gsi.gov.uk
Telephone: 0207-273-3615



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2004-08

**Presented to Parliament by
the Secretary of State for the Home Department,
the Secretary of State for Constitutional Affairs and
the Attorney General
by Command of Her Majesty**

July 2004

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Foreword

Tony Blair, Prime Minister



We start with one overriding principle – that the law abiding citizen must be at the heart of our criminal justice system. For too long, that was far from the case. When this Government came to power in 1997, high crime rates and long delays in dealing with cases were damaging confidence in the system. The system seemed to think only about the rights of the accused. The interests of victims appeared to be an afterthought, if considered at all. There was a vacuum in new thinking about how to tackle the drivers of criminality or to respond to the new threats of organised crime.

This was more than a failure of political will. Quite simply, crime and criminality had got ahead of the capacity of the system to defend the overwhelming majority of decent, law-abiding citizens. We were using the same blunt methods against different types of crime, the same limited strategies to tackle very different types of criminals while the needs of victims, witnesses and the community as a whole were ignored.

We have set about putting that right. We are successfully tackling the conditions where crime prospers – unemployment, run-down estates and a tolerance of anti-social behaviour. We have invested in staff and technology so there are now record numbers of police and an outdated infrastructure is being brought up to date. And through reform, clear targets and better information, we have cut delays, raised standards of effectiveness and co-operation and focused attention on what needs to be improved and the concerns of the public.

There is a great deal more to do. But crime has fallen by 25%. A radical overhaul of the youth justice system has more than halved the time

taken to deal with persistent offenders. A chief crown prosecutor now heads effectively the Crown Prosecution Service (CPS) in every area. We are creating a single, national courts system for the first time and investing £2 billion to ensure all parts of the Criminal Justice System can communicate securely and effectively with each other. And the dramatic success of the Street Crime Initiative showed what could be achieved if barriers to co-operation were removed.

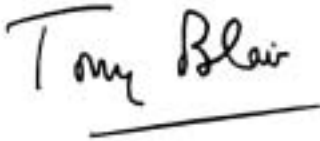
We now have to build on these firm foundations and ensure we put into practice across the whole of the Criminal Justice System the lessons we have learnt. There remains a great deal to do. But the detailed plans we are publishing today show how we are going to ensure effective, speedy and just treatment for offenders, victims and the community as a whole.

By ensuring the CPS offers round the clock early advice to the police and eventually takes over responsibility for charging offenders, we will reduce wasted time and effort throughout the system. New specialist courts will reduce delays and increase expertise. Additional investment in IT systems will also speed up justice and cut backlogs.

We are going to ensure the needs and concerns of victims and witnesses are at the forefront of the Criminal Justice System. There will be increased support for victims to ensure that the vulnerable get personalised help from crime to trial and afterwards if necessary. Witnesses, too, have often been forgotten. There will be a Witness Care Unit in every area. Sentencing will ensure the public is protected from the most

dangerous and hardened criminals but will offer the rest the chance of rehabilitation.

This whole programme amounts to a modernising and rebalancing of the entire criminal justice system in favour of victims and the community. It will bring our courts into the twenty-first century and recognise that it is also a miscarriage of justice when the guilty walk away unpunished, as it is when the innocent are convicted. A modernised Criminal Justice System demands speedy and effective justice for all. And we are on course to deliver it.

A handwritten signature in black ink that reads "Tony Blair". The signature is written in a cursive style and is positioned above a horizontal line.

Tony Blair
Prime Minister

Preface



As the three Ministers responsible for criminal justice, we are pleased to present our Strategic Plan. An effective Criminal Justice System is a vital source of public confidence in strong government and the rule of law. This plan sets out our shared vision for criminal justice reform.

Our primary objective is to reduce crime and anti-social behaviour and to make people feel safer. We will achieve this in a number of ways – wherever possible, by stopping crime from happening in the first place; when a crime does happen, by catching the offender swiftly and bringing them to justice; and, once an offender has been convicted, by giving them a punishment which addresses why they committed the crime in the first place, so that they are less likely to offend again. Our strategies for reducing crime and anti-social behaviour are published in two parallel documents. *Confident Communities in a Secure Britain* shows how we will prevent crime and reduce reoffending. This plan focuses on how we will bring more criminals to justice, improve the way different agencies work together, and give victims and witnesses better services.

The overriding principle of this plan is to deliver criminal justice that puts the victim of crime and the law-abiding citizen first. Underpinning this principle are two key themes:

- unifying the system so that it is efficient, gets things right first time, and produces outcomes that are effective in protecting the innocent, deterring criminals and rehabilitating offenders; and
- engaging with the community so that its concerns are reflected and people's confidence maintained.

We have come a long way since 1997, and the results are starting to show. Most importantly, crime is falling, by over a quarter since 1997. More offences are being brought to justice – the latest performance shows a 7% increase. After a period of decline, public confidence is starting to improve. Agencies are working together and as a result people's experiences of criminal justice are better: more trials go ahead on time, and witness attendance rates have improved.

This provides a solid foundation upon which we can build. Over the next five years, we want to improve criminal justice even further, with what is today best practice becoming the standard everywhere. Our goal for 2008 is to provide a service that as a matter of everyday routine:

- is visible and responsive to law abiding citizens;
- is sensitive to the needs of the victim, ensuring that victims are supported and that their voices are heard;
- operates fairly, protecting the innocent and pursuing the guilty;
- is joined up in a modern and efficient process that works;
- applies appropriate punishments, focused on tackling the causes of offending, and makes sure they are completed; and
- exploits the potential of modern IT to improve the experience of all users.

Together, the criminal justice agencies in each local area will listen to the concerns of its communities, including black and minority

ethnic communities, and act upon them. And the lessons of our flagship Community Justice Centre in Liverpool will be applied.

Victims of crime will be treated sensitively by staff; they will be kept informed of the progress of their case and they will be told the outcome. They will have the opportunity to make a Victim Personal Statement, explaining how they feel about what has happened to them. Each agency will work to common standards of service for victims and witnesses, and agencies will be held to account for these. Victims will also be able to complain to an independent Ombudsman.

Performance will improve. More criminals will be caught (and caught more quickly), prosecuted fairly but firmly, punished and given the help they need to change their behaviour. We will focus our attention and resources on prolific offenders. And we will encourage the guilty to admit their guilt early rather than drag out proceedings to trial.

Where a trial is necessary it will be a rare exception that it does not go ahead at the time and on the date appointed. And the decisions of the court will be enforced. Fines will be paid, criminals' assets recovered and community punishments completed.

This is the core business of criminal justice, and we will make sure that it happens. With the hard work of those in the field, and with the support of our partners in the community and the general public, we aim to deliver a criminal justice service in which we can all take pride.



Home Secretary,
Secretary of State for Constitutional Affairs
and the Attorney General

A vision for criminal justice in 2008

The public will have confidence that the Criminal Justice System is effective and that it serves all communities fairly.

What will be different in 2008:

- Criminal justice will be better at delivering its core business of reducing crime and bringing offenders to justice.

If you are a member of the public:

- you will have confidence that the system puts the law-abiding citizen at the heart of all it does.

If you are a victim of crime, or a witness:

- you will be treated with respect and understanding and provided with the information, facilities and support you need;
- you will receive a high quality service that meets clear common standards. Criminal justice agencies will be held to account for delivering these.

If you are from a Black and Minority Ethnic (BME) background:

- you will have more confidence that criminal justice treats you fairly;
- unjustified racial disparities in stop and search and in sentencing will have been reduced.

And those working in criminal justice:

- will have made better efforts to get balanced information about criminal justice in the media, particularly the local media;
- will be better at engaging communities and responding effectively to their concerns. Where appropriate, the courts will hold specialised sittings for drugs, domestic violence and anti-social behaviour cases.

Victims and witnesses will receive a consistent high standard of service from all criminal justice agencies.

What will be different in 2008:

Criminal justice will be organised to support the victim and thwart the offender. If you are a victim of crime, or a witness;

- you will have a statutory right to high standards of treatment from criminal justice agencies, spelt out in a Code of Practice; criminal justice agencies will be held to account for delivering these;
- you will be kept informed at regular stages of the case about what is happening to catch the perpetrator of the crime;
- you will be offered personal support by a Witness Care Unit in all cases where someone is charged with an offence. This means a named contact will keep you updated on the progress of the case and provide information, support and advice to enable you to attend court and give evidence;
- all Crown Court buildings and 90% of magistrates' courts' buildings will have separate waiting facilities for victims and witnesses;
- we will reduce unnecessary waiting for witnesses who have to attend court;
- if you are a victim or witness in significant fear for your safety, you will be offered greater protection from new witness protection legislation;
- the Victims Fund, which will pay for better support services for victims, will be boosted by a surcharge on all criminals who are convicted.

We will bring more offences to justice through a more modern and efficient justice process.

What will be different in 2008:

- We will bring 150,000 more offences to justice;
- We will raise the detection rate from 19% to at least 25%, by improving police effectiveness and deploying new technology, including enhanced DNA testing and Automatic Number Plate Recognition systems, across the country to target criminals more effectively;
- To get the charge right first time, the CPS will provide 24 hour legal guidance seven days a week to the police on what charge to bring;
- We will relentlessly target the top 15-20 prolific offenders in each Crime and Disorder Reduction Partnership area, and more in bigger areas, and give the police, the CPS and the Serious and Organised Crime Agency the powers they need to take on the most serious and organised criminals;
- We will divert more people from court who do not need to be there by extending the use of Fixed Penalty Notices to a wider range of offences by March 2005 and by rolling out CPS powers to issue conditional cautions;
- Where cases do need to come to trial, we will ensure that they arrive at court ready to proceed, reducing the numbers of wasted trial hearings by 2007-08 by another fifth in the Crown Court and in the Magistrates' Courts by another third;
- We will have reformed the legal aid system to eliminate time wasting and delay and focus help and support where its most needed;
- With new Witness Care Units to support witnesses as their cases progress, we will raise witness attendance, leading to fewer adjournments and reducing the temptation for defendants to delay guilty pleas.

Rigorous enforcement will revolutionise compliance with sentences and orders of the court.

What will be different in 2008:

- Defendant attendance at court will have improved and we will be better at apprehending those who fail to appear;
- Smarter sentences will punish the offender and protect the public but will also help criminals to stop offending, including through intensive drug treatment;
- The police, CPS, courts and other agencies like the Serious and Organised Crime Agency will be able to keep at least 50% of the value of all the criminal assets they help seize;
- The percentage of fines collected will be higher;
- Community penalty breaches will be brought to court faster and more reliably;
- Using the Police National Computer, the police will be able to target defaulters, and tell at a glance whether people they pick up are on the run from court, have outstanding fines or have breached a community sentence;
- We will tackle loopholes that allow offenders to escape enforcement by improving information sharing and giving officers more powers;
- There will be financial incentives for enforcement staff for good performance.

Criminal justice will be a joined up, modern and well run service, and an excellent place to work for people from all backgrounds.

What will be different in 2008:

- High common standards of customer service will be delivered across all agencies involved in criminal justice; victims and witnesses will have a statutory right to minimum service standards;
- Leading edge technology will have transformed the detection of crime and the processing and management of offenders; developments will include a national intelligence system for all police forces; a modern replacement for the Police National Computer; and enhanced DNA and fingerprint databases, and a facility to match potential offenders by palmprints;
- Through a further £800 million investment in CJS IT on top of the £1.2 billion already pledged, all criminal justice staff working will be able to communicate swiftly and efficiently through a single linked IT infrastructure. Electronic case management systems will have transformed case handling between the police and prosecution team, in the courts, and in the management of offenders;
- As the teams which bring together chief officers at local level, Local Criminal Justice Boards (LCJBs) will be well established bodies, resourced and empowered to deliver;
- The relationship between the criminal justice departments will have been strengthened, underpinned by the creation of the Office for Criminal Justice Reform, a trilateral centre for the Criminal Justice System;
- We will have the right numbers of staff, with the skills, remuneration and powers they need to do their jobs effectively;
- The criminal justice workforce will be better motivated with low staff turnover, low levels of sickness absence and high levels of job satisfaction;
- The workforce in each criminal justice agency will be more diverse, more fairly representing the local community it serves.

Chapter 1

Why criminal justice matters

When a crime is committed it represents a wrong against the victim. But it is also an offence against society. And the State recognises the importance of this by taking action on behalf of the victim to find the offender and punish them.

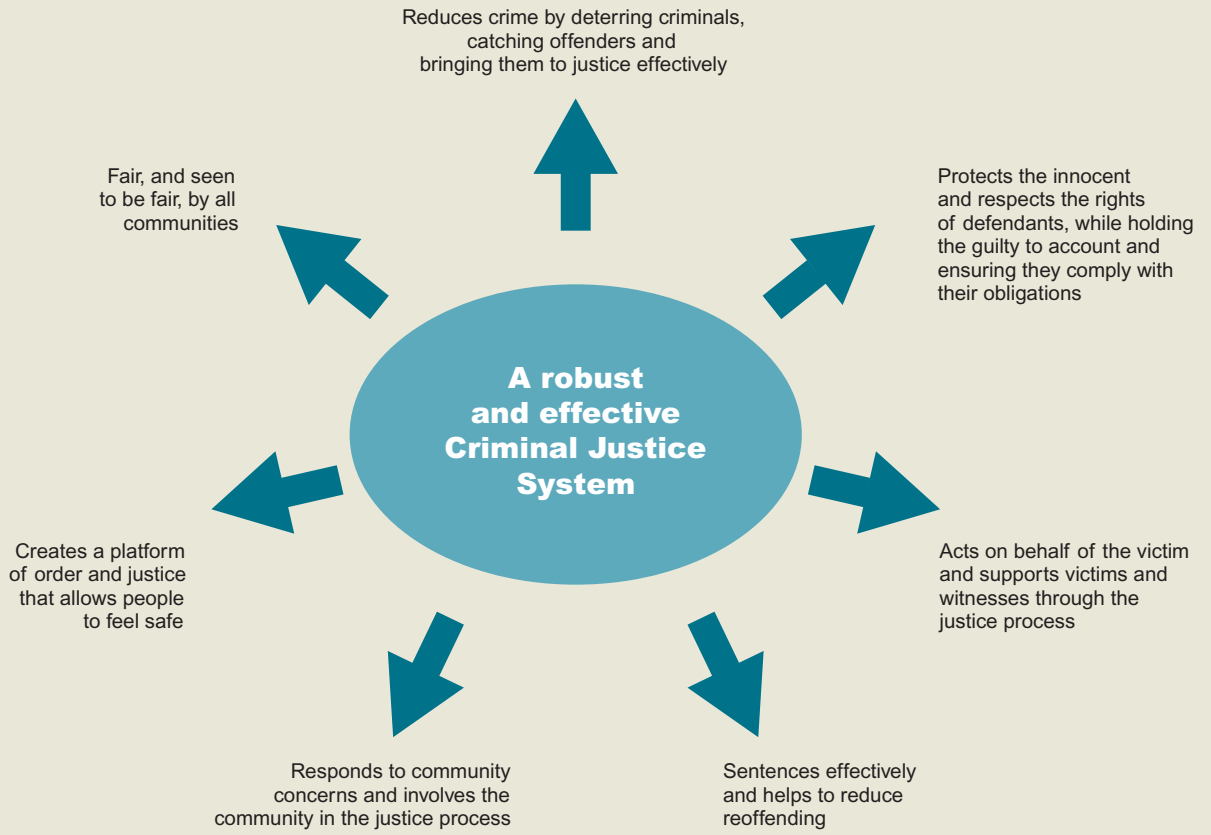
Above all other things, justice must be demonstrably fair if the public is to have confidence in it. It should punish the guilty, but acquit the innocent. In criminal cases, the stakes are high: the liberty and reputation of the accused are at risk. And the State is able to bring far greater resources to bear than are available to the individual. Criminal justice ensures that a number of principles are in place to ensure that a fair balance is drawn:

- powers and responsibilities are separated;
- the prosecution is required to prove its case beyond reasonable doubt; the law requires an acquittal where it cannot do so;
- cases must go through a legal process: evidence must meet certain standards which the defence is entitled to challenge;
- the accused is entitled to legal representation of his choice, and the State will meet the costs where it is in the interests of justice; and
- proceedings usually take place in public; are reported; and lay people (magistrates or juries) play the major role in the determination of guilt or innocence so that the process is seen to be open.

These principles ensure a system of justice in which the public can have confidence.

