

Summary: Intervention & Options

Department /Agency: Ministry of Justice	Title: Engaging Communities in Criminal Justice – Green Paper Impact Assessment of Chapter 3 - Keeping Communities Informed, getting people involved and empowering communities	
Stage: Options Stage	Version: First	Date: April 2009
Related Publications:		

Available to view or download at:

<http://www.cjsonline.gov.uk>

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What is the problem under consideration? Why is government intervention necessary?

Public confidence in the Criminal Justice System (CJS) is one indicator of the Government's Public Service Agreement Target 24 (Deliver a more effective, transparent and responsive CJS for victims and the public), and greater public confidence improves the effectiveness of the CJS. In 2007-08, only 44% of people were confident that the CJS is effective in bringing people who commit crimes to justice (albeit an improvement on 41% in 2006-07). There is evidence that the more informed and involved people are in crime and justice issues, the more confident they are likely to be in the CJS.

What are the policy objectives and the intended effects?

The objective is to ensure that all the agencies in the criminal justice services engage with the public. The public should be able to access a range of information on crime, the outcomes of criminal cases, and on CJS performance, at a local level, and in a co-ordinated and integrated way. The effects and benefits should include: improved visibility of and confidence in the CJS; placing more information on outcomes in the hands of service users; and informing and encouraging increased community involvement in deciding local crime and justice priorities and through volunteering.

What policy options have been considered? Please justify any preferred option.

0) Do Nothing

1) Implement some of the proposals (15 - 18)

2) Implement all of proposals (15 - 18)

The preferred option is option 2 - to implement all proposals to maximise benefit

Please refer to the evidence base which discusses each of the individual proposals in more detail.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? No firm implementation date has yet been set for the proposals. However, the Ministry is committed to post implementation reviews, further development of the proposals and Impact Assessments will enable us to set a specific date

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

.....Date:

Summary: Analysis & Evidence

Policy Option:	Description: Keeping Communities informed, getting people involved and empowering communities
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COSTS	ANNUAL COSTS	Description and scale of key monetised costs by 'main affected groups' There is a one of estimated cost for delivering a solution for providing information Criminal Justice Service outcomes, aggregate and individual, online. The Local Criminal Justice Board community engagement co-ordinators will cost between £1.5 - £2.5M per year			
	One-off (Transition) Yrs		£ 5.118M		
	Average Annual Cost (excluding one-off)		£ £1.5M - £2.5M	Total Cost (PV)	£ 6.618 - 7.618M
	Other key non-monetised costs by 'main affected groups'				

BENEFITS	ANNUAL BENEFITS	Description and scale of key monetised benefits by 'main affected groups' It is not possible at this stage to cost the benefits of this policy option, but it will be related to an increase in community confidence			
	One-off Yrs		£		
	Average Annual Benefit (excluding one-off)		£	Total Benefit (PV)	£
	Other key non-monetised benefits by 'main affected groups'				

Key Assumptions/Sensitivities/Risks

Price Base Year	Time Period Years	Net Benefit Range (NPV) £	NET BENEFIT (NPV Best estimate) £
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What is the geographic coverage of the policy/option?	England and Wales			
On what date will the policy be implemented?				
Which organisation(s) will enforce the policy?	Various CJS agencies			
What is the total annual cost of enforcement for these organisations?	£ Not yet known			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ 0			
What is the value of changes in greenhouse gas emissions?	£ 0			
Will the proposal have a significant impact on competition?	Yes/No			
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large
Are any of these organisations exempt?	Yes/No	Yes/No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)		(Increase - Decrease)	
Increase of	£ 0	Decrease of	£ 0
		Net Impact	£ 0

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

We have a shared agenda to increase public confidence, set out in the new criminal justice Public Service Agreement targets (PSAs), which can only be achieved if Criminal Justice services and local partners work effectively with each other and with (and for) the public. The PSAs are: 23 (Make Communities Safer), 24 (Deliver a more effective, transparent and responsive CJS for victims and the public), and 25 (Reduce the harm caused by alcohol and drugs). We need to build on achievements of the last ten years and be more ambitious in our efforts to:

- Improve the quality and consistency of the services we provide;
- Improve the experience of all those who use and work in – or with - the CJS;
- Respond effectively and proportionately to the concerns of the communities we serve; and
- Improve criminal justice outcomes for all and provide assurance to communities that the CJS is delivering on its core aims of punishment and reform.

