

Doing justice locally: The North Liverpool Community Justice Centre

George Mair and Matthew Millings

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Contents

Summary	3
Chapter 1 Introduction	7
Chapter 2 The operation and organisation of the Centre	13
Chapter 3 Views and attitudes of Centre staff	33
Chapter 4 Effectiveness	58
Chapter 5 Conclusions	96
References	102

Summary

The North Liverpool Community Justice Centre opened officially in September 2005. The Centre covers the four local authority wards of Anfield, County, Everton and Kirkdale. However, as the first, and most highly developed, example of a community justice court in the UK it has also been a showcase for government plans for community justice more broadly. Despite the considerable interest shown in the Centre both at home and abroad, evaluation has been limited to the first couple of years of operation. The study reported on here was based on:

- Interviews with Centre staff, offenders who had been dealt with by the court, and members of the local community (67 interviews in total)
- An analysis of administrative data collected by the Centre and nationally collated court sentencing statistics.

The research was designed to focus on the Centre's innovations and explored:

- How far innovation had occurred
- What were the most important innovations
- To what extent was partnership working a key aspect of the Centre
- What was the impact of the Judge
- What were the outputs of the Centre
- What improvement might be made

The Centre combines a unique court process with wider community resource provision. It aims to enhance working relationships between criminal justice agencies and more closely involve the local community in the criminal justice system. Among the Centre's distinguishing features are:

- The application of a problem-solving approach to criminal cases
- A sole Judge who can sit as a District Judge or a Crown Court Judge
- Co-location of the relevant criminal justice agencies (police, probation, Youth Offending Services, prosecution and court services)
- The provision of a range of services available to the community as a whole (including advice on housing, help with drug and alcohol problems, legal and financial advice)

- The availability of a Community Resource Centre that can be used for a wide range of community initiatives
- A Community Engagement Team that works proactively to engage with the community

While the Centre's sentencing outcomes cannot be directly compared to the magistrates' courts (as it also sentences Crown Court cases), the Centre has a dramatically lower proportional use of the fine than magistrates courts, and a higher proportional use of all other sentences – including a 9.8 per cent immediate custody rate. Further exploration is needed to understand the reasons for the different distribution of sentences at the Centre. However the commitment to a problem solving approach and to involving the local community in determining the unpaid work undertaken may be factors which contribute to the Centre's low proportional use of the fine.

Staff saw innovation as the key objective of the Centre, and the most significant innovations mentioned by them were community engagement, problem-solving, co-location of agencies and the unique role of the Judge. Partnership working was made much easier by co-location, so that information sharing was simpler and faster (although confidentiality issues were mentioned by several respondents).

Community engagement was a pervasive aspect of the work of the Centre, and a considerable amount of staff time and energy went into activities aimed at informing the community about what the Centre did and trying to get residents involved in various ways. Community engagement was seen as a long-term, never-ending process. The unique role of the Judge was agreed to be crucial, but so were his personal qualities – and these were likely to be difficult to replicate. In terms of improving the Centre there were understandable anxieties about its long-term future – based, to a large degree, on what were thought to be misperceptions about its cost and the kind of offenders it dealt with, and the lack of valid and reliable research and statistical evidence to demonstrate its effectiveness.

Answering the question of effectiveness proved to be elusive. As far as staff were concerned the Centre was moving towards meeting the objectives set for community justice in *Engaging Communities on Criminal Justice* (Office for Criminal Justice Reform, 2009). They were aware that more work needed to be done and that they

were closer to some objectives than to others. Delivering speedy and efficient justice, and the provision of proactive victim and witness support are the two areas where the Centre is able to evidence its significant progress. But the key issue was the lack of data to demonstrate levels of effectiveness.

For all the positivity of Centre staff about innovation and its achievements, there were serious limitations to the Centre being able to evidence the contribution it made to the objectives set for community justice. The Ministry of Justice had provided a framework to measure performance at the Centre which identified indicators to monitor. However in practice data collected against these indicators is not routinely shared with Centre staff or in some cases appeared to be not collected at all. This is not to say that the Centre isn't achieving significant outcomes, but that it is unable to *demonstrate* effectiveness.

Offenders were – to a considerable extent – impressed by the Centre. A minority seem to have been unlikely to see any criminal justice in positive terms, but most offenders felt they had been treated fairly and with courtesy by the Judge. Comparing the way they were treated by the Centre court with experiences in courts previously, they spoke positively about the levels of communication, the support offered by the problem-solving approach, the interest shown in them by the Judge.

The members of the community served by the Centre interviewed were generally supportive, although they questioned its cost and how well known the Centre was across the community as a whole. A tension between the Centre as a criminal justice agency on the one hand, and a general community resource on the other could be perceived.