The effective delivery of justice matters. Strong criminal justice has a crucial role to play in reducing crime and anti-social behaviour and making people feel safer. A joined-up system, with all the agencies pulling together to make sure that criminals are pursued and justice is delivered swiftly, fairly and effectively, is a vital source of public confidence in strong government and the rule of law.

Our purpose is to deliver justice for all, by prosecuting, convicting and punishing the guilty and helping them to stop offending, while protecting the innocent and the wider community. The justice system is responsible for detecting crime, bringing it to justice, and carrying out the orders of court, such as collecting fines, or supervising community and custodial punishment. The key goals for criminal justice are to play its part in reducing crime by bringing more offences to justice, and to raise public confidence that the system is fair and will deliver for the law-abiding citizen. That includes increasing the satisfaction of victims and witnesses with the treatment they receive. Together with other partners, we work to prevent crime happening in the first place, to meet the wider needs of victims, and to help turn offenders away from crime.



Chapter 2

Where we were, and what we've done

Since taking office in 1997 we have made significant progress towards our goals of reducing crime, bringing more offenders to book and raising public confidence in criminal justice as a public service:

- crime is falling, down by 25% since 1997 – the chances of being a victim of crime are now at their lowest for 20 years;
- more victims are seeing their offender brought to justice: 7% more offences are being brought to justice now compared with two years previously;
- the decline in public confidence has been arrested and is starting to improve: by 3% in the last twelve months.

To make this progress and improve the service that the public receives, we have had to tackle some fairly deep-seated problems in the way criminal justice is organised and managed in this country.

Strengthening the basic building blocks of the system

Some of the task has been about improving joint working. But an essential first step was to tackle significant weaknesses in some of the key criminal justice agencies that left them ill-equipped to do even the basics.

For example:

- In 1997 **police** numbers were falling. Record numbers of officers now fight crime, with 12,500 more than in 1997, and neighbourhood policing has been bolstered

by the introduction of over 3,500 new community support officers with many more to come through our new Neighbourhood Policing Fund. The Government resources going into policing have increased by 19% in real terms.

In 1997 the **Crown Prosecution Service** (CPS) was operating on a shoestring budget and struggling to improve the prosecution process as it was set up to do. Frontline staff in the CPS had no computers at all. Staff numbers were falling though the CPS's workload was increasing. The move to a 42 area structure in April 1999 to match police force areas, a significant increase in funding so that the CPS now employs 2,600 prosecutors, and greater investment in IT, have together made a big difference. All staff now have a networked PC with standard office software and secure email with their criminal justice partners. The CPS is now revitalised, with new responsibilities for charging and a new commitment to play a central role in the Criminal Justice System and to engage with the communities it serves. The CPS is prosecuting more cases, and prosecuting more successfully.

The approach to **corrections** has been transformed:

- **Prisons** are more secure: the number of prison escapes has fallen dramatically, from 232 in 1992-93 to just ten last year. And their focus has shifted. Where the chief objective was simply incapacitation, now prisons focus on rehabilitation. For example, prison training schemes have been expanded. Last year, nearly 50,000 basic skills awards were made

to prisoners – up over a fifth. We recognise that we will only reduce reoffending if we tackle the root causes.

Since 1996-97, the number of intensive drug treatment programmes available in prison has risen from 9 to over 60 programmes, with plans to increase this further.

- **Probation** training stalled completely between 1995 and 1998. During that period no newly qualified probation officers entered the system at all. The Probation Service was not managed nationally. Enforcement of community punishment breaches, based on the then national standard of three or more unacceptable failures, was as low as 44% in 1999.

Since 1997, there has been a net increase of over 3,700 frontline probation staff. Breach enforcement rates, based on the tighter standard of two unacceptable failures, have risen to 84%. And through the Multi-Agency Public Protection Arrangements we have introduced, we provide greater protection against violent and sexual offenders in the community. As well as all-new accredited programmes containing modules on victim awareness and changing offenders' behaviour, the Service will achieve a more victim-centred approach, encouraging, where appropriate, restorative justice and reparation.

Probation and prison are now about to be brought under the **National Offender Management Service** to ensure end-to-end management of offenders in prison and afterwards into resettlement. The latest published data shows that 3.2% fewer offenders released from imprisonment or sentenced to community supervision in January to March 1999 were reconvicted than predicted. We will continue to protect the public by setting targets for reducing reoffending by 5%, compared to 2002-03, by 2008, leading towards 10% by the end of the decade.

Joining up services

Joining up services has been a key theme of the Government's reforms.

An early priority was to reform the **youth justice** system, both to make it better at preventing offending and to deal more quickly and effectively with young people acquiring a criminal pattern of behaviour.

In 1997, as the Audit Commission report *Misspent Youth* demonstrated, youth offenders could be cautioned over and over for offences without triggering any more serious response. Youth justice was slow, inefficient and did not tackle the causes of offending. On average it took four and a half months to deal with a persistent young offender from start to finish.

The youth justice system has been overhauled by the establishment of the Youth Justice Board and its multi-agency network of youth offending teams. The Crime and Disorder Act 1998 launched a firm new regime for dealing with young offenders, based on reprimands, final warnings and referral orders. The average time it takes to bring a persistent young offender from arrest to sentence has been more than halved from 142 days to 66 days.

Effective local joint working is necessary at all levels of the Criminal Justice System. For offenders to be brought to justice efficiently, and for victims and witnesses to get a good service, requires close joint working between different local agencies. Significant progress has been made here too.

At **national level**, in 1997 there were few mechanisms in place for the criminal justice organisations to share their plans and co-ordinate their operations; those there were had a purely consultative role. This has all changed. Leadership on criminal justice has been strengthened by the establishment of the National Criminal Justice Board, on which Ministers of the Home Office, Department for Constitutional Affairs (DCA) and Law Officers' Departments all sit together with heads of the main agencies, the Association of Police

Authorities, and a representative of the judiciary. Criminal Justice Ministers are jointly responsible for the delivery of Public Service Agreement (PSA) targets to bring offences to justice and raise public confidence. The Board monitors progress towards these targets, holds agencies and areas to account where performance falls short, and where problems arise that cannot be overcome at local level, makes sure that solutions are found.

At local level, **conflicting boundaries** were a basic problem that needed to be put right. In 1997 there were: 43 police forces; 13 CPS areas; 96 Magistrates' Courts Committees, covering around 460 magistrates' courts; 6 Crown Court circuits; 54 probation areas; and Court administration was fragmented. 96 Magistrates' Courts Committees covered around 460 magistrates' courts, and there were 6 Crown Court circuits. This has now been changed. The administration of the magistrates' courts and the Crown Court is being reorganised to create a new unified administration, Her Majesty's Courts Service. This will operate on a 42 area basis, as the CPS has done since 1999.

These boundary changes have paved the way for much closer co-operation at working level, culminating in the creation in April 2003 of 42 **Local Criminal Justice Boards** which bring together the chief officer of each criminal justice agency in each area to lead and embed joint working. In their evaluation of progress since the introduction of the Boards, the National Audit Office found that "*existing initiatives had been reinvigorated and 85% of Boards had introduced new processes*".

Getting better at bringing offences to justice

Getting better at bringing offences to justice has been a key priority for joint working across the Criminal Justice System.

The recent Street Crime Initiative brought together Cabinet Ministers, Chief Constables, representatives of the Courts, Prison Service, Youth Justice Board and CPS. It scrutinised

every stage of the criminal justice process to identify what could be done differently to bring more street robbers to justice. Following the upturn in robbery at the beginning of 2002, a whole raft of measures were introduced to improve detection rates, and provide better support for victims and witnesses of street crime. The initiative delivered a 17% reduction in robbery within twelve months compared with the previous year, 2001-02.

Many of the lessons from that initiative are now being applied to the handling of all offences. Examples include:

- the use of video technology instead of identity parades to make the identification procedure less daunting for witness and to speed it up;
- a greater role for the CPS in agreeing the appropriate charge for a case so it is less likely to collapse;
- a greater focus on support for witnesses and active management of cases.

Together these measures had contributed by March 2004 to a rise of 7% in offences brought to justice compared with two years previously.

Closer working between agencies has also started to crack one of the biggest causes of inefficiency and waste in the system we inherited in 1997. Too many trials failed to proceed on the day they were scheduled for. When this happens, it causes frustration and disappointment to victims, involves large costs to criminal justice agencies, wastes the time of all those involved in the case and potentially leads to the collapse of the case as witnesses become demoralised and give up. The number of Crown Court trials that are scheduled and then fail to go ahead has been cut by a quarter compared with August 2002.

Crimes involving fraud increase the cost of goods and services to us all: for example, tax fraud, which reduces the money available for public services; or price fixing, where companies or individuals form cartels to

increase the price we pay for their goods. We have recognised the need to tackle the biggest frauds and provided additional money to the City of London Police and the Serious Fraud Office (SFO) for this. Such cases are often complex. The SFO, working with the other criminal justice agencies, has developed a strategy for electronic presentation of evidence to help simplify and shorten cases in court.

Improving how victims and witnesses are treated

Basic customer service to victims and witnesses was an area with huge scope for improvement when the Government came to office.

Too often, even the most vulnerable victims and witnesses were given little thought and treated simply as an adjunct to the process, expected to comply with the system out of a sense of public duty. Genuine difficulties people might have in attending court or getting their evidence across were ignored. This meant distress for people who had already been victimised by an offender and the collapse of cases which could and should have led to a conviction.

Although we still have much to do, we have made significant progress in improving matters. For example:

- vulnerable and intimidated witnesses – such as young people, those with learning difficulties, and the victims of sexual crime – are now able to give their evidence in ways that recognise their special circumstances. These include the use of screens to protect victims from being intimidated by the defendant; giving evidence by video, or by live link from another room; using communications aids to give evidence; clearing the public gallery; and dispensing with wigs and gowns in court (particularly for cases involving children). A Home Office study found that a third of witnesses using the special measures introduced to support vulnerable and intimidated witnesses said that they would not have been willing or able to give evidence without them;
- prosecutors are communicating directly with witnesses and keeping victims better informed. They are explaining decisions to drop or downgrade charges, on a face to face basis in most serious cases, increasing understanding and so confidence;
- witness services are now available in every court, providing a chance for witnesses to come and familiarise themselves with the court before they have to give evidence, and offering support and reassurance on the day;
- increasingly we are rolling out separate facilities in courts for prosecution and defence witnesses so that they are not forced to wait together. 90% of Crown Court buildings now have these and we are making progress with the Magistrates' Courts estate;
- funding to Victim Support has more than doubled to £30 million compared with £11.7 million seven years ago.

Responding to community concerns

Too often, victims and the communities from which they come have felt ignored in the fight against crime and excluded from the justice process.

Criminal justice must respond rapidly and effectively to the crime and disorder that affects the community, and must involve the community in its decision-making. Notable innovations here include:

- **Anti-Social Behaviour Orders (ASBOs):** these combine criminal and civil powers in an innovative way to provide simple but effective remedies against the sorts of intimidating behaviour that blights some communities. Concern about anti-social behaviour grew steadily through the 1990s, but the police were not legally equipped to deal with this sort of low-level thuggery, despite its potential to make people's lives a misery. Today we have Anti-Social Behaviour Response Courts in 12 hotspots with specialist CPS prosecutors, making use of ASBOs where appropriate and giving a

tough response when Orders are breached. Anti-social behaviour has now levelled off and fear of crime has begun slowly to reduce.

- **Multi-Agency Public Protection Arrangements (MAPPAs):** MAPPAs require a number of public services, including the police, prison, and probation services, local housing, health, employment, benefits and Youth Offending Teams (YOTs), to establish joint arrangements for assessing and managing the risks posed by sexual and violent offenders in the community. Each area is also required to recruit two members of the public to review the arrangements put in place by the authorities.
- **Restorative justice programmes:** The court process as it stood in 1997 gave victims little feeling of involvement in the process. In particular there was little opportunity to explain how the crime affected them, or find out why they were singled out. Yet we know this is often very important to victims and that being confronted with how his criminal behaviour has affected others can be a key part of rehabilitating an offender. Since 1997, we have pioneered new ways of involving the victim in seeing the offender brought to justice. Restorative justice schemes are in place in most YOTs and pilots are underway for adults. These groundbreaking schemes give victims the opportunity to decide with the offender how to make amends, and offer real potential to change the victim's experience of the delivery of justice. Evidence from both the UK and overseas demonstrates consistently that involvement in restorative justice can be a positive experience for victims, giving high levels of satisfaction, as well as redirecting offenders from a life of crime.
- **Young Offender Panels (YOPs):** YOPs supervise young offenders who have been given a referral order by the court. They comprise one YOT member and two volunteers and operate on the restorative justice principles of responsibility, reparation and reintegration. The YOP agrees with the offender a contract covering reparation to the victim and a

programme of activity to address the risk of reoffending; it then monitors the offender's compliance with the contract. Victims are given the opportunity to take part if they wish, for example by: saying how they have been affected by the offence; asking questions, receiving an explanation and apology; and discussing how the offender can make practical reparation.

Modernising the law

Few things undermine public confidence more than when the law is inadequate to deal with crimes that are serious or on the rise. We have modernised the law both to update it to deal with modern criminal behaviour and to tackle abuses that undermine justice.

For example:

- Legislation on sex offences had not been overhauled for over a century. The Sexual Offences Act 2003 was introduced to strengthen and bring up to date the complex law surrounding sexual offending and offenders. It replaces laws that had grown up piecemeal over that period and were widely accepted as being archaic, incoherent and discriminatory. For example, it overhauls the law of rape, and provides a simpler and clearer test on the question of consent. The Act also updates the law to take account of technological advances, introducing a new offence of internet grooming to protect young people from predatory paedophiles. And it provides the police and the courts with improved powers to monitor those convicted of a sexual offence, helping to keep the public safe from reoffending;
- The Criminal Justice Act 2003 tightens up the provisions relating to bail, reversing the presumption in favour of bail in certain circumstances and extending the prosecution's right of appeal against the grant of bail. The Act changes the rules governing what evidence is allowed in court, by allowing the prosecution to introduce evidence of previous bad character. For the first time, the prosecution will now be able to appeal against

rulings that would otherwise stop or seriously hinder the prosecution. And it removes the double jeopardy rule for serious cases meaning that the defendant can be tried again where compelling new evidence is found. The new sentencing framework and the creation of the Sentencing Guidelines Council will bring an end to the lottery of different sentences for the same crime depending on the area. We are bringing in tough new community sentences, tailored to the individual offender and based on what is most effective in reducing reoffending, and are introducing post-release support for prisoners serving short sentences. For the first time, after conviction, dangerous and violent sexual offenders can be kept in prison for as long as they represent a danger to the public;

- The Proceeds of Crime Act 2002 provides tough new measures for the police and Customs officers to investigate and seize the money that criminals make from, and intend to use in, criminal activity and established a new Asset Recovery Agency to pursue civil asset seizure cases;
- The Crime and Disorder Act 1998 provides the courts with powers to order a Drug Treatment and Testing Order (DTTO). DTTOs are intensive community sentences designed to break the link between drug use and offending. They are aimed at the most serious and prolific drug-misusing offenders aged 16 and over who commit acquisitive crime to fund their drug habit. The order includes a requirement to attend treatment, mandatory drug testing and, for the first time, brings the offender back to court for regular reviews of progress;
- The Domestic Violence, Crime and Victims Bill, currently before Parliament, includes measures to make common assault an arrestable offence, and to make breach of a non-molestation order an arrestable offence punishable by up to five years' imprisonment. It increases the powers of the court to impose restraining orders so that they may be made on conviction or acquittal

for any offence, where the court considers it is necessary to do so to protect the victim from harassment; it establishes multi-agency domestic homicide reviews in order to learn the lessons from deaths resulting from violence, abuse or neglect inflicted by someone to whom the victim was related, who was a member of the same household or with whom the victim had an intimate personal relationship.

The role of the judiciary

The active support and participation of the judiciary, in the magistrates' courts and in the higher courts, are crucial to the delivery of this strategy, as they have been in delivering the improvements achieved so far. Issues in which they have played a major role are:

- improving the quality of case preparation, case management and reducing wasted attendance at court by victims and witnesses;
- improving joint working between criminal justice agencies, particularly through membership of the National Criminal Justice Board;
- reducing delay in the handling of cases involving persistent young offenders and as part of the Street Crime initiative;
- clarifying the interpretation of the law to ensure that bail decisions are appropriate and that failure to attend court is appropriately punished.