The Green Paper and consultation are built around three primary aims which are at the heart of the debate. A summary: Interventions and Options sheet has been completed to assess the impacts for each of these three primary aims:

- **A: Strengthening the connections between communities and their prosecution and court services** - building on the success of Community Justice and the problem-solving approach to help the community and enable offenders to reform and to make amends.
- **B: Ensuring that justice outcomes are more responsive and more visible** - Increase visibility and responsiveness of Community Payback and other forms of reparation and compensation so that justice is delivered and seen to be delivered, and promoting the use of Restorative Justice to increase victim satisfaction; and
- **C: Keeping communities informed, getting people involved, empowering communities** - empower communities by improving information the public receives about case outcomes: ensuring the public can see a real connection between the crime and the punishment (and reform) meted out in response.

It also provides an opportunity for the Ministry of Justice to set out its thinking in response to the proposals in the Cabinet Office Review of Crime and Communities (the Casey Review). The proposals outlined in this Green Paper are consistent with the approach taken by the Review, and the recent Policing Green Paper – ‘From the Neighbourhood to the National: Policing Our Communities,’ published in July 2008

Evidence is presented to support the third primary aim

Evidence Base for Aim C: Keeping communities informed, getting people involved, empowering communities

Public confidence in criminal justice services has remained low, although it has been rising, it has not been rising fast enough or high enough. At the same time, British Crime Survey (BCS) figures show overall crime levels have fallen.

Since peaking in 1995, BCS crime has fallen by 48 per cent, representing over nine million fewer crimes. Both BCS overall crime and the risk of victimisation are now at their lowest ever levels since the first BCS results in 1981.

The latest BCS and police recorded crime figures for 2007/08 show overall crime has fallen since the previous year.

- All BCS crime has fallen by 10 per cent, and police recorded crime by 9 per cent compared with 2006/07. The police recorded serious crime subset fell by 8 per cent over the same period.
- Based on the 2007/08 BCS, violent crime, vandalism and vehicle-related thefts have all fallen since the previous year (by 12 per cent, 10 per cent and 11 per cent respectively) and domestic burglary has remained stable.
- Over the same period, there were falls in crimes recorded by the police for each of the main crime types with the exception of drug offences which rose by 18 per cent (34,725 more offences). This rise was largely associated with the increased police use of powers to issue warnings for the possession of cannabis. The number of these warnings increased by 28 per cent compared with 2006/07.
- As measured by the BCS, the risk of becoming a victim of crime has fallen from 24 to 22 per cent.

Compared with 2006/07, confidence in the CJS improved in five of the seven aspects measured (under Public Service Agreement 2, Indicator for Confidence, 2003-2008), for example confidence in the effectiveness of the CJS in bringing people who commit crimes to justice increased from 41 per cent to 44 per cent. 37 per cent of people were confident that the CJS as a whole is effective and 56 per cent thought that the CJS as a whole is fair.

However, the same survey shows that despite these general improvements in confidence and the falls in the number of crimes estimated by the BCS, relatively high proportions of people still believe the crime rate to have risen in the previous two years:

- Around two-thirds (65%) of people thought crime in the country as a whole had increased in the previous two years, unchanged from 2006/07.
- Thirty-nine per cent of people thought crime in their local area had risen in the last two years, a decrease from 2006/07, further widening the gap between national and local perceptions of crime levels.
- Drugs and lack of discipline were the two factors most commonly identified by people as the main causes of crime in Britain today.