Overall, the Centre can be judged to be doing well. Crucially, however, it could do better. In specific terms, a more focused approach to community engagement and a reinvigorated communications strategy mainly focusing on how the Centre communicates with its various stakeholders would be helpful. There is also a significant gap in robust evidence about the Centre – a major issue if community justice is to be sustained in England and Wales. This gap could be addressed by better data collection practices and improved processes to use this information to strengthen innovation, a thorough research study exploring in detail the centre's effectiveness and which factors are most significant in this, and a full analysis of the

Centre's costs. Related to this, the expectations for community justice need to be clear in order to assess how far they are realised by the Centre. If this gap in expectation and information is not addressed, both the Centre and community justice in England and Wales risks being an emperor with no clothes.

Chapter 1 Introduction

Tucked away close to the end of the White Paper 'Respect and Responsibility – Taking a Stand Against Anti-Social Behaviour' (Home Office, 2003) is a paragraph that was not deemed significant enough to mention in the Executive Summary of the document:

The Government is developing new proposals to pilot 'Community Justice Centres' that will improve links between the community and the delivery of justice. The pilots would be able to deal with all low-level disorder offences, housing related matters, especially those relevant to tackling anti-social behaviour. Those who adjudicate would receive specialist training. The aim would be to facilitate better liaison and communication with the courts, thereby reducing delays in the listing of cases and producing more consistent breach sentencing due to increased awareness of local issues and the impact of the anti-social behaviour. They would also give fast access to alternatives to custody such as treatment for drug misuse, debt counselling, reparation to the community with immediate commencement.

(Home Office, 2003: 80)

The inspiration for this idea came from the Red Hook Community Justice Centre in Brooklyn, New York which had opened for business in June 2002, and which was visited by members of the British government. Choosing a location for the first Community Justice Centre in the UK was a careful process (see McKenna, 2007) with the decision going for North Liverpool as an area with higher than average crime rates, high levels of deprivation and other social problems. More specifically, the centre was to serve the local authority wards of Anfield, Everton, County and Kirkdale. A community justice court began operating in December 2004, but it was based in Liverpool Magistrates' Court while an appropriate building (a former school) was refurbished in the locality where the Centre was to be based. The North Liverpool Community Justice Centre (NLCJC) officially opened in September 2005.

The NLCJC operates differently from ordinary courts, and the differences are based around the words 'community' and 'centre'. The NLCJC is focused upon the community to a much greater extent than normal magistrates' courts (and it is certainly very different from a normal Crown Court), and it operates as more than a court, as it is very much a one-stop shop for dealing with local problems whether or not they are criminal. The community was involved in early decisions about where the Centre should be located, and also in the recruitment process for the judge who sits full-time. Instead of simply dealing with offenders by sentencing them at court, the NLCJC utilises a problem-solving approach whereby a team meets to discuss an offender's circumstances prior to sentencing and to try and put together a package of measures and recommendations that can inform the sentencing decision.

Some of the unique features of the Centre are:

- Co-location of all the key criminal justice agencies under one roof: police, probation, Youth Offending Team, Crown Prosecution Service
- The presence in the Centre of various support agencies to provide help with drugs, debt, housing, victim and witness support, anti-social behaviour, and these can be used by members of the community as well as offenders
- A separate building which can be used for community activities
- A single, dedicated judge who can deal with cases as a District Judge as well as a Crown Court Judge
- Setting up a range of activities to keep the Centre in touch with the local community and respond to community anxieties

As a result of its structure and objectives, the Centre can begin to tackle the wider factors that lead to offending in a very different way than ordinary courts do.

The NLCJC was deliberately planned as a unique experiment that was intended to be innovative and it was subject to research early in its existence. Three major studies have been commissioned and published by the Ministry of Justice. The first was an evaluation of the Centre (McKenna, 2007) and its conclusions – covering the objectives of the centre - were that:

- It was too early to be able to pronounce conclusively on whether the Centre had had any impact in terms of the reduction of re-offending and anti-social behaviour
- There was no clear evidence of increased community confidence in criminal justice or reductions in the fear of crime
- While staff and offender perceptions indicated increased compliance with community sentences, there were no quantitative data to support these views
- Similarly, staff perceptions indicated victim and witness satisfaction in their dealing with the Centre, but there were no more robust data to back this up
- A great deal of work had been done to engage with and involve the local community with the work of the Centre, but this had not been as successful as expected and efforts needed to be ongoing
- The Centre was effective in terms of reducing the time between arrest and sentence

Thus, the results of the evaluation could not be said to show unequivocal positive results. On the other hand, several important caveats about the research are required: first, the study was carried out much too soon after the Centre had begun operating; second, to achieve some of its objectives (particularly, those relating to changes in community confidence and the reduction of offending) a much longer period of study would be necessary; third, expectations of the Centre demonstrating positive effects in all of its objectives were much too high; and finally, there were no base-line data to permit changes to be measured against. While the study was not planned as a process evaluation, it is invaluable in providing a detailed description of the operation of the centre in its first 18 months or so.