The judges are independent of government and of all other participants in the justice system. They occupy a unique position as guardians of its fairness and impartiality, and in developing, clarifying and applying the law for the benefit of society at large as well as in the cases that come before the courts. Home Office research shows that jurors and vulnerable witnesses express a high degree of confidence in and satisfaction with their treatment by the judiciary.

Embedding this change

We have made substantial progress on the situation we inherited in 1997. We now need to deepen this change and make it irreversible, turning things that are currently best practice into the standard everywhere.

We need faster, further progress on:

- **Better end-to-end treatment of victims and witnesses** – Although the law has now been reformed to help raise the importance of victims, and funding for victim support has more than doubled, victims' treatment sometimes still falls short of what we should expect. Many choose not to report crime as they fear intimidation or reprisals or because they believe no action will be taken. If they do report the crime, the system sometimes appears not to support them. For example, in the latest survey only 31% of victims felt that they were kept fairly or very well informed by the police about their case, and we are not yet in a position where all vulnerable or intimidated witnesses are identified by criminal justice agencies before trial.
- **Bringing offenders to justice efficiently and fairly** – Though improving, the number of offenders brought to justice is still unacceptably low. Too many offenders insist on the full judicial process, then plead guilty at the last minute, clogging up the courts when we should be encouraging them to plead guilty earlier. Too many avoidable mistakes are made at every stage of the criminal justice process. For example, despite progress too many trials still do not take place on the scheduled day.

- **Tougher action against offenders who fail to comply with court dates, fines and sentences** – Though progress has been made, there is still considerable scope for improvement. For example, defendants fail to turn up in 5% of all magistrates' courts hearings and 3% of Crown Court hearings every year, wasting time and sometimes leading to the collapse of the case.
- **Fully joined up working** – Local Criminal Justice Boards (LCJBs) have got off to a flying start. But there is more to do – the recent review of the Criminal Justice System's capacity to meet its targets found that inter-agency co-operation is not yet fully embedded, and there is more to do to ensure that LCJBs are properly resourced and empowered to deliver. Since 2003, a £1.2 billion investment has been made in IT infrastructure and systems, and £800 million more will be invested by 2008. This is starting to deliver real benefits on the ground. For instance, all CJS areas now have secure e-mail, enabling them to exchange sensitive information and speed up processes. But we were starting from a very low base and we still have some way to go to ensure we have the IT we need to deliver criminal justice in the way we envisage in the future.

The next chapter sets out where we are going on all these areas, and how, as a result, the experience of those who deal with, or work in, criminal justice will be different by 2008 compared with today.

Chapter 3

Where we're going

We have achieved a great deal but still have some formidable issues to tackle. To show what reform will have achieved in five years' time, we have devised the following vision which describes the delivery of criminal justice in

2008. Public Service Agreement targets on bringing offenders to justice and building public confidence reinforce these priorities. This section of the Plan shows how we will make these ambitions a reality.

A vision for criminal justice in 2008

The public will have confidence that the Criminal Justice System is effective and that it serves all communities fairly.

Victims and witnesses will receive a consistent high standard of service from all criminal justice agencies.

We will bring more offences to justice through a more modern and efficient justice process.

Rigorous enforcement will revolutionise compliance with sentences and orders of the court.

Criminal justice will be a joined up, modern and well run service, and an excellent place to work for people from all backgrounds.

Our Public Service Agreement targets

- to reduce crime by 15% and further in high crime areas by 2007-08
- to improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08
- to reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System without compromising fairness.

Communities: building confidence

The public will have confidence that the Criminal Justice System is effective and that it serves all communities fairly.

What will be different in 2008

- Criminal justice will be better at delivering its core business of reducing crime and bringing offenders to justice.

If you are a member of the public:

- you will have confidence that the system puts the law abiding citizen at the heart of all it does.

If you are a victim of crime, or a witness:

- you will be treated with respect and understanding and provided with the information, facilities and support you need;
- you will receive a high quality service that meets clear common standards. Criminal justice agencies will be held to account for delivering these.

If you are from a Black and Minority Ethnic (BME) background:

- you will have more confidence that criminal justice treats you fairly;
- unjustified racial disparities in stop and search and in sentencing will have been reduced.

And those working in criminal justice:

- will have made better efforts to get balanced information about criminal justice in the media, particularly the local media;
- will be better at engaging communities and responding effectively to their concerns. Where appropriate, the courts will hold specialised sittings for drugs, domestic violence and anti-social behaviour cases.

Our strategy to delivery this

The public must have confidence that we are doing all we can to stop crime happening in the first place and, when a crime takes place, to bring the perpetrators to justice swiftly. Only then will the communities we serve be convinced that criminal justice is effective at protecting the interests of the law-abiding citizen.

Public confidence in the effectiveness and fairness of criminal justice is essential. Low public satisfaction and confidence lead to unnecessary fear of crime and insecurity, and mean the public is less likely to report crime or act as witnesses so we have less chance to deal with it. Poor local intelligence makes detecting crimes harder, and undermines our efforts to bring offenders to justice. Recruitment and retention of staff is also harder when the service is not held in high esteem in the community.

Our confidence strategy has two distinct strands: improving criminal justice performance (for example, by reducing crime and bringing more offences to justice); and ensuring that the service communicates better with staff, users and the public.

Providing better services to the public

There is no substitute for improving basic performance and providing high quality customer service to our users, and this is key to our strategy.

As the following sections of this strategy set out, criminal justice is undergoing a comprehensive programme of reform that will cut crime, stop anti-social behaviour which destroys communities, and bring more offences to justice, outcomes which we know are vital to increasing public confidence.

People cite the criminal justice experience of their friends and family as one of their most important sources of information about criminal justice. Too often in the past this has been negative.

Improving the way that we treat the public, particularly victims and witnesses, is essential to enhancing levels of confidence. Efforts to deliver enhanced confidence are focused around five key strands:

- **Local delivery:** ensuring that criminal justice agencies, through Local Criminal Justice Boards, work in a co-ordinated and planned way to improve the services they provide;
- **Staff engagement:** informing staff of the reform process and improved services so they can be proactive in addressing issues and shortcomings in the system when they occur;
- **Improving communications:** informing the public about criminal justice so that they have an enhanced understanding of the system and our effort to reform it;
- **Research:** developing our understanding of what impacts on confidence and what we can do to influence it at both a national and local level;
- **Co-ordinating national delivery:** bringing together the many workstreams that impact on confidence to ensure that they are mutually supportive and add value.

Responding to community concerns

Criminal justice agencies should understand and respond to local concerns – such as the public's everyday experiences of anti-social behaviour. We are supporting local criminal justice agencies to improve their arrangements for engaging with and involving communities in setting their priorities. For example, prosecutors, particularly those prosecuting anti-social behaviour, will become more engaged with the community they serve, understanding their concerns and helping to shape criminal justice strategies to deal with them.

Specialist court hearings will be introduced where they can make a difference. We believe that communities and the public should be able to see courts responding to the problems in their local area, and that there are patterns of offending which justify a targeted approach involving specialist courts with trained court staff and sentencers.

For example, the Community Justice Centre pilot in North Liverpool, which will be open by the end of 2004, aims to tackle the low level crime and anti-social behaviour which make communal life miserable, and to reach offenders and their problems before they progress to serious crime. A multi-purpose community building, including a court, will bring services and facilities together and within easy access of local people. The court will handle low level crime where the community is often the victim, and court sentences will combine punishment with support to help offenders kick their crime habit. The community will be involved in helping to steer people away from crime.

The Centre will provide a variety of advice services and help for the offender to tackle the causes and symptoms of their offending, such as drug counselling, debt and housing advice or basic education skills, and acceptance of some of these may be advised by the court.

The judge will follow each offender's progress pre- and post-sentence and will be able to congratulate an offender when they have done well, or reconsider the sentence if there is a problem. The community will be able to make recommendations for community punishments to the court (for example, for a particular piece of graffiti to be cleaned up) so that there is visible payback for the crimes committed within the community. The services available within the Centre are not just there for the people brought to court, but will be available to anyone on a walk-in basis, and facilities at the Centre will be available for community use.

The principles identified in Liverpool will be applied elsewhere where the need is identified. We are also introducing new court processes where they are needed. For example, specialist courts for drugs, anti-social behaviour and

domestic violence are being put in place where these issues are of particular concern to the community.

Improving fairness of treatment of black and minority ethnic communities

Research shows that people from some ethnic minority communities have lower than average confidence in the fairness of criminal justice. This is not surprising as people from some communities are over-represented as defendants and under-represented as employees of criminal justice agencies. We are working with outside organisations and interests as well as Local Criminal Justice Boards to develop a better understanding of the scale and causes of the under- and over-representation of people from ethnic minorities in the Criminal Justice System. We aim to identify barriers to improved performance and to ensure that the work necessary for individual agencies to meet their responsibilities under the Race Relations (Amendment) Act is joined up and complementary. We are developing a programme of action that will make faster progress in eliminating discrimination in criminal justice.

A particular focus is stop and search, where we want to increase the confidence of black and minority ethnic (BME) communities in how the police use their powers and reduce unjustified disproportionality. The *Stop and Search Action Team – Strategy 2004-05* outlines our strategy for achieving this.

We are also planning a comprehensive two year study into whether there is any quantitative evidence of different sentencing between people in different BME and other white populations, and working to ensure criminal justice agencies have clear, measurable actions to improve BME victim and witness satisfaction.

Engaging with staff

Staff working in criminal justice have a major impact on public confidence through the quality of service they provide and the messages they send out. Engaging staff is critical to raising performance by ensuring staff know how criminal justice is changing, feel part of the process and know what is expected of them. This is why we have embarked on a wide-ranging programme of staff engagement activity at a national level. Communication is being improved through a new CJS staff magazine, *CJS Now*, and a monthly staff bulletin on the CJS website, CJS Online (www.cjsonline.org). A regular staff confidence survey was launched in March to identify staff attitudes and areas for action. Feedback from staff is also being gathered through a series of roundtable discussion events in which Ministers and frontline staff meet to discuss key criminal justice issues. A new criminal justice staff induction pack has just been launched for incorporation into agency induction processes, and Local Boards now have a staff engagement information pack to help them develop their own plans. And for the first time, staff will be rewarded for their achievements in criminal justice through the national 'Justice Awards' Scheme.

Better information to the public

We know that improving services and performance is not always enough. Effective communication with the public is also essential. We know that the more people know about criminal justice and the work of the different agencies the higher their levels of confidence. For example, the public's confidence in sentencing practice improves when people are presented with the facts in individual cases. On the CJS Online website, there is a set of interactive programmes which take victims, witnesses, defendants and jurors through the criminal justice process and help them understand what will happen, while several Local Criminal Justice Boards have organised Criminal Justice System Open Days for the public to come and see how the system works in their local area. Open Days have included mock trials, demonstrations of how offenders are charged with an offence and displays about fingerprinting and speed cameras.

Local Criminal Justice Boards have a crucial role to play in improving information. We are providing support and resources to help them improve their communication with the public and the media so that the public has access to balanced and accurate information about criminal justice. We are constantly developing the CJS website, CJS Online, to make it the gateway to accurate and timely information about the CJS, designed around the needs of specific audiences, such as victims, witnesses, jurors and defendants. We are also working jointly with the Department for Education and Skills to develop improved education materials for the citizenship component of the National Curriculum.

The most up to date information we have shows that public confidence in bringing offenders to justice stands at 41% for 2003-04, as compared with an average of 38% in the year 2002-03. The proportion of the public who believe we are effective in bringing offenders to justice has increased in 35 of the 42 CJS areas. There are signs that the programme of work we have put in place has started to deliver.

Victims and witnesses: consistent high standards of service

Victims and witnesses will receive a consistent high standard of service from all criminal justice agencies.

What will be different in 2008:

Criminal justice will be organised to support the victim and thwart the offender. If you are a victim of crime, or a witness, you will:

- you will have a statutory right to high standards of treatment from criminal justice agencies, spelt out in a Code of Practice; criminal justice agencies will be held to account for delivering these;
- you will be kept informed at regular stages of the case about what is happening to catch the perpetrator of the crime;
- you will be offered personal support by a Witness Care Unit in all cases where someone is charged with an offence. This means a named contact will keep you updated on the progress of the case and provide information, support and advice to enable you to attend court and give evidence;
- all Crown Court buildings and 90% of magistrates' courts' buildings will have separate waiting facilities for victims and witnesses;
- we will reduce unnecessary waiting for witnesses who have to attend court;
- If you are a victim or witness in significant fear for your safety, you will be offered greater protection from new witness protection legislation;
- the Victims Fund, which will pay for better support services for victims, will be boosted by a surcharge on all criminals who are convicted.

Our strategy to deliver this

Because of the major reduction in crime we have achieved, the chance of becoming a victim of crime is now at its lowest for twenty years. This is very good news, but we are determined to ensure that those people who are unlucky enough to fall victim to a crime have the support they need to put the experience behind them.

For too long this has been an area where criminal justice agencies have been weak. There are too many examples of victims being treated without sufficient thought – not kept informed about their case, given short notice of the need to attend court, kept waiting to give evidence or seeing the case adjourned time and again, feeling intimidated by the defendant and their associates, or by the process itself.

The figures are sobering: in the 2001-02 British Crime Survey, only 31% of victims felt that they were kept 'fairly' or 'very' well informed by police about the progress of the investigation, while only half of magistrates' courts have separate

waiting facilities for prosecution witnesses. This is not good enough. And it is not only unfair to victims and witnesses, it is also self-defeating for the criminal justice agencies, as it leads to witnesses not turning up. At least 22,000 cases had to be discontinued in 2002-03 because of prosecution witnesses being unable or unwilling to attend court.

We have to improve things so that we deliver a better basic customer service, and one that meets the needs of the people who are supposed to be at the centre of the Criminal Justice System. Every victim of crime needs to know that criminal justice agencies will do everything in their power to bring the perpetrator to justice, and that they will be supported and protected through this process both as victims and, if necessary, as witnesses.

Minimum standards of service and treatment for all victims

We must have consistent standards in each criminal justice agency. This is why we are introducing a Victims Code of Practice in the Domestic Violence, Crime and Victims Bill. We are also establishing an independent post of Victims Commissioner to provide a voice for victims at the heart of Government, and placing the Victims Advisory Panel on a statutory basis.

Victims Code of Practice: Examples of the new service standards for victims

- When a suspect is arrested or charged, the police must notify the victim and tell them whether or not the suspect has been released on police bail no later than one working day after the event for vulnerable victims and no later than three working days after the event for other victims;
- Local Victim Support Groups should contact victims by phone, letter or personal visit no later than two working days after the day the scheme receives the referral from the police or is contacted by the victim.

Through the Code, and the management standards that will underpin it, we intend to hold criminal justice agencies to account for how they treat victims and witnesses.

Supporting people to attend court and give evidence

We ask a lot of witnesses. We expect them to play their part in bringing offences to justice. We need them to attend trial on the scheduled date and to recognise that the defence is entitled to question and challenge reasonably their version of events. These civic duties cannot and should not change. However, we can do a great deal more to make the experience feel businesslike and safe, to recognise their legitimate needs, and at the end of the process to thank them for giving up their time.

We have already made some significant improvements in this area.

With funding from the Government, the Witness Service now operates at every court, giving witnesses the chance to visit courts in advance, familiarise themselves with the layout of the court, and find out more about how the process works and the support they will be given. We are now piloting devolving the funding for this service to Local Criminal Justice Boards so that the service is more closely owned by local agencies.

We are implementing the extra support measures provided for in the Youth Justice and Criminal Evidence Act 1999, which make it easier for vulnerable and intimidated witnesses to give evidence. These include the use of screens to protect victims from being intimidated by the defendant; giving evidence by video, or by live link from another room; using communications aids to give evidence; clearing the public gallery; and dispensing with wigs and gowns in court (particularly for cases involving children).

These special measures have been extremely effective. A third of witnesses using these special measures said that they would not have been willing and able to give evidence without this, while witnesses using special measures were more likely to be satisfied overall with their experience than others.

Prosecutors will have a role in championing victims' rights, for example by challenging unfair and inaccurate investigation, and ensuring aggravating features of offences, and the victim's views in their personal statement, are brought to the court's attention.

Further reforms will improve the experience at court over the next four years.