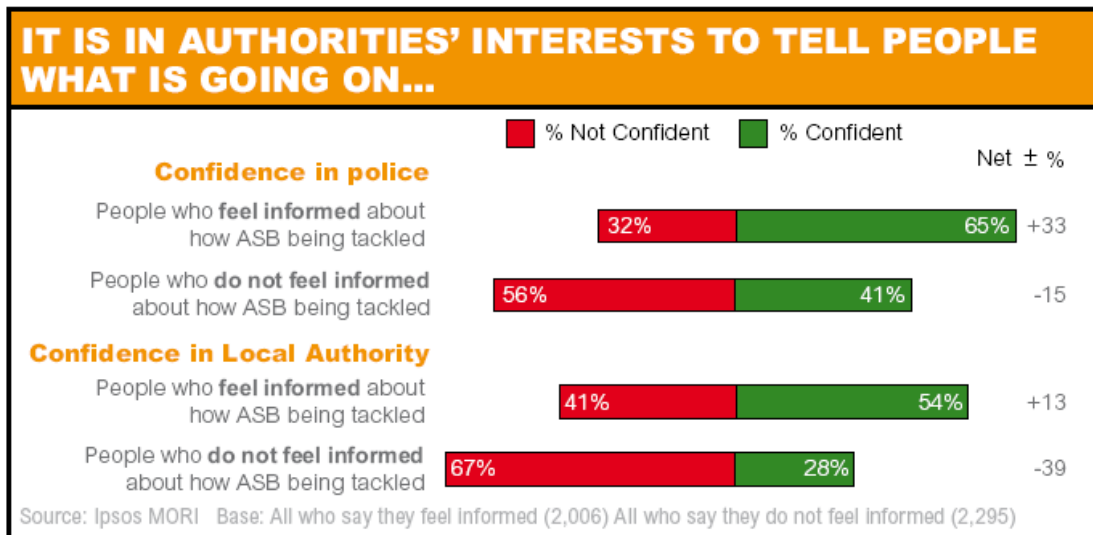
In two surveys – one a representative sample of the general public and the other targeting professionals who had attended events on youth crime together carried out for Youth Justice Board by Ipsos-MORI (MORI 2003), the public are more than twice as likely as professionals with an interest in youth crime to believe that youth crime has increased in their local area. These findings echo those from the BCS and other opinion polls carried out by Ipsos-MORI where the general public typically have somewhat negative perceptions of change in levels of crime which often bear no relation to actual crime levels (Duffy B, Wake R, Burrows T and Bremner P 2008 *Closing the Gaps: Crime and public perceptions*) – again level of evidence vary between 4 and 2 depending on the sampling strategy for each survey but these findings have added credence since the finding has been repeated over considerable time (at least 5 years and among many different groups).

The *Engaging Communities in Fighting Crime* review by Louise Casey (2008) highlighted that the public did not feel that they were told enough about what happened to offenders in the CJS. One of the recommendations was the provision of monthly comparable information through neighbourhood policing, and feedback on action taken on tackling crime. By providing the public with this information it may reassure them that offenders are being dealt with and punished appropriately, to counter the negative stories from the media.

The focus on community engagement strategies is supported by other findings from surveys on what drives perceptions. A key finding is the importance of communications to perceptions of crime and related issues – that those who feel informed are more confident in the approaches being used (Duffy B, Wake R, Burrows T and Bremner P 2008 *Closing the Gaps: Crime and public perceptions*).

Models of community engagement often suggest a tier of interventions from information giving through to consultation and finally participation through more active forms of engagement such as independent advisory groups. A key to success is how those involved at any level have feedback about outcomes and action taken as a result of their input.

Increasing confidence by informing the public



Source: Duffy B, Wake R, Burrows T and Bremner P 2008 *Closing the Gaps: Crime and public perceptions*

It is also true that while people think sentencing is too lenient, the levels of sentencing have in fact been getting harsher. There have been a number of communication/research studies that have found that the more people know in general about the CJS the more likely there are to be confident. The ‘*Inform, Persuade and Remind*’ – a social research project into communications which was undertaken by Northamptonshire Local Criminal Justice Board in 2007, was designed to test the impact of targeted communication activity on public confidence in criminal justice services. Building on previous evidence relating to communicating information about the CJS and drawing on criminological, communications and marketing theory, a Booklet was professionally designed and delivered to over 2,000 members of the public in three different ways. The Booklet focused on the gap between what is perceived to be and what is actually happening in the CJS. Knowledge of and attitudes toward the CJS, with particular reference to crime levels and sentencing severity, were tested before and after receipt of the Booklet and the results compared with a control group not given the Booklet. The project provided powerful evidence that effective presentation of national and local crime statistics and other information about the CJS (particularly through face-to-face delivery) can have a positive impact on public confidence.

Research with community members involved in the Community Justice Centre in North Liverpool¹ revealed that for those involved in community justice activities, their knowledge of and confidence in the criminal justice system had increased. These people had been involved in helping to design the legal jurisdiction of the court, the selection of the judge and continued to have an influence via the Community Reference Groups. Qualitative evidence with members of the community suggests that as awareness and usage of the Centre increase, local people gradually grow more confident that crime is being dealt within the areas

Together with an increase in the accessibility of information and the visibility of the criminal justice agencies, there is evidence to show that the effect is greatest when the efforts of the criminal justice agencies are joined together. This had been shown through the work of three

¹ Katherine McKenna, (2007), Evaluation of the North Liverpool Community Justice Centre, Ministry of Justice Research Series 12/07

community engagement demonstration sites during 2006 in Cheshire, Merseyside and Northumbria police authorities, each testing different approaches to community engagement. Funding was provided for a new member of staff, lasting 18 months in each site. Key strategic learning about the purpose of role included that it was important to:

- drive organisational cultural change in the police service
- play a strategic monitoring role
- play a strategic enabling role
- collate and disseminate effective practice on community engagement
- act as a ‘gateway’ between the police service and communities that have a historic mistrust of the police – a role accomplished at all 3 sites – the police employee was seen as impartial and trusted by a range of minority and hard-to-reach communities, enabling relationships gradually to be built with the force
- be at the forefront of brokering a multi-agency approach to engagement
- learn lesson from other organisations who are further ahead with mainstreaming community engagement

Key partnership learning from these sites showed that community engagement:

- benefits from clearly defined and agreed roles and responsibilities and the direction of a ‘lead’ agency
- can usefully harness existing groups and networks, and ‘piggy-back’ on existing engagement events rather than starting from scratch
- should involve partner agencies at all stages of the engagement process, including planning
- should direct communication at all relevant partner agencies
- shows benefits when a wide range of partners are involved in local problem-solving exercises
- shows familiar difficulties often need to be overcome (local politics and personalities, absent of shared funding streams and performance indicators and concerns over maintaining agencies’ identities)

Contextual issues that were found to be crucially important for those in dedicated roles to be successful, were to:

- recruit an individual with an appropriate skill set
- give the post holder the appropriate authority (having the status and ability to operate at all levels of the organisation)
- have clear organisational aims and objectives for community engagement
- have members (in this case of the police authority) to champion community engagement projects and convince more sceptical colleagues of the benefits

In order to achieve an increase in public confidence, Criminal Justice Services need to be more transparent and accountable to communities, and more flexible to adapt to the needs of different and distinct communities. They need to offer more opportunities for communities to have a say in action to tackle local concerns – to have their views heard throughout the justice process – to be told what has been done to address the problems and to become involved in the delivery of justice, should they choose to do so. Individually, criminal justice agencies can offer and deliver on their part of the bargain. Working together in strong and seamless partnerships with shared goals, they are better able to take on and respond to local concerns and feed back more fully to communities what action has been taken.

Although there is a great deal of data relating to the criminal justice services, it is not all easily available to the public, and where it is available, it is not joined up. During the *Engaging Communities in Fighting Crime* review by Louise Casey (2008) respondents to a survey were asked what more they wanted from the Criminal Justice Service to improve their confidence and engagement. One of the main requests was to ‘see and hear more about arrests, charges, decisions and sentences, and to have visible community punishment’. This green paper looks

at the types of information that could be provided, and ways of providing that information, so that the community are aware of what is happening in their local area, and so that the outcomes of the criminal justice system are visible and accessible.

The consultation document sets out a number of propositions, each of which contributes to one or more of these aims. Collectively, the propositions offer opportunities to improve the offer from criminal justice services to communities and to bring about real and positive change in the public's relationship with the CJS. Only then will we achieve our ambition of transforming criminal justice from a system that "does to" to a true service that "does for".

The Proposals, Options Costs and Benefits for Aim C

Do Nothing: although much has been done to reduce crime and improve confidence, the British Crime Survey shows that there is still much to do to ensure the criminal justice agencies are visible, approachable and responsive to community needs. The Government therefore believes that to do nothing and maintain the current status quo is not an option.

Benefits and Costs:

To do nothing will not generate additional costs or savings to the public sector and taxpayer. However it will not provide further benefits or build on the success of the steps already taken.

Options: Below we have discussed the individual propositions in the green paper. We are considering each individual proposition whether to implement them and how to do so. Each of the propositions is discussed below including the benefits and costs.

Options A: Implement all the propositions 15 to 18

Option B: Implement some of the propositions 15 to 18

We would be grateful for stakeholder comments and views on each of the individual propositions 15 to 18 and also on the way we are considering packaging the measures together for implementation.

PROPOSITION 15: Improving the justice information we provide for local people

Benefits

Making this aggregate information available will improve the visibility and transparency of CJS decision making, providing greater information to the public on cases, sentencing decisions and what happens to offenders, on a regular and consistent basis. Making performance information available will improve the visibility and transparency of the local performance of CJS agencies. It will also give the public access to performance information to support local community discussions. The benefits of consulting on how this might be done, means that we are able to seek the views of the users of the information on what type of information they want and how it should be displayed, ensuring the information meets the interests of the public, rather than the interests of the system.

Cost

The cost of producing aggregate data on CJS outcomes is currently unknown. The cost of providing performance information is a one off cost of £100k.

PROPOSITION 16: Improving the availability of and public access to information on individual case outcomes

Benefits

Making this information available will improve the visibility and transparency of CJS decision making, in particular providing greater information to the public on criminal court case outcomes and sentencing decisions. The benefits of consulting on how this might be done, taking into account the views of the public and expert views of the practical difficulties that may be involved.