The second study was a survey of the attitudes and perceptions of residents in the area served by the Centre (Llewellyn-Thomas and Prior, 2007). The survey was carried out in three waves between June 2005 and January 2007. While there was evidence that knowledge and awareness of the Centre increased over the three waves of the survey, it was also clear that there was little evidence to suggest that community perceptions of crime and the criminal justice system had improved during the period: 'as yet there is no measurable impact of the NLCJC on attitudes towards the Criminal Justice System (CJS), or on perceptions of the local area' (Llewellyn-Thomas and Prior, 2007: 42). Again, a serious limitation of the survey was that it

was carried out so quickly after the introduction of the Centre, and changes in attitudes are likely to take rather longer than 18 months to occur.

The third study (Jolliffe and Farrington, 2009) to be carried out was an analysis of reconviction rates associated with the NLCJC and the Salford Criminal Justice Initiative (set up to test out how far community justice could be implemented using an established magistrates' court – see Brown and Payne, 2007). The results of the research found little evidence that the community justice courts were having any impact upon reconviction rates. However, again, the results must be treated with caution: the study was based on relatively small numbers of offenders who were dealt with during the courts' first year of operation; and there was no information available on whether offenders had been the subject of the problem-solving approach, or precisely what their sentences consisted of. As the authors point out:

Once greater numbers of offenders have passed through the Community Justice courts, and the changes initiated have become deeply embedded, this, along with data on specific interventions and types of offence on reconviction, could provide more robust evidence on the impact of Community Justice Initiatives.

(Jolliffe and Farrington, 2009: 3)

For such a significant initiative as the NLCJC, the research into its operation and impact has been disappointing – to a considerable degree because studies have been carried out too soon and expectations have been too high.

The Centre, of course, was set up under a Labour government. The new coalition government's approach to community justice in general, and the Community Justice Centre in particular, remains unclear. The Centre is dependent on the Ministry of Justice for its funding and the cuts that will be made in the Ministry's budget pose a risk to the future of the Centre. On the one hand, the new Green Paper 'Breaking the Cycle' (Ministry of Justice, 2010a) speaks positively about the need for better community involvement in the criminal justice process and for closer links between courts and the community – key issues that the Centre addresses. On the other, the Green Paper notes the 'prohibitive cost' of the Centre (without providing any evidence for this) and that evidence for reducing reoffending is inconclusive (Ministry

of Justice, 2010a: 81). The rhetoric, therefore, is favourable although the pragmatics of cost-cutting are threatening.

The present study

The research reported on here has been carried out four years after the Centre opened in North Liverpool. Its aim was to focus on the innovations associated with the Centre:

- How far had innovation occurred
- What were the most important innovations
- To what extent was partnership working a key aspect of the Centre
- What was the impact of the Judge
- What were the outputs of the Centre
- What improvements might be made

Given the resources available for the study, we were unable to spend a lengthy period observing the work of the Centre. The research consisted, for the most part, of interviews over a period of six months (November 2009-April 2010) with a number of stakeholders responsible for management and delivery, with a sample of offenders who had been sentenced, and with members of the local community. Seventeen interviews were carried out with staff who worked in the Centre, including the judge, the Centre manager, and members of the police service, the courts' service, the community engagement team, the probation service, the Youth Offending Team, the Crown Prosecution Service, Victim Support, the Anti-Social Behaviour Unit, and the Citizen's Advice Bureau. In addition, 40 offenders and 10 members of the local community who had been involved in working with the Centre were also interviewed. Where respondents are quoted in the report, those numbered 01-17 are Centre staff, 18-57 are offenders and 58-67 are members of the community. In order to examine Centre outputs, we also used quantitative data that had been collected locally by the Centre and centrally collected Ministry of Justice court statistics.

The North Liverpool Community Justice Centre was the first, and remains the most highly developed, example of community justice in England and Wales. Its significance – and the issues raised by this report – are twofold: first, how far the

Centre serves the community where it is based; and second, what issues are raised by the Centre that have implications about the development of community justice in England and Wales generally.

The report is made up of three main chapters. Chapter 2 examines the operation and organisation of the Centre; Chapter 3 explores the views and attitudes of those staff who are based at the Centre; while Chapter 4 discusses the effectiveness of the Centre using the results of interviews with Centre staff, offenders who have been subject to sentences passed by the Judge and local residents. In the concluding chapter we summarise the results of the study and note some of the key points that might determine the future of the Centre specifically and community justice in general.

In terms of the time spent on fieldwork at the Centre, this is a relatively modest piece of work, but we hope that it will provide a strong foundation upon which more detailed research might be done.