First, we will see the **nationwide introduction of Witness Care Units**. These will be run jointly by police and the CPS and will take responsibility for providing information, advice and support – such as transport and childcare provision – to victims and witnesses from when a suspect is charged right through to sentence.

Witness Care Unit pilots are already in operation in five areas: Essex, Gwent, North Wales, South Yorkshire and the West Midlands.

In these areas, significantly more witnesses are attending court as a result of the support they have received. The programme has been granted funding of £36 million over three years and will be up and running across England and Wales by the end of 2005.

Second, we want all courts to have **discrete waiting facilities for victims and prosecution witnesses**, separated from defendants and their witnesses. This is not always easy as many of our courts are listed buildings and not easy to adapt. Nonetheless, we have already achieved this in nine out of ten Crown Court buildings and are making progress with the magistrates' court estate. By 2008 all Crown Court buildings and 90% of magistrates courts will have separate facilities.

Third, we will **reduce unnecessary waiting**. Coming to court should be a businesslike affair that doesn't involve a long wait or a useless journey. In the last year, we have already reduced by a quarter the number of crown court cases that fail to go ahead on the day scheduled. We intend to make further improvements as well as discourage the defendant from stringing out the process and pleading guilty at the last minute. The next section says more about this.

Fourth, we will **use technology to keep victims and witnesses better informed** about their case. The XHIBIT system used to record information during court hearings has proved during its pilot at Snaresbrook Crown Court that there can be benefits to both witnesses and victims. Display screens in the court premises give witnesses sighting of the status of the trial in each court room, giving them a better indication of waiting time. Victims and witnesses can access the Court Service website which shows the status of court proceedings for each court room. This information is updated by the XHIBIT system every 10 minutes. And alerts can be sent directly to the police from the Crown Court, to inform them that results and bail information are available electronically. This enables the police to keep victims and witnesses accurately informed about their hearing.

Fifth, we will **tailor the court process** to deal better with victims of crimes that need particular

special treatment. Victims of domestic violence will often require a package of practical and emotional support to help them navigate through the sometimes bewildering array of agencies and services that are available. In a number of local projects, an independent support worker has proved to be a cost-effective way of providing this support. We are seeking to build on this approach, and link it to wider implementation of arrangements for specialist domestic violence sittings and fast-track procedures in magistrates' courts.

We also plan to pilot integrated domestic violence courts where the civil and criminal matters in one case are heard by the same judge. Such pilots would be designed to determine whether integrated arrangements of this kind, which have proved successful in the United States, deliver further improvements in the support and protection offered to victims. We hope to have pilot courts operational by 2005-06.

Sixth, we will tackle the problem of **witness intimidation in serious and organised crime cases**. Witnesses in this small number of cases facing serious threat need a much greater level of protection to make sure that they are able to give their best evidence without putting themselves in danger. They may need to be relocated or their identity even changed. We think this is so important that we will enshrine in law what witness protection should be made available and who is eligible for it, and will create a new offence preventing disclosure of information about protected witnesses and witness protection programmes. We are also reviewing whether setting up a National Witness Protection Agency would be the best way of co-ordinating protection for these witnesses across all police forces and other law enforcement agencies and will make a decision by the end of September 2004. For a wider category of intimidated witnesses, we have already put in place a Witness Mobility Scheme which is designed to help re-house them either temporarily or permanently.

Finally, to pull all this together, we will support and drive through further **cultural change to improve customer service**. We will introduce management standards to underpin

the Victims Code that will help deliver measurable improvements in victim and witness satisfaction with:

- the information they are given;
- the attitude of staff they encounter;
- the support they receive if they are victims with particular needs;
- the way their views are taken into account;
- the reliability with which special support is available if required in court;
- the safety and comfort of the court.

Empowering victims

We will continue our drive to empower victims of crime and give them more input into and confidence about the justice process.

A key task here is to ensure that, where necessary, the victim continues to receive information about their case after the criminal has been sentenced. In cases where an offender receives a custodial offence of 12 months or more for a sexual or violent crime, we have already placed a statutory duty on the Probation Service to keep victims informed about the custodial process for the offender, likely timescales for release and whether they will be subject to any conditions upon release. A victim can choose to be contacted by a Probation Service victim liaison officer at any time during the offender's sentence. A recent MORI survey confirms high levels of satisfaction with the service.

We are also pioneering new ways of involving victims in seeing the offender brought to justice. Restorative justice schemes are in place in most Youth Offending Teams and pilots are underway for adults. These groundbreaking schemes give victims the opportunity to decide with the offender how to make amends, and offer real potential to change the victim's experience of the delivery of justice. Evidence from both the

UK and overseas demonstrates consistently that involvement in restorative justice can be a positive experience for victims, giving high levels of satisfaction, as well as redirecting offenders from a life of crime.

Case Study: Restorative justice

The problem: criminals are caught, tried and punished in a formalised court based process that is rarely able to tackle the causes of offending, and in which the victim is given little opportunity to explain how the crime affected him, or find out why he was singled out.

The solution: restorative justice conferences provide the opportunity for victims and offenders, and sometimes other members of the community, to discuss an offence, get answers to their questions, and agree how the offender can repair some of the harm caused.

Sammy Raznack was a fifteen year old boy who was mugged for his mobile phone. Following the attack, he became jumpy and nervous, and he also began to show signs of bitterness and anger. Accompanied by his mother and sister, he agreed to attend a restorative justice conference with the mugger, and his father, sister and wife.

The offender started to explain what had happened and why – drugs. Sammy and his family found that the anger they had felt at first was starting to evaporate. “He looked so pathetic: a scrawny fellow with lank hair and sorrowful eyes that were depressed and refused to meet ours. At some points his eyes filled to the brim, particularly when Sammy described his terror of having his hand prised open and his phone snatched.”

“We went there to be comforted but in the end the roles were reversed and, I think, we comforted the offender and his family.”

After the conference, the offender was jailed for four years. He has applied for drug rehabilitation programmes, educational support and housing assistance for his family.

Supporting victims whose offender is not identified

It is important to remember that for many victims, despite the police's best efforts, the offender is never found. The key things we can do here are to reassure the victim, help them not to become a victim again, and offer the specialist support they need.

This is a goal that requires action from many different agencies including those outside the criminal justice world. Health services have a key role to play as the case study below illustrates.

Case Study: Supporting victims of violent crime

Problem: Many victims of violent crime attend their local A&E Unit for treatment for the injuries. Their cuts and bruises will be attended; their long-term emotional needs may not. Large numbers do not go on to report the crime to the police.

Solution: In *Cardiff's University Hospital of Wales*, under Professor Shepherd's leadership, A&E, Victim Support and specialist health services provide a full range of support for victims. Victims have immediate support and safe opportunities to report crime to the police and there is sustained support over the longer term for victims of violent crime who need it: a network of services to provide holistic care taking account of both physical and mental health needs. This community safety partnership programme has a strong victims focus and is working to tackle alcohol related crime.

We know that some people are victims of crime time and time again, particularly if they live in high crime areas. We are taking specific action to reduce **repeat victimisation**, focusing on the crimes that cause the greatest harm. For example, the police have a special response model when they go to a burglary where the victim has been burgled before. And we have increased the funding to Victim Support to £30 million as compared with £11.7 million seven years ago to make sure victims have access to support and help after a crime has taken place.

Recognising that some victims need **specialist advice** and support we are taking steps to expand the resources available and develop better provision. We have established a **Victims Fund** to provide a broader range of support and services to victims of crime, as well as new services for victims of road traffic incidents, building on the current pilots to test different approaches to supporting those bereaved by road death and those left seriously injured. The Domestic Violence, Crime and Victims Bill currently before Parliament includes provisions to put a surcharge on all criminal convictions, and on Fixed Penalty Notices for acts of disorder, and repeat and serious motoring offenders, which could boost the total value of the Fund to up to £30 million.

£4 million from the proceeds of crime is already in the Fund to support **victims of sexual offending**. We are extending the number of sexual assault referral and counselling centres, and exploring the feasibility of a national helpline and capacity building of local voluntary sector provision.

Offenders: bringing more offences to justice

We will bring more offences to justice through a more modern and efficient justice process.

What will be different in 2008:

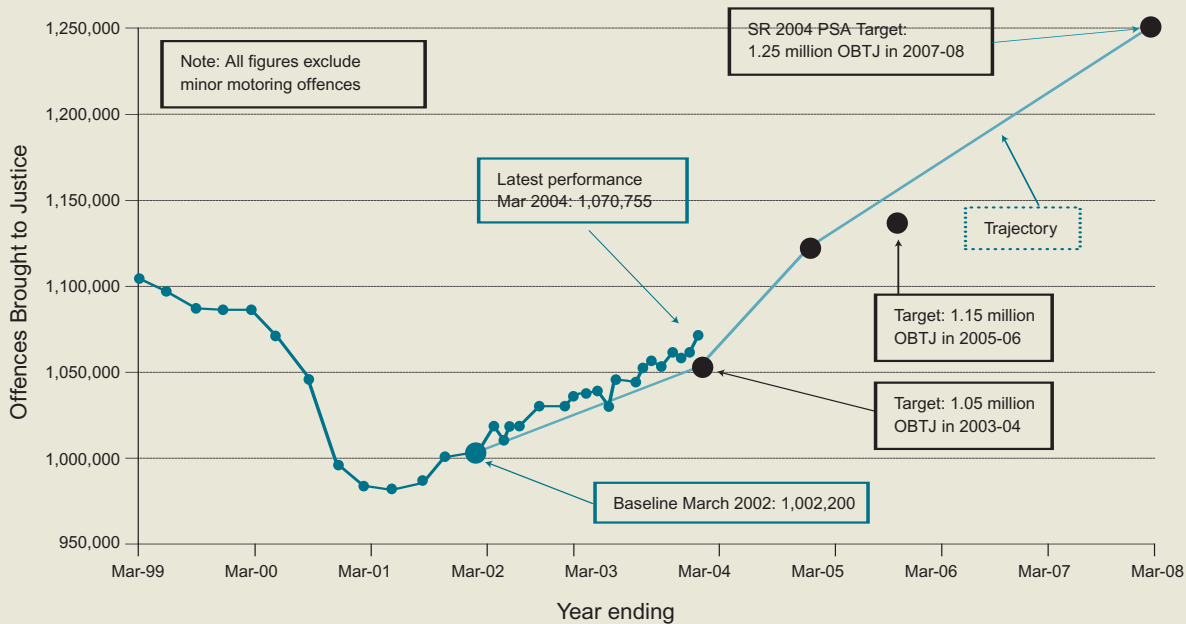
- We will bring 150,000 more offences to justice;
- We will raise the detection rate from 19% to at least 25%, by improving police effectiveness and deploying new technology, including enhanced DNA testing and Automatic Number Plate Recognition systems, across the country to target criminals more effectively;
- To get the charge right first time, the CPS will provide 24 hour legal guidance seven days a week to the police on what charge to bring;
- We will relentlessly target the top 15-20 prolific offenders in each Crime and Disorder Reduction Partnership area, and more in bigger areas, and give the police, the CPS and the Serious and Organised Crime Agency the powers they need to take on the most serious and organised criminals;
- We will divert more people from court who do not need to be there by extending the use of Fixed Penalty Notices to a wider range of offences by March 2005 and by rolling out CPS powers to issue conditional cautions;
- Where cases do need to come to trial, we will ensure that they arrive at court ready to proceed, reducing the numbers of wasted trial hearings by 2007-08 by another fifth in the Crown Court and in the Magistrates' Courts by another third;
- We will have reformed the legal aid system to eliminate time wasting and delay and focus help and support where its most needed;
- With new Witness Care Units to support witnesses as their cases progress, we will raise witness attendance, leading to fewer adjournments and reducing the temptation for defendants to delay guilty pleas.

Our strategy to deliver this

Our goal is to stop crimes happening in the first place. But when crimes are committed, the public has a right to expect that the Criminal Justice System will do all that it can to bring the offender to justice. That will involve:

- high quality policing to identify a suspect and gather all the evidence needed to achieve a conviction, caution or Fixed Penalty Notice;
- close CPS and police co-operation to ensure that the system gets the charge right at the outset;
- bringing evidence, defendant and witnesses together on the right day so that if the offender does contest the charge, the trial goes ahead on the days its meant to;
- if the offender is convicted – a sentence which fits the criminal as well as the crime and a rapid update for the victim on what the court outcome has been.

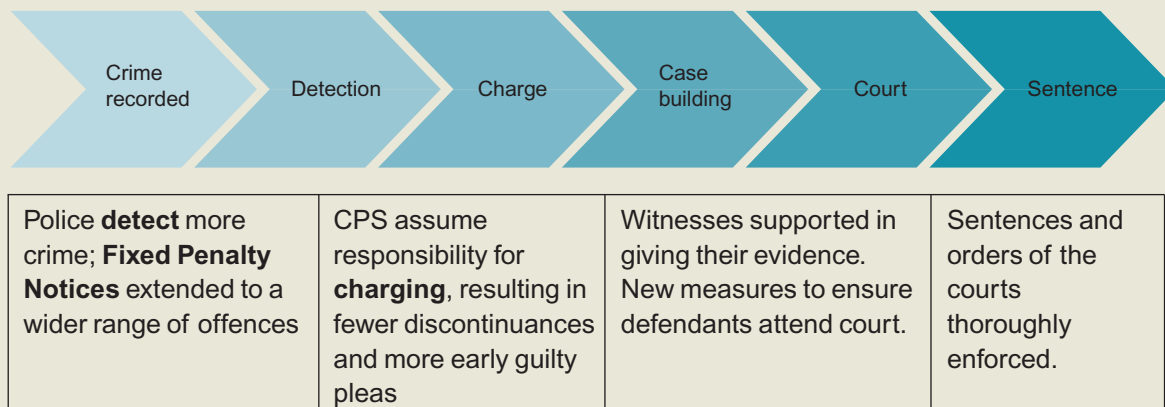
Offences brought to justice (OBTJ)



Until 2001, the number of offences brought to justice¹ had actually been falling. We have now turned this around and there has been sustained performance improvement since June 2001. The graph above shows the performance to date².

In each area, the heads of the criminal justice agencies, meeting together in Local Criminal Justice Boards, have taken responsibility jointly for delivering this improvement. The Boards have implemented reforms to every stage of the justice process. The chart below shows some of the issues they have been addressing.

Bringing more offences to justice: an end-to-end strategy



¹ An offence brought to justice is a recorded crime that results in a caution, conviction, penalty notice, or is taken into consideration by the court. In the case of juvenile offenders, it includes final warnings and reprimands.

² Performance has been adjusted to reflect some minor motoring offences which have been included until now in our statistics but will not be included in the future.

Driving up the number of detections

To bring more offences to justice, more crime needs to be detected. The police need to identify a suspect and assemble the evidence to bring the case to court. The average detection³ rate across England and Wales will need to be raised by at least 6 percentage points to 25% by 2007-08 to meet our target to bring 1.25 million offences to justice by then.

This improvement will be delivered by improving efficiency and effectiveness and making sure that best practice is shared and deployed in every force:

- better distribution of tasks between police officers, community support officers and civilians will help to maximise efficiency and put more police onto the frontline;
- improving technology, with enhanced fingerprint and DNA capability and better use of Automatic Number Plate Recognition, which enables officers in the field to identify known offenders from their licence plates, will play a vital role in targeting criminals more effectively;
- spreading good practice on cautioning and encouraging offenders to admit to further offences to be taken into consideration by the court.

Strong performance management will also be crucial in making sure that every force delivers. Targets to close the gap in detection rates between comparable forces will drive improvement, and scrutiny of the end-to-end performance of each force will help to ensure that each force learns from the best. For example, Northumbria's detection rate in 2003-04 was 27%, while Staffordshire raised its detection rate from 19% to 23% between 2001-02 and 2003-04.

Getting the charge right

Once a crime has been detected, determining the right charge at the outset is critical to ensuring the prosecution process is successful. In the past, cases have sometimes collapsed or got bogged down because a charge was chosen that wasn't backed up by sufficient evidence to prove it. The CPS's experience in court means they are well-placed to judge what charges are supported by the evidence. We are now bringing the CPS in early to the process, so a trained prosecutor works alongside the police from an early stage, advising them on what charge to go for and on the evidence they need to assemble to bring a successful case. The Criminal Justice Act 2003 gave the CPS this responsibility for the first time, and pilots have shown dramatic improvements at every stage of the criminal justice process as a result:

We now plan to roll the scheme out nationally by March 2007. Prosecutors will provide a 24 hour early advice service, seven days a week to the police on the investigation and will determine the charge. We expect the results to be impressive and to make a real impact on the number of offences brought to justice. With stronger prosecution cases:

- we expect to reduce attrition of cases not being put before the courts from 40 to 31 percentage points, an overall improvement of 23%;
- more defendants will plead guilty early. We expect to see an increase in guilty plea rates from 40 to 52 percentage points, an overall improvement of 30%;
- we expect to see the rate of cases discontinued by the CPS decrease from 36 to 11 percentage points, an improvement of 69%.