Cost

One off development cost of £5M. This is an estimated cost for a full solution for putting court results online, based on the cost of developing systems of a similar size elsewhere.

PROPOSITION 17: Creating a national network of criminal justice engagement team leaders under the direction of Local Criminal Justice Boards (LCJBs)

Benefits

The benefit will be for more joined-up community engagement across all the criminal justice agencies, ensuring the differing existing roles function well together (for example neighbourhood policing, HMCS Community Engagement and the Neighbourhood Crime and Justice Co-ordinators). A benefit of using the Green Paper as a vehicle for discussion is that the role, if introduced, will take in to account the needs and views of varying stakeholders.

Other benefits include:

- Better targeted and more effective CJS engagement activity, channelled through Neighbourhood Policing Teams wherever possible, which meets the needs and concerns of communities, based on better, shared evidence and analysis of local issues;
- A single point of contact and information for Neighbourhood Policing Teams and other CJS agencies to facilitate, enable and support their front-line engagement work;
- A named, dedicated individual with delegated responsibility (from the LCJB) for pulling together – rationalising activity as appropriate - and promoting across agencies a fully integrated programme of activity as part of the LCJB engagement strategy and action plans;
- A reduction in repeated single-agency surveying about local CJS services, replaced by multi-agency surveys to reduce chances of survey fatigue;
- Increased joint feedback about CJS-wide outcomes available on a consistent basis through front-line teams

Cost

The estimated cost is £2m -£2.5m (based on salary level £50-£60k per LCJB).

PROPOSITION 18: Increasing volunteering in Criminal Justice Services

We propose to develop and promote guidance for criminal justice organisations to use in local campaigns, which will offer promotional advice and tools on how to encourage volunteers locally to the CJS.

Benefits

Provide support to LCJBs to maximise volunteering opportunities, providing more chances for the community to become involved in the CJS.

Cost

Approximately £18k for publication of the guidance in the form of a toolkit.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	Yes	No
Other Environment	Yes	No
Health Impact Assessment	Yes	No
Race Equality	No - see evidence base. Will be published at a later date	No
Disability Equality	No - see evidence base. Will be published at a later date	No
Gender Equality	No - see evidence base. Will be published at a later date	No
Human Rights	No - see evidence base. Will be published at a later date No	No
Rural Proofing	Yes	No

Specific Impact Tests

Competition Assessment – We have completed the checklist, and none of the proposals contained in the Green Paper: directly limit the number or range of suppliers; indirectly limit the number or range of suppliers; limit the ability of suppliers to compete; or reduce suppliers' incentives to compete vigorously. Therefore, we have concluded that these proposals will not have any impact on competition.

Small Firms Impact Test – This has been completed and none of the proposals contained in the Green Paper impose or reduce costs for small businesses.

Legal Aid Impact Assessment – We have completed the Legal Aid Impact test and concluded from the results none of the proposals contained in the Green Paper indicate a downstream legal aid cost, or an impact on the workload of the courts, as the proposals do not bring in any new offences.

Sustainable Development – The Green Paper considers the benefits to society and quality of life through the implementation of the proposals. Respondents to the Green Paper are also asked to consider the costs and benefits of the proposals.

Carbon Assessment - This has not been completed as none of the proposals contained in the Green Paper will have an impact on emissions of greenhouse gases.

Other Environment - none of the proposals contained in the Green Paper will have an impact on climate change.

Health Impact Assessment - none of the proposals contained in the Green Paper will have a direct impact on health or health inequalities.

Race Equality, Disability Equality, and Gender Equality - we will be undertaking an Equality Impact Assessment (EIA) of the Green Paper as a whole and the policies and initiatives it contains. The EIA process involves consideration and assessment of the various policies, services and functions from the perspective of the six equalities groups and is intended to help identify any potential unintended consequences or negative impact on any particular group or individual. The EIA process itself involves consultation with and involvement of individuals and organisations representative of the equalities groups. We will further develop the Impact Assessment during the consultation period and also draw on additional views from consultation responses. We would expect to publish the final, full EIA alongside the summary of responses and next steps document. We would welcome thoughts from respondents on what any impacts on these groups might be.

Human rights – This will be considered as part of the Equality Impact Assessment of the Green Paper mentioned above.

Rural Proofing – as these proposals develop we will consider whether any of them are likely to have a different impact in rural areas, because of particular rural circumstances or needs. A key theme of the Green Paper is to make the criminal justice service more accountable and responsive to local communities, taking into account community needs, concerns and priorities. This means tailoring the work of the criminal justice services to the demographics of their communities, including engaging and involving people living in rural areas. We would welcome any views on how this could be done.