Chapter 2 The operation and organisation of the Centre

In this chapter we outline the organisation of the Community Justice Centre and describe how it operates. While the Centre is in one sense more than the sum of its parts, we try to tease out the different components that go to make it up. It is important to bear in mind what might be termed the founding principles of community justice that underpin the working of the Centre, and within the chapter we set these out. It needs to be stressed that unless otherwise stated any data presented and discussed in this chapter are taken from the administrative data sets that the Centre staff complete, maintain, and send to the Ministry of Justice. Where commentary is provided on the workings and operation of the Centre these are based on our observations and reflections on discussions with staff members.

Before discussing how the Centre operates it is worthwhile noting the vision for 'Community Justice' that the Centre is working to. When, in September 2003, it was announced that North Liverpool would host the first US style Community Justice Centre in Britain, rather loose guidance was provided regarding what was expected to be achieved, with the then Secretary of State for Constitutional Affairs Lord Falconer claiming the model would help 'the Government's work to put victims first, encouraging witnesses to come forward, and cracking down on petty offending and re-offending' (Home Office, 2003). By adopting what were termed problem-solving approaches, the emphasis was to be placed 'on tackling individual underlying problems and on giving local people visible pay-back...to strengthen confidence in the criminal justice system and show that it is there to serve and to respond to the needs of everyone in the community' (ibid). Just over a year later and on the occasion of announcing the appointment of Judge David Fletcher to the Centre, Lord Falconer once again made explicit the Centre's remit to 'get to grips with anti-social behaviour in North Liverpool' (Department for Constitutional Affairs, 2004) and to commit to problem-solving approaches where the judge is assisted by 'teams handling probation and youth offending issues, and other advice bodies looking to see what is best for North Liverpool in relation to a particular offender' (ibid).

The consistent commitment to intensive and tailored solutions for communities experiencing persistent problems ensured that the notion of community justice being

promoted in the UK stayed true to the concept as it was originally developed at Red Hook. By the time 10 new community courts were announced in November 2006, less than two years after the opening of the North Liverpool Community Justice Centre in December 2004, a more coherent sense of the principles of community justice was emerging (Department for Constitutional Affairs press release, 2006). The seven principles outlined by Lord Falconer then – although listed in a different order - are the same as those identified in the 2009 Green Paper ‘Engaging Communities in Criminal Justice’ (Office for Criminal Justice Reform, 2009:14) and are reproduced below. That community justice, the principles that guide its delivery, and the North Liverpool Centre featured so prominently in the Green Paper and the Cabinet Office Review (2008) *Engaging Communities in Fighting Crime* (the Casey Review) from which many of the ideas were developed, emphasised the ability of the approach to help the government of the time realise a vision of a criminal justice service ‘in which all partners are focused on local communities and work together to tackle crime, deliver justice and provide high quality services that inspire public confidence’ (Office for Criminal Justice Reform, 2009:7). Building upon the Red Hook model, the earlier stated aims of ‘community justice’ interventions, and the Casey Review, the 2009 Green Paper outlined the following key principles of Community Justice;

- courts connecting to the community; there should be significant liaison between the courts and the local community so that the community is able to put forward its views, and the court has a view of the wider context of the crime
- justice is seen to be done; better information about the criminal justice services so that local people have an opportunity to put forward their views on the way offending is tackled. Compliance with the court’s orders or other penalties should be seen and recognised by the community
- cases handled robustly and speedily; harnessing the combined potential of a range of agencies working together, meaning increased speed and ensuring offenders begin sentences promptly

- strong independent judiciary; enabling the judiciary to lead the problem solving approach and maintain oversight over offenders' progress after sentence
- solving problems and findings solutions; making use of a range of available service providers to tackle the underlying causes of offending. Problem solving can operate both at the community level – tackling safety concerns raised by local people – and also when dealing with individual offenders
- working together; a team approach to decision making and dealing with offenders. Ensuring that a range of agencies, necessary for problem solving, are available to the court, delivering an end-to-end service to offenders, victims and the community
- repairing harm and raising confidence; seeking the views of the community on what projects should be carried out by offenders on unpaid work. These unpaid work projects should then be badged once completed so that the community can see what has been achieved

(Office for Criminal Justice Reform, 2009:14)

In the two diagrams that follow we outline the operational workings of the Community Justice Centre (Figure 1) and then link key elements of the Centre's workings to the seven principles of community justice outlined above (Figure 2). These diagrams represent our interpretations of how the Centre functions and operates, informed by sustained periods of observation and discussions with members of the different staff groups of the Centre. More detailed explanation of specific operational mechanisms and working relationships will follow in Chapters 3 and 4 where we examine the effectiveness of the Centre in meeting these core objectives. The focus of the remainder of this chapter however is very much upon outlining the workings and performance of the Community Justice Centre.