The new arrangements will be the cornerstone of the system and involve experienced prosecutors in helping courts to reach the right type of disposal (for example, Anti-Social Behaviour Order, Confiscation Order, Drug Testing and Treatment Order).

Reducing the number of trials that do not go ahead on the day

Considerable resources, time and effort are put into bringing cases to court. We have cut the proportion of trials that do not go ahead on the day scheduled – in the Crown Court by a quarter – but we have not yet eradicated the problem. This wastes money and demoralises witnesses. Tackling the reasons why trials do not go ahead, and in some cases subsequently collapse altogether, is another key plank of our strategy to bring more offences to justice.

Until recently, there has been no clear accountability or system for ensuring that cases turn up at court ready to proceed. The Effective Trial Management Programme (ETMP) ensures cases are properly prepared and ready to go ahead on the day they are listed to be heard.

We are also taking steps to make sure that defendants attend court when they are supposed to and that action is taken if they do not. Where offenders fail to turn up, trials may

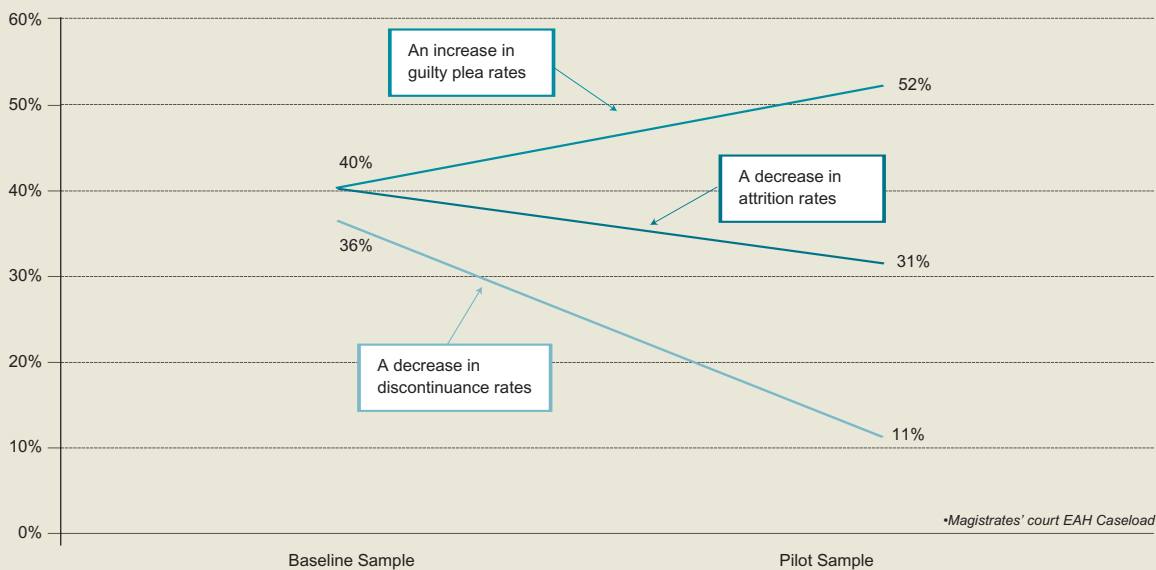
proceed in their absence and they will be punished for failing to attend. The next section describes this area in more detail. Pilots of the ETMP in three criminal justice areas show encouraging early results – one Crown Court area has halved the rate of trials that don't go ahead on the planned day in less than a year.

As part of ETMP, a new Criminal Case Management Framework sets out the roles and responsibilities of all parties to progress criminal cases. It also sets out what the parties can expect from the courts on case progression and case management. The judge has a key role in managing the length of the trial.

Maximising witness participation

Ensuring that the witness attends court can be pivotal to bringing an offence to justice. 22% of ineffective Crown Court trials and 26% of ineffective trials in the magistrates' courts are caused by the failure of a prosecution witness to attend.

Results of the charging pilots on Early Administrative Hearings³



³ An early hearing before a single magistrate or magistrate's clerk rather than a full bench, to consider the pre-trial preparation of all cases to be tried in the magistrates' courts. They also consider applications for legal aid and bail.

Witness Care Units, which have been piloted in 5 areas across England, with roll out to all areas to take place by the end of 2005, should lead to a marked improvement in the rates of witness attendance at court. The results of the pilots are shown in the graph overleaf.

Improving efficiency

It is in no-one's interest for a case to come to court, with all the time and money this involves, if it can be dealt with satisfactorily in other ways. Our vision is to bring more offences to justice through a modern and efficient process. Some cases which currently go through the full criminal justice process could be dealt with as effectively through the use of Fixed Penalty Notices (FPNs). Extending the use of Fixed Penalty Notices to a wider range of minor offences, such as shoplifting and criminal damage, and the use of conditional cautioning powers, contained in the Criminal Justice Act 2003, will enable the courts to focus on getting the right result from every serious case. Where cases do need to come to court, we will be proactive in encouraging them to be resolved as quickly as possible, by encouraging early guilty pleas and cutting unnecessary hearings.

Legal aid

Publicly funded legal advice and representation is a fundamental right in a democratic society – no-one should be denied representation in court through lack of means.

The principles underlying the provision of criminal legal aid must remain inviolable – to ensure that those suspected of or charged with a crime have access to affordable or free advice, assistance and representation, as the interests of justice require.

But the way that the public prefers to access advice and support has changed radically in recent years and we must respond to these changes in the way in which we provide that help. In this respect, the Criminal Defence Service is well placed to learn and borrow from

innovations in civil legal advice delivery such as the Community Legal Service Direct web-based service, pioneered by the Legal Services Commission. Pilots such as the Public Defender Service are also testing new and different supply models.

Also our legal aid system needs to reflect the resource constraints that affect all public services and to ensure that the taxpayer is receiving the best possible value for money so that limited resources are used to best effect by targeting them on those most in need of help.

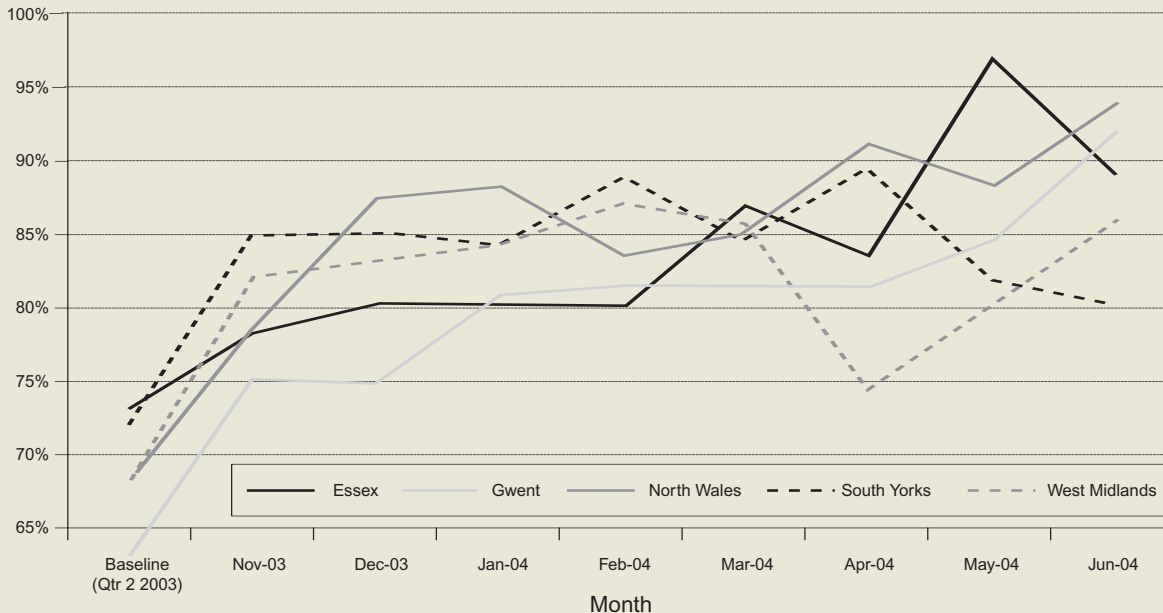
The Fundamental Legal Aid Review, scheduled to report to Ministers in 2005 is, taking a fundamental, long-term look at how we provide publicly funded legal advice and support. The aims of the Review include putting criminal legal aid spending on a sustainable basis in the longer term whilst ensuring fairness for defendants and supporting the efficiency of the Criminal Justice System as a whole.

The Review will address the underlying legal processes which drive legal aid costs, ensuring that legal aided defence work is better focused on what is needed to deliver a fair and efficient CJS. It aims to develop smarter purchasing arrangements which incentivise efficient delivery of legal services of the right quality and is looking in particular at the operation of high cost cases, the efficiency of criminal case management and the options for procurement pilots.

In the shorter term, various measures have been or are about to be introduced to secure greater control over the increasing costs of criminal legal aid and to focus resources on the areas of highest priority (whilst honouring our obligation to provide a defence):

- the Very High Cost Criminal Case Scheme. The most expensive 1% of cases by volume in the Crown Court account for 51% of expenditure in Crown Court cases, 28% of expenditure on criminal legal aid and 16% of the total legal aid budget. Their cost has been inflating at around 12% a year. The scheme

Witness attendance rate at court



will deliver better cost control, and will help mitigate the rate of inflation in this area of business, as well as securing savings;

- reintroducing means-testing. We will legislate shortly on criminal legal aid to give powers to require those who can afford to pay their defence costs to do so when they are found guilty.

The Legal Services Commission (LSC) is leading joint work with the Crown Prosecution Service and the professions to change the fee structures to incentivise lawyers to prepare cases earlier. In the Crown Court, we are working with the professions to consider changes to defence fees (e.g. for plea and direction hearings) to establish whether this would help encourage early guilty pleas, incentivise early preparation and reduce ineffective trials. Conclusions are expected by late summer 2004.

Prosecution counsel fees

The issues that affect the Legal Services Commission in respect of legal aid have also had a similar impact on the CPS.

Overall costs of prosecuting criminal cases have risen in recent years in line with technological advancement. Greater use of mobile telephones and personal computers provide a rich and useful source of evidence to support the prosecution case. But it is a time consuming and costly exercise to elicit the evidence and produce it in court. Advances in DNA and other forensic techniques are being used successfully by the prosecution but these also require more expert evidence than has ever been used before in criminal cases.

The CPS is playing its part in bearing down on management, control and payment of prosecution counsel fees. The CPS will be introducing a new scheme for managing high cost cases, after discussion with the Bar and with the Department for Constitutional Affairs, and the scheme will be aligned with the DCA's scheme on high costs cases for the defence.

Tailoring the criminal justice process to fit the crime

By tailoring the criminal justice process to the type of crime involved, we can make a big difference to how effectively we deal with it:

- Repeat offenders can make a community's life a misery. We believe that anti-social behaviour (ASB) can best be tackled by giving a swift punishment, such as a Fixed Penalty Notice, which does not involve the full court process and puts a stop to the culprits immediately. We have introduced specialist ASB prosecutors and ASB Response Courts in 12 areas, so that we can take action quickly where a community is being disrupted by the ongoing bad behaviour of a few individuals. Special features of the court process include: close liaison between local stakeholders, including criminal justice agencies and the local authority; specially trained magistrates and judges; information about the impact that the behaviour is having on the community; and publicity in the local media. We plan to extend coverage to other areas where there is a high level of anti-social behaviour.
- We know that about 5,000 people commit nearly one in ten crimes, over a million crimes in total. It makes sense to focus our energy on tackling them to make the most significant impact on reducing crime and the amount of harm that is caused to communities. In each local Crime and Disorder Reduction Partnership area, the top 15-20 prolific offenders will be identified, with more targeted in larger areas, using the police's National Intelligence Model, and on the basis of the local Crime and Disorder Reduction Partnership's crime reduction priorities. They will be targeted with intensive help to address the causes of their offending, but closely monitored and fast-tracked to justice if they are detected committing a crime. Where high risk offenders fail to turn up at court or flout their community punishment, they will be top priorities for enforcement action.
- Drug dependency is often a key factor in the offending behaviour of prolific offenders. Evidence shows that close sentencer review of drug treatment plays a significant role in successful rehabilitation. The Government has already developed, and is piloting, specialist magistrates' sittings for drugs cases.

Building on this success the Government will set up the first full drugs courts (involving trained sentencers, inter-agency co-operation and regular court reviews to track progress) in 2005, and establish these courts in every place where they are needed by 2008.
- For crimes where the rate of conviction is very low, we are looking specifically at how we can take special action. Domestic violence is a good case in point. We have analysed each step of the criminal justice process to identify the reasons for this. The measures we have devised include greatly improved support for victims and specialist domestic violence sittings in court. Six domestic violence courts are up and running, and we plan to extend this approach to other areas.
- Organised crime should get a dedicated response. Building on measures in the Criminal Justice Act 2003, further reforms are planned to increase the chances that offenders involved in organised crime will be brought to justice, for example, through the early involvement of prosecutors working with investigators. Judges will also have a greater role in managing more complex cases, supporting juries to understand and judge the evidence, or acting alone in judge-only trials. The fight against serious and organised crime will be given extra impetus through the establishment of the Serious and Organised Crime Agency which will be operational in 2006.

- Taking away money gained from crime takes away the main motive for crime and deprives the offender of their working capital to commit more crimes. We have introduced tough new arrangements to deprive criminals of their illegal gains. The Proceeds of Crime Act 2002 introduced stringent new powers to seize, confiscate and recover criminal assets. And we have set up a national Assets Recovery Agency to take charge of the investigation and recovery of the proceeds of crime. This new approach is already making a big difference; the value of assets recovered doubled in the past year.
- there are patterns of offending which justify a targeted approach involving specialist courts with trained court staff/sentencers;
- although it is for government to provide direction and encouragement, it is a matter for local areas to develop the model and determine local priorities;
- it is essential that there is engagement between local agencies to inform and assist the development of specialist approaches to patterns of offending in a local area.

Differentiating the process to the crime in this way will help us to make sure that the number of criminals whose crimes go unpunished is reduced dramatically.

Establishing specialist courts

There is growing evidence from abroad that more specialist problem solving courts may improve the way the Criminal Justice System deals with particular problems. Specialisation allows us to use problem solving techniques applicable to each category of offender.

Such courts typically seek to broaden the focus of the proceedings, so that they don't merely adjudicate on past facts and legal issues, but look at early intervention into the behaviour of offenders and patterns of behaviour. Specialist courts can respond to the concerns of the community which makes up their geographical jurisdiction and most, if not all, maintain an involvement in monitoring and even managing the sentence after it has been passed.

We will develop a strategy for specialist court hearings, drawing on experience from other jurisdictions and lessons learned from innovative court sittings here, to ensure we make the best possible use of specialist courts in England and Wales.

The principles underlying our approach are:

- communities and the public should be able to see courts responding to the problems in their local area;

Case Study: Specialist drugs courts

Problem: Sentences often do not tackle the underlying causes of drug addicts' offending behaviour.

Solution: During 2003-04, we have been piloting at Bristol and The Wirral Magistrates' Courts a specially trained drugs panel and a consistent bench for the review of individual Drug Treatment and Testing Orders. The hypothesis being tested is that sustained personal contact will help to motivate the offender to see out his order successfully. Evidence indicates that offenders who complete the DTTO are significantly more likely to stay drug-clean and crime-free. Early signs from the pilot are positive.

We will use the outcomes of this pilot and evidence on specialist courts from abroad to develop a strategy for drugs courts for specified Class A drugs by Autumn 2004, with the aim of setting up the first full drugs court in 2005 and rolling these out to all areas where there is a need by 2008. Our drugs court strategy will also inform our strategy in relation to anti-social behaviour, and domestic violence courts, as well as informing our long-standing Community Justice Centre project in Liverpool.

Enforcement: ensuring court orders and sentences are carried out

Rigorous enforcement will revolutionise compliance with sentences and orders of the court.

