

Public Involvement in the Criminal Justice System

Laura Edwards of IPPR argues that the criminal justice system should think imaginatively about increasing public confidence and promoting involvement.

The criminal justice system is missing a trick. Public confidence is low, and perceptions of crime rates are bleaker than the real picture. Expectations of what the system can deliver are frequently unrealistic. Yet at a time when the relationship between the public and the system is in decline, opportunities for the public to get involved are limited. Criminal justice remains a system delivered by professionals to the public. Involving the public more would lead to better service delivery, a criminal justice system owned by the public it serves and one in which they could better identify and fulfil their own responsibilities.

The last decade has seen a spurt of public involvement activity. Public service reform agendas emphasise the importance not only of customer focused services but also public involvement in decision-making. It makes common sense. Public services exist to serve the public. The notion that these services might be delivered without engaging with the communities whose needs they must meet is outdated. The public are demanding more responsive and accountable services. Public involvement offers the opportunity not just to provide information, it also encourages constructive dialogue and in turn develops more trusting relationships between the public and service providers.

Public involvement is dependent on good relations between service providers and users; the customer focus element of the public service reform agenda. In its Criminal Justice Forum IPPR explored the experience of being a witness, where this service/user relationship appears faulty. The experience of being a witness can leave the individual feeling neglected and marginalised, with little desire for future involvement. Improving support procedures for witnesses has value in aiding the course of justice as well as in building public confidence. It is vital for the service to get it right at these points of contact — as true for victims and offenders as it is for witnesses.

But public involvement is about more than good 'customer service'. It involves service providers sharing both decision-making and responsibility with the public. This is not to suggest that the public have direct control over processes or take over the system. However it is about finding appropriate opportunities to engage the public and creating more space for lay involvement. Attempts by criminal

justice agencies to involve the public often seem tired and unimaginative. Innovation should focus on the following three main entry points for public involvement in criminal justice.

Support and service delivery

In support and service delivery roles the public might be lay magistrates, victim support volunteers, prison visitors or members of Neighbourhood Watch schemes: all activities which fit the model of active citizen. Some argue for more risk taking in this field, for example the introduction of community based crime resolution meetings where the public play a part as mediators between victim and offender.

Oversight

In oversight roles the public can take on duties of inspection and evaluation. The lay visitors (introduced after Scarman in 1982) who inspect police custody procedures are one example. Following the Macpherson report, Independent Advisory Groups (IAGs) have been developed with the aim of restoring confidence in the police amongst minority ethnic communities.

Strategy development

There is also a role for the public in helping to shape the strategies within which services are delivered, for example by setting local policing priorities. The main statutory mechanism for local consultation are police community consultative groups. The body of plans on which the public must be consulted is also growing and includes community safety plans, policing plans, crime and disorder reduction partnership strategies and specialist plans dealing with, for example, youth offending or the elderly.

While there are mechanisms in place for the public to get involved in criminal justice, the success of such initiatives is patchy. Many of these different entry points share the same flaws. The most striking is the tendency for involvement to be limited to a narrow section of the public. Neighbourhood Watch schemes tend not to form outside middle class leafy suburbs. Lay magistrates are predominantly white, middle class and middle-aged and do not reflect the ethnic and economic diversity of the populations they judge. Police consultative groups have largely persisted with the tired public meeting format which tends to attract a dedicated but small core group, often community



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representatives rather than lay people.

This is not surprising — it is easiest to reach those who are already vocal and engaged. But good public involvement should be inclusive of a wider population. This requires different strategies — one size doesn't fit all. It means commitment to exploring good practice from other sectors and being willing to experiment. A publication from the government office for the West Midlands, *The Active Involvement of Young People in Developing Safer Communities* is a good example. It describes a range of innovative techniques for engaging young people in the work of crime and disorder partnerships.

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Another common flaw in the current menu of public involvement opportunities is lack of awareness. Crime is a 'close to home' concern of which many people have personal experience, so there is an appetite to get involved. Yet research shows low public awareness of what forms of involvement are available beyond the rather staid Neighbourhood Watch model. Better information and communication are simply one aspect that should be developed to increase take-up of existing opportunities. Again, there is a need to be more innovative. Criminal justice agencies are in constant contact with a hugely diverse public audience but don't use this as a way of involving the public beyond the roles of victim, offender or witness. For example, those with experience of custody could be supported in developing skills as lay visitors to inspect police custody procedures. This is just one example but demonstrates the possibilities of thinking imaginatively about engaging more

diverse audiences. An advert in the local paper advertising a public meeting or recruitment of lay magistrates is not enough.

Another area of potential concern is the link between public involvement and impact. IPPR has long repeated the mantra of good public involvement: be clear on purpose, fit method to purpose and link to decision-making. It is vital that the public know what their role is and are kept informed of progress. The criminal justice system may fall short on two fronts. First, the proliferation of 'plans' on which there is a need for public involvement makes it less easy to decipher where the public voice fits in decision-making. Second, the tension between centrally driven initiatives and performance targets and the desire for the public to influence local service delivery can be problematic. IPPR recommends restructuring public involvement in police plans and priorities through the establishment of a divisional police board, which would discuss and determine the local policing plan and monitor performance. There is certainly a need to join up and maximise the impact of current consultation arrangements.

The lack of good practice promoting public involvement in criminal justice has repercussions for public confidence and the quality of relationships between service providers and users. Involving the public in criminal justice is more important than in any other service because the principle of shared responsibility in tackling crime is vital. Keeping the public on the periphery of the system is to the detriment of both the public and the success of the service.

This is an overview of the opportunities for public involvement in criminal justice and their flaws. What is needed now is a more systematic audit of what public involvement opportunities are currently available, how they're working and how they could work better within the framework of good practice. This requires commitment to new ways of working and an element of risk taking. Both are vital if the public are to be inspired to become active and responsible citizens rather than disgruntled outsiders.

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References:

- Edwards, L. (2001) *What Role for the Public in Tackling Crime? Public Participation in the Criminal Justice System*. London: IPPR.
- Government Office for the West Midlands CRSIU (2002) *The Active Involvement of Young People in Developing Safer Communities*. Leicester: National Youth Agency.
- IPPR (2001) *The IPPR/Guardian Public Involvement Awards 2001*. London: IPPR.
- Neyroud P. (2001) *Public Participation in Policing*. London: IPPR.
- Sparks C. and Spencer S. (2002) *Them and Us? The Public, Offenders and the Criminal Justice System*. London: IPPR.
- Spencer S. and Stern B. (2001) *Reluctant Witness*. London: IPPR.