Interpreting the Operational Map of the Centre

The Centre is a complex web of interactions, as Figure 1 shows, and it is the aim of this chapter and the broader study to unpick the many exchanges taking place within this web, examining the nature of some of the relationships in the process. From the

outset it is worth emphasising that, while it is possible to sketch out a logical and flowing map that plots the steps of the Centre court process, Figure 1 (on page 14) goes further as it tries to demonstrate graphically how the different constituent groups of the Centre – not just the criminal justice agencies - work together. In that sense, while we can identify familiar junctures of the criminal justice process that operate in any court we have sought to contextualise these within the tangible relationships between the two core pillars that lie at the heart of the Centre's functioning: namely the founding commitment to combine the powers of a courtroom with a range of resources available to all members of North Liverpool's diverse and plural 'communities'.

The starting point for the diagram is the building itself and that is the landscape upon which all that follows is mapped. The former school building situated on Boundary Street in Kirkdale, North Liverpool contains the Centre courtroom, holding cells, interview rooms, a public waiting area/toilets and a series of office spaces that facilitate group conferencing and staff training exercises. The large open plan office on the ground floor hosts a number of staff who have, for the purposes of the diagram, been located under the category 'Court Staff' bringing together the criminal justice agencies of probation, the youth offending service, Crown Prosecution Service as well as the Centre's in-house court administration team. On the first floor a large shared office space hosts those agencies identified as the 'Community Resource Team' - comprising representatives from a range of agencies such as Victim support, Liverpool Housing Trust (now being delivered by Plus Dane), the City Council's Anti-social Behaviour Team, the Citizen's Advice Bureau. This office space also hosts the Centre's community engagement team, police staff and the Centre manager.

On Figure 1 the Centre building is represented by a faint grey square within which we find a darker shaded area indicating the court-room itself. These shaded areas have been provided as a backdrop to help generate a sense of where the operations of the Centre take place and, through the use of boxes identifying the different staff groupings at the Centre, determining who has responsibility for the management and delivery of tasks. As a consequence the diagram has purposely positioned a spine that begins at the top with 'arrest' and ends at the bottom with sentencing options. This pathway, which identifies the roles performed by Centre Police Staff, Centre

Court Staff and the Judge as it moves through the pre-court meeting, hearing, and sentencing processes, captures the primary focus of activity at the Centre (hence this chain taking up such space on the diagram).

However the design of the diagram is such that we can plot the contribution of the Community Resource Centre and, importantly, make it possible to document how the two strands of the Community Justice Centre work together. In Figure 2 our concern is to document how the workings of the Centre can be mapped onto the seven core principles of community justice.

Table 1 – Operational Map of the North Liverpool Community Justice Centre

The diagram is a complex flowchart titled 'Operational Map of the North Liverpool Community Justice Centre'. It shows the process from arrest to sentencing and post-sentencing outcomes. Key components include:

- Arrest and Initial Stages:** Arrest leads to Charge, which leads to Conditional Caution. Proactive execution of outstanding warrants also leads to Charge.
- Pre-court Meeting:** Charge leads to Pre-court Meeting, which involves CJC Court Staff and the Community Resource Team. Pre-hearing support is provided to victims and witnesses.
- Hearing:** Pre-court Meeting leads to Hearing, which involves the Judge. Post-hearing support is provided to victims and witnesses.
- Sentencing:** Hearing leads to Sentencing, which involves the Judge. Sentencing options include Custody, Absolute Discharge, Conditional Discharge, Anti-social Behaviour Order, and Community Order.
- Community Engagement:** The Community Resource Team plays a role in proactive execution of warrants, pre-hearing support, post-hearing support, and community engagement. Community input on unpaid work and community judgement on order impact are also shown.
- Other Outcomes:** Other outcomes include Proactive execution of outstanding warrants, Proactive victim and witness support, Problem Solving Meeting, Section 178 Review, Financial Penalty, and Other.

Community Justice
Centre Infrastructure

Community Justice
Centre staff groups

Criminal Justice
Process and/or
Intervention

Innovative CJC
working
practice

Community
capacity

The workings of a robust and efficient court process

Pre-court planning and preparation

Driven by the belief that the community will invest more confidence in a court that it sees processing cases quickly and in response to locally defined needs, one of the core objectives of the community justice approach is to deliver a fast and efficient court process. The co-location of a range of service providers – criminal justice agency or otherwise – and the consistency provided by a single Judge are designed to cut down on unnecessary delay and bureaucracy. In the first instance, daily pre-court meetings of the on-site multi-agency staff group¹ ensure that the Crown Prosecution Service's advanced disclosure packages can be reviewed and that plans can be set in motion more quickly than in ordinary courts to process defendants and address any emergent underlying issues they may present with (in the interests of independence the Judge does not attend).