What will be different in 2008:

- Defendant attendance at court will have improved and we will be better at apprehending those who fail to appear;
- Smarter sentences will punish the offender and protect the public but will also help criminals to stop offending, including through intensive drug treatment;
- The police, CPS, courts and other agencies like the Serious and Organised Crime Agency will be able to keep at least 50% of the value of all the criminal assets they help seize;
- The percentage of fines collected will be higher;
- Community penalty breaches will be brought to court faster and more reliably;
- Using the Police National Computer, the Police will be able to target defaulters, and tell at a glance whether people they pick up are on the run from court, have outstanding fines or have breached a community sentence;
- We will tackle loopholes that allow offenders to escape enforcement by improving information sharing and giving officers more powers;
- There will be financial incentives for enforcement staff for good performance.

Our strategy to deliver this

The public expect us to deliver justice, and to do so efficiently. This goal is frustrated if defendants due in court or sentenced to fines or probation are able to default without swift and robust penalties. Defendants should comply with the decisions and penalties of the court first time, without the need for further intervention. But when they do not co-operate, rigorous and robust enforcement action will be taken.

Ensuring defendants attend court

Currently, defendants fail to turn up in 5% of all magistrates' court hearings and 3% of all Crown Court hearings. This causes frustration and disappointment to victims, involves large costs to criminal justice agencies, wastes the time of all those involved in the case and potentially leads to the collapse of the case as witnesses become demoralised and give up.

We are tackling this problem in several ways:

- Provisions of the Criminal Justice Act 2003 reverse the presumption in favour of bail unless the court is satisfied that there is no significant risk of re-offending while on bail. The Act extends to all imprisonable offences the right of the prosecution to appeal against a decision to grant bail.
- We are introducing new ways of restricting the ability of juvenile offenders to reoffend without sending them to custody. Electronic tagging for 12-16 year olds on bail was introduced in June 2002. And the Intensive Supervision and Surveillance Programme (ISSP) has targeted over 9,000 of the most serious and persistent young offenders since its inception in July 2001.
- Where bail is granted, the defendant will receive written reminders, such as appointment cards, telephone calls and text messages to make sure they attend. And each area will have a nominated Warrant Manager in courts to liaise with the defence, CPS and police and review outstanding warrants.

- If bail is breached, swift police action will ensue, and it will be harder for defendants to evade being brought back to court. Operation Turn-Up, which is planned for the end of the year, will blitz outstanding warrants, targeting defendants and encouraging them to surrender. Improved technology and better information sharing will help with tighter and faster enforcement. By the end of the year, court enforcement officers will have access to the Police National Computer, and warrant details will be emailed by the courts to the police.
- We will deter bail breaches by ensuring that the consequences of breaching bail are harsh and making clear that actions will be taken promptly by the court. Defendants can now expect action to be taken straightaway, and to be punished for this whatever the decision on the original case. The Lord Chief Justice issued tough new guidelines on dealing with bail breaches in January this year. If offenders skip bail they can now expect this to be dealt with immediately, rather than the court waiting until the main case is completed. Bail will generally either be revoked or stricter conditions applied. If the defendant still fails to attend for their trial, the guidance instructs judges to consider conducting the trial in their absence. It says that sentencers should impose a separate penalty for the bail offence, which will usually be a jail sentence.

Local Criminal Justice Boards are already bearing down on problems in individual cases, and many have made considerable progress. These measures will tighten up procedures in every area and ensure that defendants do not waste the time of victims, witnesses and courts by failing to attend.

Making sure offenders pay their fines

Almost 70% of people sentenced by the court are given a fine. However, in recent years sentencers have been imposing fines less frequently, despite it being an appropriate and sensible penalty in many cases. This has caused pressure on the prison estate and meant that some offenders were sent to custody who could

have been dealt with as effectively in other ways. This decline in the use of fines was caused by two related factors - firstly, a view among sentencers that many offenders were unable to pay fines, and, secondly, a perception that where an offender was given a fine, and could pay, but did not, the system did nothing to pursue them.

We are tackling the first problem by enabling offenders to convert a fine to equivalent hours of compulsory work. This will soon be piloted and will roll out nationally if successful for those who genuinely cannot afford to pay a fine.

Meanwhile we are working hard to make sure that every offender who defaults on their fine is pursued and made to pay it. Our approach includes:

- increased powers for frontline enforcement staff – such as powers of search and entry – which will help staff to be as effective as possible. New measures and sanctions from the Courts Act 2003 to help recoup fine revenue are also being piloted. These include attachment of earnings, deduction of state benefits, and car clamping;
- better management – accountability has been sharpened by the appointment of fines champions in every Magistrates' Courts Committee, coupled with a new, much more restrictive policy for writing off fines;
- new financial incentives for teams and for the Court Service as a whole.

We have already improved enforcement performance so that the proportion of fines paid stood at 75% last quarter (March to May 2004).

A national target of 78% of fines paid has been set for 2004-05, with a view to sustaining and building on the progress already made. We are on track to deliver this. Individual targets have also been set for the large metropolitan areas (like London and Merseyside) which together account for 40% of the total fines imposed each year. Using the new powers and systems now in place, we will deliver year-on-year improvement in collections over the next five years.

Acting effectively where community penalties are breached

The Government believes community penalties are appropriate and cost-effective punishments in many cases. But to command confidence among victims, sentencers and the public in general they must be rigorously enforced.

Around 13% of people sentenced by the court are currently given a community penalty. But sadly too many offenders fail to comply fully with the terms of their community penalty. After a first chance, a second unacceptable absence will trigger breach action. The Probation Service must start the breach proceedings and pass the case to the court within two weeks. Performance has markedly improved in the last seven years and they now do this in 84% of cases against a target of 90%. But after this initial step, the whole process can be long, cumbersome and complex.

Last year, over 40,000 warrants were issued for offenders who had failed to attend court when summoned following a community penalty breach. It then takes time before the offender is tracked down and made to answer for the breach. Most of the warrants do not allow bail so once the offender has been located, they will be held in custody until they appear before the judge.

We need to speed up the process and improve its effectiveness. We plan to do this by:

- prioritising prolific offenders – with the exception of highly dangerous offenders, the current community penalty breach proceedings do not standardly distinguish between different types of offenders. For example, despite the much higher rate of reconviction of offenders on Drug Treatment and Testing Orders (DTTOs), a breach by someone on a DTTO is subject to the same standard as an offender who has missed a fortnightly report-in. We are now working to address this so that we target our resources to best effect for the community. We will develop a fast track national standard to ensure prolific offenders are returned rapidly to court;
- tightening up procedures – the Criminal Justice Act 2003 removes Probation Officers’

discretion not to breach an offender where they fail to complete their penalty; sentencers will impose a new penalty on the offender for breaching their community penalty;

- setting clear end-to-end targets for improvement – it is important that targets are simple, clear and understandable, both to those working in criminal justice, and the public. This year, community penalty breach warrants must be executed within 28 days. Areas in which performance has previously been poor have been set more challenging targets with some areas expected to improve their performance by up to 35 percentage points. For 2005 onwards, we plan to redesign our targets for community penalty breach enforcement to take into account the full end-to-end process from when an offender breaches to their appearance in court;
- fostering closer working relationships between probation and the courts, through the steps we are taking to improve joint working across the system.

Making these changes will demonstrate that defaulting on a community penalty is taken very seriously by the Criminal Justice System, and will ratchet up the credibility of community penalties among sentencers, and the public.

Giving the frontline the right tools to deliver

Across all three areas – court attendance, fines, community penalties – staff involved in enforcement need the right powers and tools to maximise their effectiveness.

We are taking action to make sure that staff:

- have the legal powers they need to act swiftly and decisively;
- can access better intelligence on which to act;
- have the right incentives to improve performance;
- are organised as effectively as possible to deliver.

Giving the frontline the right powers

Until now, enforcement staff have sometimes been hampered by not having the legal backing for the action they need to take. This will no longer be the case.

Court enforcement officers will now have powers of search and entry, enabling them to collect unpaid fines and execute community penalty breach warrants more effectively. And we will give police civilian enforcement officers the power to execute Failure to Attend warrants where a defendant does not turn up at court.

We will also legislate to ensure that courts can hear cases in the area where the defendant currently lives, rather than where they committed the offence. This will simplify administration and mean greatly improved results.

And we are finding new ways of making people pay what they owe. We are piloting the use of car-clamping for fine defaulters and credit blacklisting them. As part of a national pilot from April this year, we are also moving towards deducting fines directly from earnings or benefits.

Better intelligence and information-sharing

Currently, there is no single data source to identify individuals who may be wanted by a host of police forces and courts for fine arrears, failing to appear in court or probation breaches. This means that agencies are often pursuing the same offender separately for breaches of different types of warrant. The police may arrest someone and bail them without knowing about outstanding warrants for them. Equally, unknown to a court, the defendant appearing in front of them may have failed to answer charges elsewhere or have other outstanding fines or community punishments. This leads to poorly informed decisions, frustration on behalf of the professionals involved and unnecessary costs; it also helps undermine public confidence in criminal justice.

To fix this, we are giving direct access to the Police National Computer to all Magistrates' Courts Committees by Autumn 2004. This will enable warrants to be entered promptly onto the system so police are aware of and can act on them. We will also link this into the Automatic Number Plate Recognition (ANPR) system so that offenders wanted on warrants can be identified when their car is spotted by an ANPR camera.

To help track offenders down when they have wilfully avoided attending court or are not complying with a court's sentence, we are ensuring that enforcement teams have access to information held by other organisations, such as the databases of the Department for Work and Pensions and credit reference agencies, so that we can use benefits data or credit records to locate offenders.

Incentives for better performance

It will help improve performance if local agencies who work to enforce the penalties of the court benefit directly from all of that hard work. We will extend the range of incentive schemes which reward frontline organisations for excellent results:

- **Asset recovery:** depriving criminals of assets and the fruits of their crime reinforces the message that crime doesn't pay. To support the recovery of assets, we will extend the current scheme under which we can use the money we recover to fund the necessary investment. We will allow the police, CPS, the Asset Recovery Agency, the Serious Fraud Office, the Customs and Excise Prosecution Office, courts and the Serious and Organised Crime Agency to keep at least 50% of all criminal assets that they help to seize from April 2006 onwards.
- **Fine and compensation order payments:** three quarters of all fine revenues collected over and above performance targets will be ploughed back into local courts. Resources will also be used to recognise and encourage exceptional efforts and performance by individual practitioners or teams of enforcement professionals.

- **Warrant and community penalty enforcement:** we will trial schemes to support and encourage joint delivery and innovation by criminal justice agencies.

Professionalising enforcement

Over the next five years, the agencies working in enforcement – the police, the Courts Service, the National Offender Management Service – will work closely together as a visible, professional and collaborative enforcement squad, targeting special assistance to areas of greatest need.

Enforcement staff will have a distinct and visible profile. The enforcement profession will form better cross-agency links and improve collaboration, information and knowledge sharing.

By adopting this approach (a close HM Courts Service, NOMS and police partnership focused on professional enforcement) we can tackle the minority of hardcore defaulters who persistently and wilfully default on criminal penalties and undermine the credibility of penalties as a whole.

Users: better service for customers

Criminal justice will be a joined up, modern and well run service, and an excellent place to work for people from all backgrounds.

What will be different in 2008:

- High common standards of customer service will be delivered across all agencies involved in criminal justice; victims and witnesses will have a statutory right to minimum service standards;
- Leading edge technology will have transformed the detection of crime and the processing and management of offenders; developments will include a national intelligence system for all police forces; a modern replacement for the Police National Computer; and enhanced DNA and fingerprint databases, and a facility to match potential offenders by palmprints;
- Through a further £800 million investment in CJS IT on top of the £1.2 billion already pledged, all criminal justice staff working will be able to communicate swiftly and efficiently through a single linked IT infrastructure. Electronic case management systems will have transformed case handling between the police and prosecution team, in the courts, and in the management of offenders;
- As the teams which bring together chief officers at local level, Local Criminal Justice Boards (LCJBs) will be well established bodies, resourced and empowered to deliver;
- The relationship between the criminal justice departments will have been strengthened, underpinned by the creation of the Office for Criminal Justice Reform, a trilateral centre for the Criminal Justice System;
- We will have the right numbers of staff, with the skills, remuneration and powers they need to do their jobs effectively;
- The criminal justice workforce will be better motivated with low staff turnover, low levels of sickness absence and high levels of job satisfaction;
- The workforce in each criminal justice agency will be more diverse, more fairly representing the local community it serves.

Customer service

We aim to raise criminal justice performance. But we also want service users to feel the change. In the past, the delivery of justice has sometimes been at the expense of excellent customer service. For example, victims were treated only as prosecution witnesses, expected to turn up at court as and when expected, with scant regard for their needs. And the treatment they received varied between staff and agencies. Criminal justice agencies are getting better at paying attention to how their users are treated. But we need to go further. We aim to raise service standards across the system so that every victim, witness and other customer knows that they will experience a high standard of treatment from whoever deals with them.

Technology can help with this. It will enable us to improve the speed and effectiveness of our services, and to provide better customer services too, such as providing victims and witnesses with immediate, up-to-date information about their case, when they need it.

Better collaborative working between agencies will also make a difference to the end users. Local Criminal Justice Boards bring agencies together to determine what services to prioritise to best meet local needs and match community priorities.

And having a trained, motivated workforce is vital. Unless we are able to recruit and retain staff of the right calibre, we will not be able to deliver the step change in performance we require, nor meet the high standards of customer service we are setting ourselves.

Modern technology for modern criminal justice

Modern technology offers the potential to revolutionise the experience of those who work in criminal justice, and those who use its services. It will impact on all aspects of criminal justice – from crime fighting (digital finger printing, DNA testing, Automatic Number Plate Recognition, intelligence analysis and profiling); prosecuting offenders (video ID parades, case management, listing, evidence via live link/video, or electronic presentation of evidence by the Serious Fraud Office and Customs and Excise Prosecution Office); and sentencing and enforcing penalties (risk assessments and sentencing reports, offender management, notification of defaults). These developments will allow those working in criminal justice to improve the overall quality of the service provided to the public.

Our plans for the modernisation of criminal justice require a step change in the performance of the agencies and the way in which they work together, and IT will help us do this. We are, however, starting from a very low base. For example, until recently, prosecutors did not have access to computers, and basic processes in the courts, such as listing cases for trial, are still paper-based. There is a lack of modern IT infrastructure and systems. And where systems exist, they cannot talk to one another. This results in inefficiency and ineffectiveness, for example:

- information has to be re-keyed into different systems as it travels between or even within individual agencies, wasting time and money and increasing the risk of errors;
- information travels slowly and is not available to the people who need it, when they need it;
- many staff have not had access to email or internet-based systems.

Our vision is that by March 2008 anyone involved in criminal justice – users of it or people working within it – should have electronic access to the information they need across the breadth of their dealings. Ending the great

paper chase will improve performance within the agencies and benefit the whole. To achieve this, we are making an unparalleled investment in Criminal Justice IT. Over £2 billion is being invested in systems and infrastructure up until 2007-08. To maximise the benefits, we have set up a co-ordinated and comprehensive programme right across the system. This investment will mean that for the first time we have:

- **modern IT infrastructure**, so that people working in criminal justice have access to standard office applications such as email and internet-based services;
- **national systems for managing cases** with priority given to the police, CPS and magistrates' courts;
- **linking up the case management systems** so that information can be shared between them, and **making information available** to those who are authorised to see it. We are also working with practitioners to help them make the business changes necessary to achieve the full benefits of the technology.

What difference will modern technology make to people working in the CJS by 2008?

The **police** will have real time access to information on offenders, wherever they are, whenever they need it. When a police officer stops someone, they will be able to check immediately whether, for example, there are any outstanding warrants against them or whether they are on probation. They will also be able to identify offenders from their vehicle registrations, which will increase the number of detections. The national roll-out of the new digital mobile radio-communications service provides a truly reliable, secure national police communications service for the first time and will also support access to various sources of information while out in the field. Police officers will also be supported in their detections work by the continued development of the national DNA database and the national fingerprint identification system which allows fingerprints to be taken electronically and checked against a

database of records within minutes. By using video recordings, identification parades will be organised more quickly, which will mean that the witness is more likely to be able to make a positive identification.

