

Chris Eades reviews recent developments in criminal justice.

The NOMS five year plan

February saw the publication of *A Five Year Strategy for Protecting the Public and Reducing Re-offending* – ‘the NOMS five year plan’. Essentially, the goal of reducing re-offending rests upon the plan to decrease the use of prison by reserving it for dangerous offenders whilst allowing a greater number of less serious, short-sentenced offenders to serve their sentences (or a greater proportion of their sentences) in the community. In turn, these community sentences will include more overtly punitive elements, such as unpaid work, and will “address the many linked problems that contribute to offending, and in particular health (including drugs and alcohol), education and employment, housing, finance and social and family links”. The central provisions, upon which the success of the plan rests, intend to:

- Bring prison and probation together under the National Offender Management Service “to make the system seamless”.
- Provide a named offender manager who will get involved as early as possible in the offender’s contact with the criminal justice system.
- Extend the use of conditional cautions to include requirements such as paying compensation or making another kind of direct reparation to the victim.
- Extend the use of fines and link them to income.
- Put unpaid work at the heart of community sentences imposed under the new 12-choice ‘pick-n-mix’ *Community Order and Custody Plus* – the short sentence of imprisonment coupled with a community penalty. Unpaid work is set to rise from 5 million hours in 2003 to approach 10 million by 2011.
- ‘Brand’ unpaid work as ‘Community Payback’ – “putting focus on the fact that offenders have to make amends to society for the wrong they have done, giving local councils and communities a say in what offenders do, and making it much more visible”.
- Introduce ‘Going Straight’ contracts between the offender and the offender manager “with clear and meaningful incentives and sanctions”.
- Develop a new strategy for adult prisons, to be released soon, introducing ‘Community Prisons’. These new institutions, with “strong two-way links with the community”, will allow prisoners to be placed close to their homes and families in the hope their resettlement prospects will be improved. As of yet, there is no solid commitment to build these new institutions.
- Create a ‘commissioning’ system “so that those who buy services for offenders are separated out from the providers of those services”.

- Introduce contestability arrangements that will see providers from the public, private, voluntary and community sectors competing for contracts “so that we can make sure services are provided by the best possible partnerships and providers”.

The success of the plan will, to a great extent, depend upon whether the government can drive down prison numbers – rehabilitative programmes are significantly less successful in overcrowded institutions and placing offenders close to home will not be possible if the local prison is full. Moreover, much will depend on whether the Treasury is willing to fund the changes. No money has currently been released.

If, as the Home Secretary claimed in his foreword, “more than half of all crime is currently committed by people who have been through the system”, much is riding on these proposals.

The Police and Justice Bill

On 25 January 2006, the Government published the *Police and Justice Bill* – trumpeted as “a package of measures to build safer, stronger communities and instil a culture of respect in society”. The key provisions of the Bill will:

- Establish the National Policing Improvement Agency “to drive improvement in the police service”.
- Bring Basic Command Units (BCUs) in line with existing local authority boundaries to enable them to work more efficiently with Crime and Disorder Reduction Partnerships.
- Create a single inspectorate for Justice, Community Safety and Custody with one Chief Inspector replacing the five existing inspectorates for constabulary, the CPS, magistrates’ courts, probation and prisons.

Police Powers:

- Give police the power to capture passenger and crew data on journeys within the UK.
- Extend powers to the police to attach conditions to bail granted not in a police station – ‘street bail’.

Community Support Officers:

- Standardise Community Support Officer (CSO) powers so that they can deal with more issues on the spot.
- Give CSOs the power to deal with truants.

Crime and Anti-social behaviour:

- Create a ‘Community Call for Action’ so as to “increase the ability of local communities to take action to resolve problems that have not been tackled adequately by police and or their partners”.
 - Extend the number of agencies that can enter into Parenting Contracts and apply for Parenting Orders.
 - Increase the powers of trading standards officers so they can issue Penalty Notices for Disorder (PNDs).
 - Broaden the use and scope of conditional cautions as mentioned above.

The Bill, *in toto*, extends yet further the powers of the police and gives to Community Support Officers and trading standards officers powers previously reserved for better-trained police officers. More power to more officials. These developments naturally align with the government’s intention to give the communities a greater say in policing as part of the community policing agenda.

Watch out for further developments.

Chris Eades is Information Officer at CCJS.