Secondly, the pre-court meeting and booking in of clients at the start of the court session also allows for the identification of those defendants who have failed to present and who can potentially be located and collected by the on-site Centre police officers. This largely unique capacity of the Centre to mobilise officers in advance of, and even during court proceedings, appears to help ensure the smooth operation of the court; in addition, the ability to allow the judge to check such matters as the validity of the addresses used by defendants when bail is posted, enhances the robustness of the court's operation and avoids unnecessary complications and delays. Available data show that since the court began working, 100 per cent of warrants that have been issued are notified to the police within one working day, often within minutes.

The hearing and dealing with cases

One of the defining characteristics of the model of community justice that inspired the project in North Liverpool is the drive and leadership provided by a strong independent judiciary. At the Centre this comes from Judge David Fletcher who was appointed as the Centre's Judge in 2004 following a competitive process that -

¹ The staff group includes representatives of the Centre's probation, police, and court staff. Defence teams are also invited to attend on a voluntary basis to help raise potential issues that may arise.

uniquely - involved two members of the local community. Judge Fletcher has the ability to sit as a District Judge as well as a Crown Court Judge and, as Figure 1 demonstrates, if a defendant pleads not guilty the Centre can host a trial that the Judge will preside over; if it is a trial for an indictable offence or any trial where a jury is required however, the case will be dealt with elsewhere although it can be returned to the Centre for sentence. He has the ability to hear magistrates', youth, civil and Crown Court cases and presides over the review court hearings. The single Judge model is designed to bring about a consistency of service provision and ensures greater robustness and accountability in monitoring the progress of offenders during their sentence.

The hearings take place in the Centre's courtroom, the geography of which is slightly different to that of more mainstream court provision. The layout of the room is a little more informal with a purposefully lighter and calmer feel. Though in the interests of formality the Judge sits on a partly raised bench, he is positioned much closer to the defendant than would usually be found in traditional courthouses, and the close knit contained positions of the court staff mean defendants appeared from our observations to be much more engaged in the process and able to see and hear proceedings with ease.

Guilty pleas

Another measure of the work of the Centre as a court is the rate of guilty pleas. Ministry of Justice data (2010) show a national guilty plea rate of 68 per cent for 2008. Administrative data from the Centre – as opposed to officially verified Ministry of Justice statistics - suggest that the guilty plea rate is around 15 per cent higher than the national rate; and that for the 12 month period up to and including the most recent date for February 2010 the rate increased further. Similarly, the national average number of hearings for a case at the magistrates' courts for 2008 was 3.2 while Centre data suggest a lower average number of hearings. Thus, with guilty pleas higher than average and the number of hearings lower than average, the court process is much faster and more efficient than magistrates' courts generally, and enables the Centre to move quickly to embark on the problem-solving and multi-agency interventions it offers.

Problem Solving

Between January 2006 and February 2010 the Centre ran 859 problem-solving meetings. Primarily utilised when the defendant pleads guilty (though in exceptional cases where they have been proved guilty), problem-solving meetings provide the opportunity to identify underlying issues that can contribute to the drifting in and out of criminal careers; such things as drug use, housing issues, financial concerns, relationship tensions, on-going health or employment problems. Where the Judge feels it is appropriate to reflect further on an offender's circumstances he will adjourn proceedings for the problem-solving meeting to be held immediately and the results of this in turn feed into the sentencing of the individual. Figure 1 tries to capture the way in which there are various stakeholders in the problem-solving meeting approach and to emphasise how it departs from and then loops back into the conventional flow of the court process.

Three crucial elements define the problem-solving meetings. First, they take place in an informal and relaxed setting in the Centre to try to ensure the offender is comfortable and engaged with the process. Second, a number of the Centre's staff and the defendant's legal representatives are involved in the discussion to draw on their insight about the most appropriate advice and support. Third, the meeting intends to provide well considered and thorough advice to the Judge to help him deliver the most appropriate sentence to help tackle the individual's offending.

Sentencing

The next stage in the court process is sentencing. As Figure 1 shows, there are a series of factors that can contribute to the Judge's decision-making processes. Working around in a clockwise fashion from the inputs identified on the operational map it is possible to determine the following factors;

- the most conventional input is the *guilty plea entered by the defendant* at the court hearing and the consideration subsequently given to the context of the offender's behaviour in exploring different sentencing options;
- the *findings of the problem solving meeting* are designed to give the judge a detailed identification of factors that appear to have contributed to the defendant's criminal actions, and, where appropriate, agreed plans of action -

with a clear emphasis on victim harm awareness - will be formulated to help tackle these issues as part of, or in addition to, the sanction handed down by the Judge;

- one of the core objectives of the community justice model is for *local people to have an input* into the way offenders are dealt with and to be able to scrutinise the decisions made by the judge (although they have no direct influence on sentencing decisions). Though the community reference panels have been discontinued, the Judge continues to engage with members of the community through various fora to monitor broader dispositions towards the Centre's sentencing policy, keep up to date with localised crime-related anxieties, and to reinforce the Centre's duty to serve and respond to the needs of the community;
- another influence on sentencing can be *the performance of offenders on Suspended Sentence Orders and Community Orders*. The power to review offenders' progress on Community Orders under section 178 of the Criminal Justice Act 2003 and on Suspended Sentence Orders under section 191, has been a particularly galvanizing influence on the work of the Centre and has given it another juncture in the criminal justice process that helps makes the pathways in and out of the Centre more robust;
- as outlined above, the ability of the Judge to shift between sitting as a District Judge and Crown Court role can mean that though all jury trials may need to be tried elsewhere they can, by virtue of the power invested in the Judge, be *returned to the Centre for sentencing*.