The police will also have immediate electronic access to information about when trials will take place and about court decisions, such as changes to bail conditions, meaning that they can act on them immediately. Police officers giving evidence in the Crown Court will be notified by email, text or pager message shortly before they are required, so as to reduce the amount of time wasted waiting to be called.

As suspects are taken into custody, police officers will enter data into a custody case management system, with the ability to check against the records on the Police National Computer. Once charged, the defendant's data will be built up into an electronic case file which can then be shared with the **CPS**. There will be no more endless passing backwards and forwards of paper files between the two; transfer will be done electronically, saving time, increasing accuracy and reducing the chances of information going missing. By using electronic files, prosecutors will be able to share information and easily cross-reference data on an individual or on a related case.

The **courts** will have electronic access to the case information they need from the police, CPS and the National Offender Management Service. Court officers will have electronic links to the other key players in the court process, speeding up and simplifying, for example, liaison over hearing dates and case preparation. They will publish listings and results electronically too, making sure that those working in other parts of the system have the necessary information when they need it. More cases will take place on the day and time they are scheduled because the timely publication of listing data will help the prosecution and the defence have their cases ready to proceed. Courts will have better access to information upon which to make decisions, for example, about bail applications.

The **National Offender Management Service** will have a systematic way of assessing offender risk electronically, and the assessments will be shared between all those needing to see it. For example, when a prisoner is released on licence, the probation officer will have the right information immediately to enable them to be supervised properly. The police will be able to let them know swiftly about breaches to community penalties. Up-to-date information about defendant and prisoner whereabouts will be accessible to those who need it. And because listing information will be published electronically, they will be able to get defendants to the right court at the right time.

The introduction of new tagging systems with satellite (GPS) tracking will mean it is easier and less time consuming for officers to ensure that sentence or bail conditions such as curfews are adhered to or that the person can be caught and dealt with swiftly if they break their curfew or area restrictions.

By linking national case management systems, each person working within the Criminal Justice System will have electronic access to the case information they need, when they need it.

Case Study: Getting results through improved IT

The problem: court files are paper based. Important papers can be easily lost, or misfiled, and case files can go missing. If they do not reach the right court on time, the case may be adjourned. In extreme cases, the accused may be acquitted.

The solution: The Government is investing significant sums in improving the IT infrastructure of the CJS, and joining it up. The vision of a unified case file is starting to become a reality.

In a recent case, a man accused of a violent offence stood a good chance of being released on bail when the prosecutor in the case was delayed in traffic on his way to a bail hearing. However, the court was equipped with a secure terminal linked to Compass, the CPS's case management system. Another prosecutor at the court was able to call up the relevant details and the defence withdrew its application for bail. The defendant was later jailed for three and a half years.

Better technology means a better service for victims and witnesses, and the general public. Vulnerable victims and witnesses will be able to give evidence via video links rather than having to be face to face with the defendant in court; this will help reduce the fear and potential intimidation that victims sometimes endure, whilst maintaining the fairness of the trial process. The police and the CPS will be able to let them know what is happening on their case. They will receive better support and will not have to keep supplying the same information about their needs and availability.

It also means a better deal for the community. Less bureaucracy means more of the people working in criminal justice – police officers, prosecutors, witness care officers - are freed from the burdens of administration to spend more time on frontline activities. A more efficient process will bring more criminals to justice. But it will also mean that we are able to pay greater attention to the needs of the public with whom we deal, and the quality of service they can expect.

Working together in criminal justice

The roles and responsibilities of the criminal justice agencies are separated to ensure that the interests of justice are served. But the agencies need to co-ordinate their day to day operations if justice is to be delivered efficiently and effectively. Better joint working, both nationally and locally, means that agencies deliver better results and improve the standards of service that the public receive.

Office for Criminal Justice Reform

We know that partnership between the criminal justice departments has greatly improved in recent years. Local Criminal Justice Boards are up and running and building a focus for action on the ground. The establishment of the National Criminal Justice Board has delivered stronger leadership and close working between departments. And there has been sustained improved performance on our key targets to bring more offenders to justice and raise public confidence.

This summer, this partnership takes a step forward with the implementation of the CJS Capacity Review. More details of this are set out in the document *Criminal Justice Reform: Working Together* published alongside this plan. This review looked at the fitness for purpose of the arrangements to support the delivery of the CJS Public Service Agreements. One of its key recommendations is being implemented through the establishment of the Office of Criminal Justice Reform (OCJR). On a cross-departmental basis, OCJR takes on most of the functions and staff of what was Criminal Justice Group in the Home Office, and in future will report jointly to the Home Secretary, Secretary of State for Constitutional Affairs and Attorney General. Its task is to support the National and Local Criminal Justice Boards in developing and delivering cross-CJS targets and it will do this within a reducing headcount.

Local Criminal Justice Boards

Local Criminal Justice Boards have a vital role to play in driving up the standards of customer service, and delivering the service that the local community wants. It is through local agencies that services are delivered to the public, and the Boards are the focus of our drive to join up criminal justice.

Since their creation in April 2003, Local Criminal Justice Boards have made a strong start. And they have done so by developing and adapting the resources available to them. We are convinced that this is the right approach to delivering our objectives. But if we are to achieve our goals, and raise the standards of

service for the public, we need to invest more in the basic infrastructure to ensure that each LCJB has the human and financial resources and the time to do the job.

In future, Local Criminal Justice Boards will have more stability of funding. This will provide each LCJB with sufficient resource to fund teams of, on average, three to four people; we envisage that the sorts of areas in which they will need to develop capacity include: performance management, communications, and change and programme management. But how the money is spent will be left to the Boards to decide.

The Office for Criminal Justice Reform will support LCJBs, and co-ordinate performance management of cross-system targets. The levers it will use are principally those of criminal justice agencies and departments themselves, all of whom have levers, influence and incentives over local members of LCJBs.

Her Majesty's Courts Service

The current court system is confusing and fragmented. The Court Service is a national agency running the Crown and County Courts whilst there are 42 separate organisations running the magistrates' courts, called Magistrates' Courts Committees. From 1 April 2005, the management of all courts (save for the House of Lords) in England and Wales will be integrated to form a single, unified agency, Her Majesty's Courts Service (HMCS).

This reorganisation of the courts will bring significant benefits:

- HMCS will provide a single point of access to all the courts, ending the confusion that currently exists. This will improve the service that we provide to the public. For example, a single website will provide court users with information covering all courts;
- a single national agency will have more flexibility in the way that services are provided. For example, in some rural areas it will be possible to maintain local courts

through the sharing of buildings, where it is currently costly to maintain separate buildings for different types of courts;

- removing the overhead of running 43 separate organisations will enable the new agency to divert more resources to frontline services, the services that the public need and want to see justice done or to settle disputes;
- HMCS will have consistent national standards and approaches which will make it easier for the public to understand how the courts operate. National standards will let everyone know what they can expect, whether their case is in Cornwall or Cumbria.

Accountability to the local community is a very important element of HMCS. Area Directors will manage the courts in their local areas and will be responsible for the delivery of local services. They will work in partnership with Courts Boards, which will be established to give local people a say in how the local courts are run to meet the needs of the local community.

Getting the best from the criminal justice workforce

The workforce is the most valuable asset criminal justice has. It is through them that we will reduce crime, bring more offences to justice and improve overall confidence. A good employer attracts and retains high quality staff, and inspires its workforce to succeed, by creating the best environment within which to deliver its aims and objectives. It is only if they are suitably motivated that they will implement the tangible improvements we require.

In 1997, we were not getting the best out of our people. A significant amount of police time was being spent on non-productive administrative procedures or chasing information, the number of police officers was falling, and the average age of a police officer was increasing.

The CPS had major recruitment problems. Staff numbers were falling, while the workload was continuing to increase. There was also a failure to

bring on and harness talent effectively. Senior prosecutors were deployed on the prosecution of relatively minor offences, while administrative staff supported Counsel on the more serious cases.

Other criminal justice agencies faced similar challenges. The magistrates' courts faced serious problems on retaining legal advisors, who were often attracted to other public bodies and the wider legal profession. The retention of court administration staff, in some areas, was also problematic. And we were facing a serious recruitment crisis in the Probation Service. Between 1995 and 1998, there was a three-year hiatus in the training programme for probation officers. During that period, no newly qualified probation officers entered the system.

All this was compounded by the fact that many people working were not properly equipped or empowered to do their job effectively, nor focused on delivering organisational outcomes.

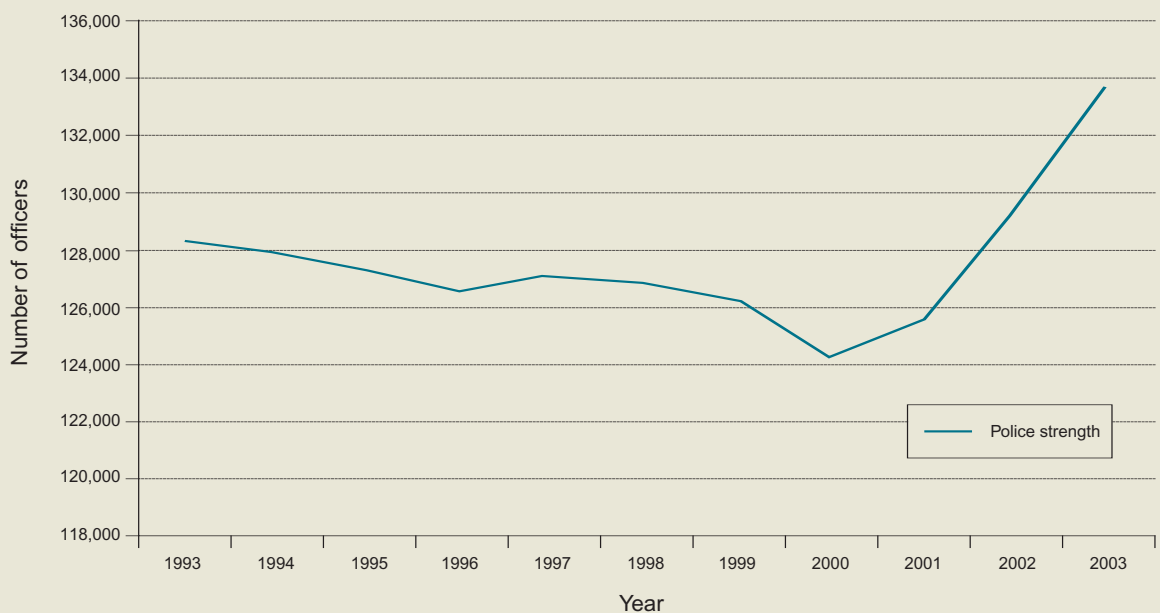
Over the last seven years, we have begun to channel more resources into criminal justice. We have arrested the decline in police numbers which are now at record levels. We have invested resources in the CPS so they are can

carry forward prosecutions effectively. The numbers of people working in the prison service has increased to keep pace with the rise in the prison population. And we have started to address the shortfall in probation. There are now over 3,700 more frontline probation staff than there were in 1997.

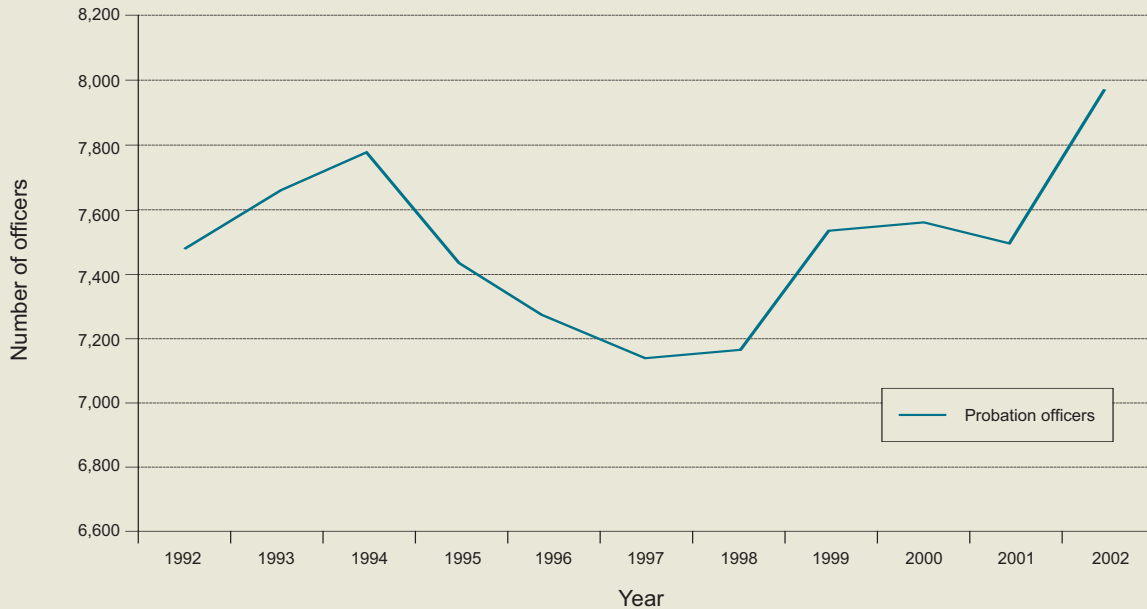
To improve effectiveness, we have created new jobs which did not exist in 1997:

- there are over 3,500 community support officers in place, releasing frontline police officers to focus on more serious crime;
- we are introducing fines officers to take forward the administrative functions that are currently exercised by the courts;
- the CPS now has 2,600 prosecutors, nearly 600 more than in 1997;
- the CPS has 254 designated caseworkers (DCWs) in post who handle most straightforward cases in the magistrates' courts where the defendant is expected to plead guilty. A review of the work of DCWs reported that the CPS had significantly

Police officer numbers 1993-2003



Probation officer numbers 1992-2002



benefited from the development of lay prosecutors who can support the overall prosecution process;

- the CPS also has 529 higher courts advocates (HCAs) able to exercise rights of audience in the higher courts to present their own cases;
- we have also established Youth Offending Teams (YOTs) in each local authority area to tackle young offenders. These bring together criminal justice agencies (police, probation) with partners in other relevant fields (social work, education, health, and housing) to assess the particular needs of young offenders, and produce tailored programmes to help prevent them reoffending. The YOT workforce now comprises 10,000 paid staff, supported by an additional 10,000 volunteers working on Referral Order Panels and in other areas.

The great strides we have made in promoting joint working are helping to foster better understanding between agencies and create the idea of delivering as a CJS team. The joining up of the National Probation Service and Prison Service, along with the unification of the Crown

and magistrates' courts, under Her Majesty's Courts Service, will also contribute to this.

A Criminal Justice System Human Resources forum has recently been established to develop a cross-CJS pay and workforce strategy. This will enable us to plan effectively, secure the right people and provide them with the tools to deliver our shared objectives. And a Justice Sector Skills Council has been set up for the CJS to support criminal justice employers to ensure that they have the right staff with the right skills to deliver Government outcomes.

There is evidence that this is having an impact. Recent research conducted by MORI into confidence among those working in criminal justice found that 70% of staff believed the CJS is getting better at working together as a joined up system.

We now need to consolidate these successes. Where there is a need, we will increase the number of frontline staff:

- there will be funding to allow the police to recruit up to 20,000 CSOs by 2008;

- we will increase the number of DCWs and extend their role so that they can prosecute a greater proportion of the more straightforward cases in the magistrates' courts. This will allow the CPS to use the expertise of its lawyers to prosecute the more serious cases, and to take on the responsibilities arising from roll-out of the charging initiative;
- the CPS will undertake more advocacy by increasing, over time, the role and numbers of prosecutors and higher courts advocates.

And we will continue to review roles to meet new priorities:

- we will give frontline professionals the powers they need to do the job. For example, civilian enforcement officers will be given powers of search and entry to allow them to enforce the decisions of the court more effectively;
- the huge investment in technology will revolutionise working practices. It will reduce data processing effort, and speed up the availability of case information. And this will release staff from the more mundane aspects of the job to focus on frontline delivery, such as catching, prosecuting and punishing criminals;
- greater cross agency working, through the work of LCJBs, will promote greater understanding of their respective roles, and the cross fertilisation of ideas;
- co-ordinated training packages, and promoting secondments, loans and transfers between CJS agencies will facilitate greater understanding of the role each plays in fair and effective criminal justice;
- we will promote alternative career paths. The CPS's Legal Trainee scheme is a good example of an initiative providing opportunities to staff from non-traditional backgrounds to undertake a legal career, supporting a more diverse criminal justice workforce;
- we will continue to modernise pay and conditions – not purely in terms of rates of

pay, but also other aspects (pensions, flexible working, provision of child care support and family friendly working practices, overall job satisfaction) which will attract people to criminal justice.