Community Engagement

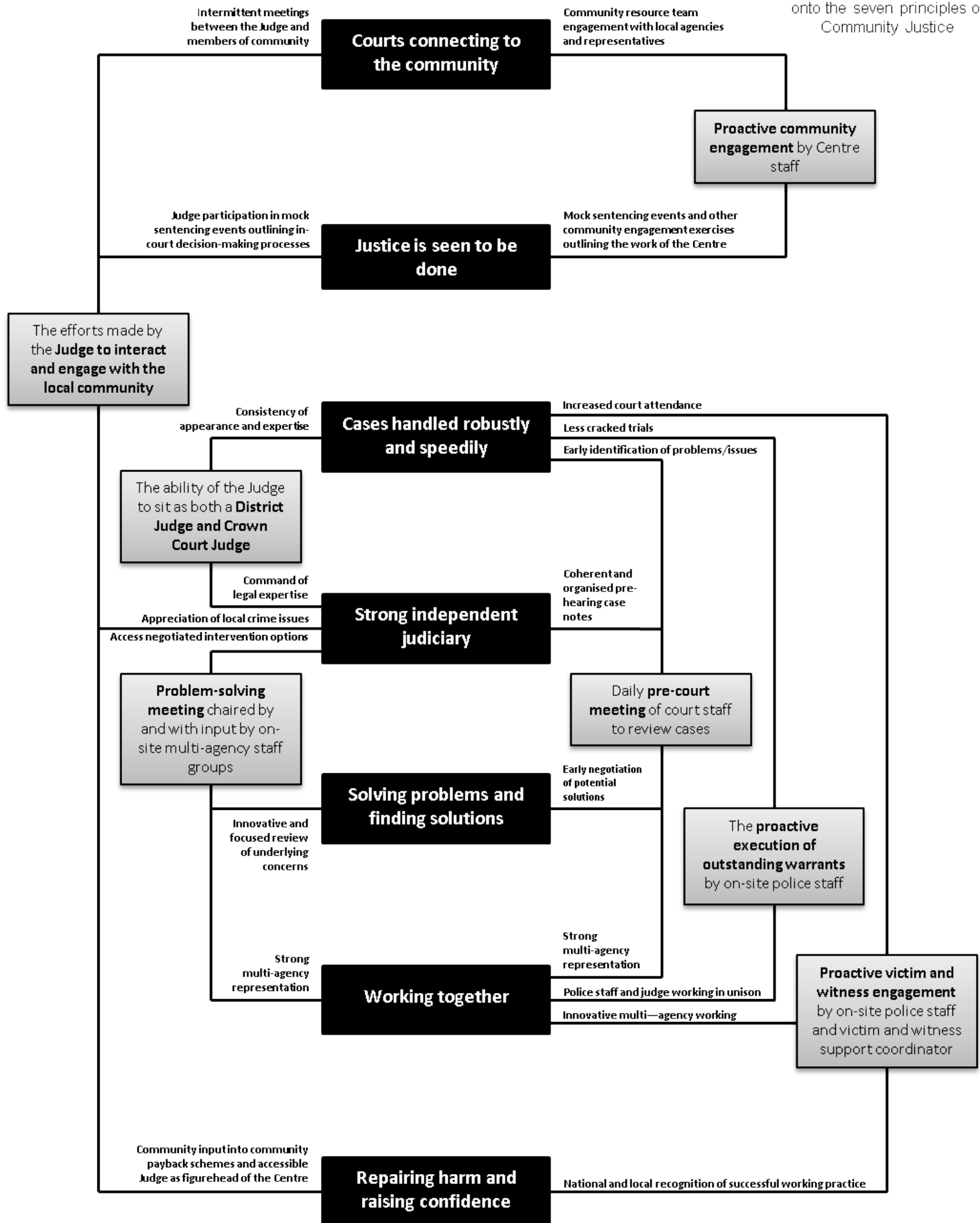
Community engagement plays a key role in underpinning the values of community justice given that engaging local people to explore their experiences of crime and persistent problems, and actively involving them in the Centre's operation are pivotal to the Centre's activities. Based on the first floor of the building, the Centre's Community Resource Team not only work to service and link in with the actions of the court but also provide a range of services available to all members of the community, including the following:

- Legal and financial advice;
- Victim and witness support;
- Drug and alcohol advice;
- Housing advice;
- Anti-social behaviour advice and support;
- Volunteering opportunities;
- The use of the community resource room within the grounds of the centre;
- The capacity to pay court imposed fines; and
- Provide an alternative pathway for reporting crime and/or anti-social behaviour in the local area.