Case Study: Designated Caseworkers

Problem: Many experienced prosecutors were spending a great deal of time dealing with routine cases in the magistrates' courts. At the same time the CPS was seeking to direct more resources to the serious and complex cases in the Crown Court.

Solution: With a change in the law, CPS were able to open up the conduct of cases in the magistrates' courts to paralegal officers, known as designated caseworkers (DCWs). DCWs are drawn from experienced caseworkers in the CPS and are able to deal with the majority of cases in the magistrates' courts where the defendant is expected to plead guilty.

The creation of DCWs has been a great success. The CPS has refocused its experienced lawyers on serious Crown Court cases and the DCWs themselves are highly regarded for their professionalism and high standards of preparation and advocacy.

Building on the success of this initiative the remit of DCWs has now been extended so they can handle even more cases in the magistrates' courts.

The judiciary

Legislation currently before Parliament will from 2006 create a new Judicial Appointments Commission, will be responsible for the process of selecting candidates for the judiciary, with a carefully balanced role for the executive and the judges. It will make the system of judicial appointments both more open and more efficient. It will remove from the executive the day to day responsibility for selecting candidates for appointments. It will ensure that recruitment expertise and the expertise of the judiciary can be combined to run a system that continues to deliver judges of the highest quality

and that inspires confidence. The Commission will be specially tasked with making every effort to attract qualified candidates from those groups that are currently under represented in the judiciary, improving the diversity of the Bench. The same legislation also creates the Judicial Appointments and Conduct Ombudsman as part of a rigorous system for handling complaints from candidates who are unhappy with the handling of their application for judicial appointment. It will also consider independently those complaints about judges' conduct which are not processed to the satisfaction of the complainant by a new Complaints Secretariat led jointly by the Lord Chief Justice and the Department for Constitutional Affairs. These arrangements should lead to greater confidence in the new appointments system and in the handling of complaints about the judiciary.

As at March 2003, 15% of the total legal professional judiciary were women and 1.6% were from minority ethnic backgrounds. With the full support of the Bar Council and the Law Society, the Government is taking a radical look at the changes needed to widen the pool from which applicants for judicial appointment are drawn, building on those existing initiatives which have already proved to be helpful. We will announce plans in early 2005. It has been estimated that up to 3,000 new magistrates will be required by 2006 to support the Government initiative to bring more cases to trial. We are working to highlight the importance of the work of magistrates, particularly to employers, who can be reluctant to allow staff time off to carry out magisterial duties. We will be encouraging the self-employed that they, too, have a role to play in serving their community. Our strategy will complement two other important initiatives aimed at promoting the lay magistracy and broadening the pool from which it is drawn – the Magistrates Shadowing Scheme, and the Magistrates' Courts Mock Trial Competition, where school students take on the roles of those involved in fictitious cases to learn about this important part of the judicial system.

Other reforms to come in over the next two years include:

- Recorders and Circuit Judges will be assessed under a new competence framework which will have been professionally developed following detailed interviews with the judiciary;
- from Autumn 2004, it is intended to roll out assessment centres for appointments of Recorders. This will make assessment fairer and more accurate and also ensure live assessment of the competences which impinge on a judge's ability to command the confidence of the public;
- the judiciary are piloting appraisal for Recorders as a development tool and also as a more objective mechanism for feeding in assessment of suitability for promotion to Circuit Judge level;
- removing restrictions on CPS prosecutors, amongst others, in applying for Circuit Judge appointments if they have had experience of sitting part time in another jurisdiction;
- focusing down the arrangements for consultation with the judiciary without losing their valuable input on candidates' abilities.

Diversity

One of the key principles underpinning this Strategic Plan is to make criminal justice responsive, accessible and trusted by the community. We recognise that the make-up of workforce needs to reflect the diversity of its community wherever possible.

To achieve a more representative workforce, we need to ensure that a career in criminal justice is attractive to groups who are under-represented in the workforce, and that any barriers to progression are removed. Work to create effective employment policies, and terms and conditions, and compliance with legislation and other best practice guidance, will need to be supported by positive outreach work, so that the attractiveness of working in criminal justice is actively promoted.

Some progress is being made. The CPS compares favourably with the Civil Service as a whole. For example:

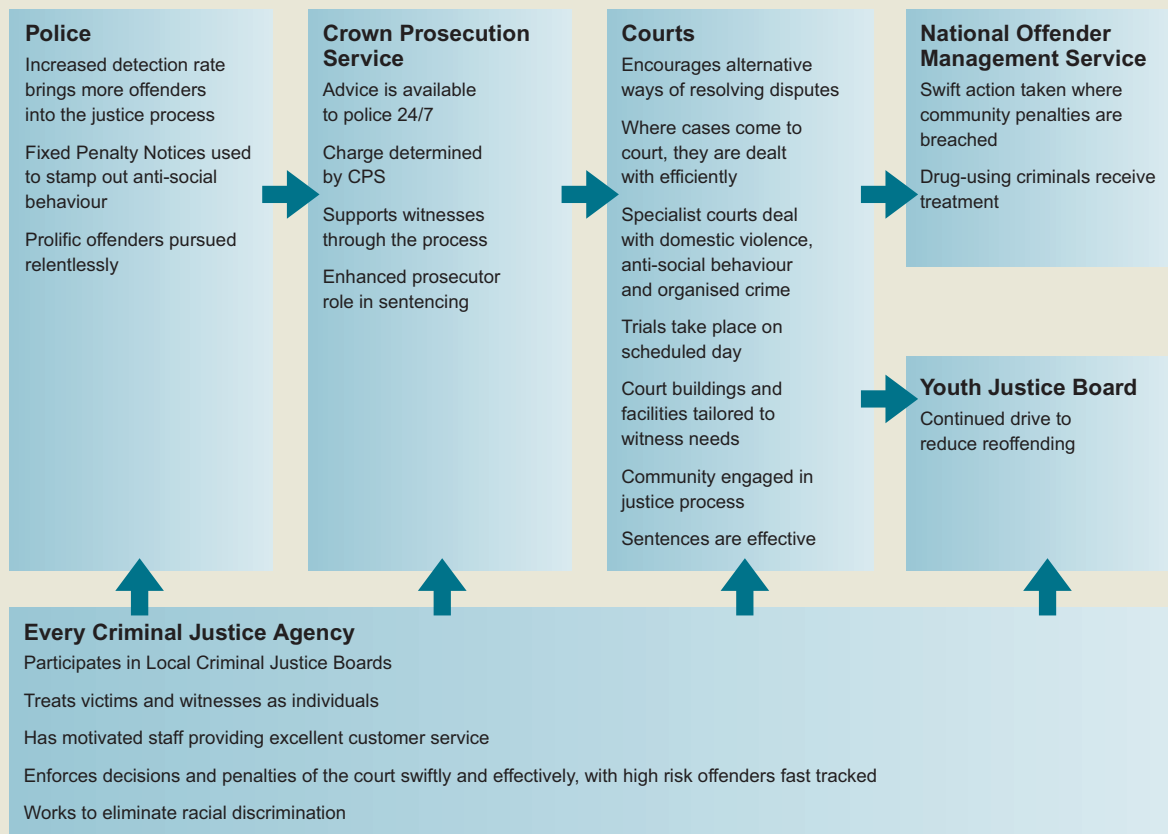
- 13.9% of staff come from black and minority ethnic communities, against a benchmark of 7.6%;
- 66% of its staff are female, compared with 51%; and
- 4.4% are disabled, compared with 3.7%.

The progress the CPS has made has been recognised. The Commission for Racial Equality commended the CPS review of its Race Equality Scheme and recognised the CPS Equality Plan as a model. And the National Audit Office is using the CPS as a case study because it is increasing co-operation and consultation with local communities.

And since July 1999, the Prison Service has increased the percentage of minority ethnic staff from 3% to achieve the 2003-04 target of 5.5%. The current target set for the Service for 2004-5, as part of the National Offender Management Service, is 6% and will rise to 7% by 2009.

But we need to do more. And we shall be setting consistent targets on increased representation and progression of certain groups within the community across criminal justice. Progress against these targets will be monitored.

A joined-up CJS, working together for victims and the public



Chapter 4

Making it happen

This plan has shown how we will transform our vision for criminal justice reform into reality – how we will rebalance the system so that victims and the law-abiding citizen come first. This timetable shows our key milestones from now until 2008, setting out the key steps we will take to deliver our plans.

Key milestones for delivery

	2004-05	2005-06	2006-07	2007-08
<p>The public will have confidence that the CJS is effective and that it serves all communities fairly</p>	<ul style="list-style-type: none"> Pilot Community Justice Centre in Liverpool launched Staff engagement programme begins Stop & Search Manual published Implementation of LCJB confidence plans Launch of new CJS magazine for all criminal justice staff Launch of Justice Awards 	<ul style="list-style-type: none"> 45% of people believe that the CJS is effective in bringing offenders to justice (PSA target) Implementation of recommendations from stop and search reports 	<ul style="list-style-type: none"> Customer service standards monitored 	<ul style="list-style-type: none"> PSA target to reassure the public, reduce the fear of crime and anti-social behaviour, and build confidence in the Criminal Justice System without compromising fairness met.
<p>Victims and witnesses will receive a consistent high standard of service from all criminal justice agencies.</p>	<ul style="list-style-type: none"> Sept 04: Plans for how to best to co-ordinate protection of witnesses in significant fear for their safety finalised Surcharge on criminal convictions introduced to contribute to Victims Fund 	<ul style="list-style-type: none"> Apr 05: further phased roll-out of special measures to assist vulnerable and intimidated witnesses give evidence Jun 05: pilots for non-criminal justice services to victims underway Dec 05: Witness Care Units operating in all areas Victims Code of Practice introduced Restorative justice pilots completed 	<ul style="list-style-type: none"> Agencies held to account for service standards 	<ul style="list-style-type: none"> All Crown Court buildings and 90% of magistrates courts to have separate waiting facilities for witnesses

	2004-05	2005-06	2006-07	2007-08
<p>We will bring more offences to justice through a more modern and efficient justice process.</p>	<p>Autumn 04: Strategy for Drugs Courts developed</p> <p>Mar 05: Extension of Fixed Penalty Notice Scheme complete</p> <p>Fundamental Review of Legal Aid recommends Legal Aid reform</p>	<p>Dec 05: Witness Care Units operating in all areas</p> <p>Mar 06: 1.15 million offences brought to justice</p> <p>Mar 06: ineffective trial rate reduced to 26% in the magistrates' courts and 19.5% in the Crown Court</p> <p>First Drugs Court established</p> <p>Serious and Organised Crime Agency operational</p>	<p>CPS responsible for determining the charge in England and Wales</p>	<p>Drugs Courts set up in all areas which need them</p> <p>Mar 08: 1.25 million offences brought to justice (PSA target)</p> <p>Mar 08: detection rate increased to at least 25%</p> <p>Mar 08: ineffective trial rate reduced to 19% in the magistrates' courts and 14% in the Crown Court</p>
<p>Rigorous enforcement will revolutionise compliance with sentences and orders of the court</p>	<p>Nov 04: Powers for civilian court enforcement officers enacted</p> <p>Powers of police civilian enforcement officers strengthened</p> <p>Mar 05: Performance management system for Failure To Attend (FTA) warrants in place</p> <p>Mar 05: Performance management system set up for community penalty breach warrants which fast tracks enforcement for high risk offenders.</p> <p>£80 million worth of proceeds of crime recovered</p> <p>Operation Turn-Up targets outstanding warrants</p> <p>Court access to Police National Computer piloted in Staffordshire and rolled out nationally</p>	<p>Apr 05: 78% payment rate on fines</p> <p>Apr 05: Targets set for improving % of FTA warrants enforced</p> <p>Rollout of all fine enforcement measures in Courts Act, such as car clamping and credit blacklisting for fine defaulters</p>	<p>Year on year improvement in performance in enforcing FTA warrants, fines and community penalty breaches</p>	<p>Year on year improvement in performance in enforcing FTA warrants, fines and community penalty breaches</p> <p>Criminal justice agencies to keep at least 50% of all criminal assets they help to seize.</p>

	2004-05	2005-06	2006-07	2007-08
<p>Criminal justice will be a joined up, modern and well run service, and an excellent place to work for people from all backgrounds.</p>	<p>Jul 04: Office for Criminal Justice Reform established</p> <p>Oct 04: More CJS staff practitioners can use secure email, speeding up the flow of information.</p>	<p>LCJB Chairs provided with resource funding to support local trilateral working.</p> <p>Apr 05: Her Majesty's Courts Service operational</p> <p>Judicial Appointments Commission established.</p> <p>Mar 06: Crown Court staff will have improved IT equipment and access to a national system (Xhibit), enabling efficient exchange of information on hearings.</p>	<p>CJS Exchange allows data flows to be shared between CJS professionals</p>	<p>Development of case management systems to support staff working within the NOMS</p> <p>20,000 community support officers in place</p>

References

- Audit Commission *Misspent Youth: Young People and Crime*
<http://www.audit-commission.gov.uk/reports/NATIONAL-REPORT.asp?CategoryID=english^573&ProdID=2251E371-20A1-4DEF-BA5D-7EC810BBAA85>
- Department for Constitutional Affairs
Departmental Report 2003/04 TSO [Cm6210]
<http://www.dca.gov.uk/dept/report2004/dca2004.pdf>
- HMCPSP & HMIC Joint Thematic Inspection
Report on the Joint Inspection into the Investigation and Prosecution of Cases Involving Allegations of Rape 2002
http://www.homeoffice.gov.uk/hmic/cpsi_hmic_rape_thematic.pdf
- Home Office *British Crime Survey 2001-02*
www.homeoffice.gov.uk/rds/bcs1.html
- Home Office *Confident Communities in a Secure Britain* 2004
<http://www.homeoffice.gov.uk>
- Home Office *Criminal Statistics England & Wales 2002* TSO [Sm6054]
<http://www.homeoffice.gov.uk/rds/crimstats02.html>
- Home Office *Departmental Report 2004* TSO [Cm6208]
<http://www.homeoffice.gov.uk/inside/org/annreports/index>
- Home Office *Group Corporate Plan 2004-05*
<http://www.homeoffice.gov.uk/inside/org/annreports/index.html>
- Home Office *Key Findings from the Surveys of Vulnerable and Intimidated Witnesses 2000/01 and 2003*, Home Office Research Study 240, 22 June 2004
- Home Office *The Stop and Search Action Team Policy Paper*
<http://www.homeoffice.gov.uk/crimpol/police/system/powers.html>
- Angle H, Malam S and Carey C (2003) *Key Findings from the Witness Satisfaction Survey 2002* Home Office Findings 189
- Clancy A, Hough M, Aust R and Kershaw C (2001) *Ethnic Minorities' Experience of Crime and Policing: Findings from the 2000 British Crime Survey* Home Office Findings 146
- Chapman B, Mirrlees-Black C and Brawn C (2002) *Improving Public Attitudes to the Criminal Justice System: The Impact of Information* Home Office Research Study 245
- Flood-Page C and Taylor J (eds) (2003) *Crime in England and Wales 2001/2002: Supplementary Volume* Home Office Statistical Bulletin 01/03
- The Law Officers' Departments *Departmental Report 2004* TSO [Cm6211]
- MORI (2003) *Public Confidence in the Criminal Justice System* Home Office Research Findings 221
- National Audit Office (December 2003) *Report of a survey of Local Criminal Justice Board Chairs*

Office for Criminal Justice Reform (2004)
Criminal Justice Reform: Working Together
<http://www.cjsonline.org>

Sims L and Myhill A (2001) *Policing and the Public: Findings from the 2000 British Crime Survey* Home Office Research Findings 136

Turnstone Research (2002) *Confidence in the Criminal Justice System: Ethnic Minority Groups Report to COI Communications*
Unpublished

Whatley J *Magistrates' Courts Waiting Times on the Day and User Reaction Survey: 2003*
Department for Constitutional Affairs Statistical Bulletin QS1/2004
<http://www.dca.gov.uk/statistics/qsb2003.pdf>

Whitehead E (2001) *Witness Satisfaction: Findings from the Witness Satisfaction Survey 2000* Home Office Research Study 230

All published research available on the HO website
<http://www.homeoffice.gov.uk/rds/>



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