On our operational map the Community Resource Team is positioned to the right of the criminal process spine that runs from top to bottom. The staff group comprise the Centre's two dedicated community engagement officers, representatives from the drug and alcohol use support service Addaction (an organisation which has grown by taking on the workload of the now defunct Lighthouse Project), a worker from the Citizen's Advice Bureau, a housing officer, a Liverpool City Council anti-social behaviour enforcement/prevention officer and - though often aligned with the court staff – the Centre's witness and victim support coordinator. In addition to these on-site service providers the Centre taps into a network of local agency provision (such as Barnardo's and the National Society for the Protection of Cruelty to Children) to bolster the services it offers, as well as working very closely with its criminal justice partners.

Having outlined the operational workings of the Community Justice Centre and provided some basic discussion of its constituent elements, we have in Figure 2 below mapped out how these mechanisms address the previously outlined core principles of community justice.

Figure 2 – Operations of the Community Justice Centre mapped onto the seven principles of Community Justice



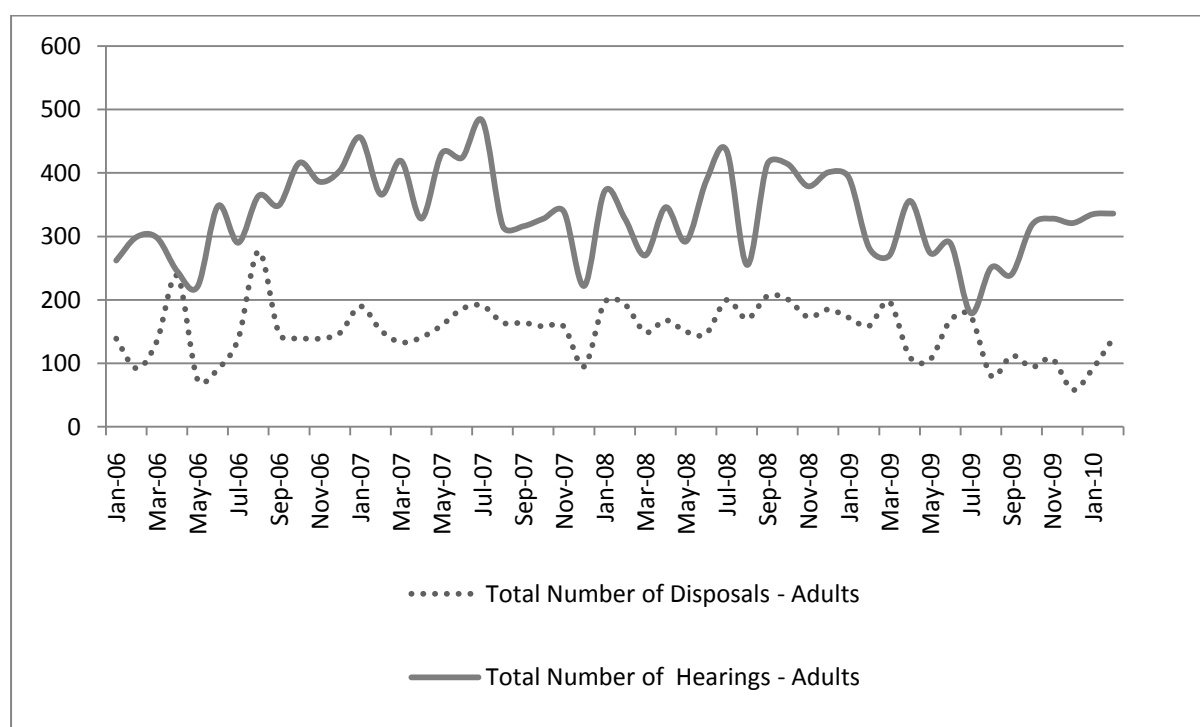
Review of the available evidence and performance of the Centre

In this second half of the chapter under themed sections we summarise and make sense of some of the administrative data made available to us through the Centre.

Number of hearings

Data on the court go back to January 2006 and run until February 2010. During that time there have been a total of 16,774 adult and 2,437 youth hearings leading to 7,558 adult and 1,392 youth disposals respectively. The charts below track the distribution of the number of hearings and disposals across the life-time of the Centre. In Chart 1, where we are concerned with adult hearings and disposals, no clear pattern can be identified and it is apparent that the monthly case load of hearings and disposals has fluctuated greatly across the four years of available data and that it is not even possible to detect seasonal patterns.

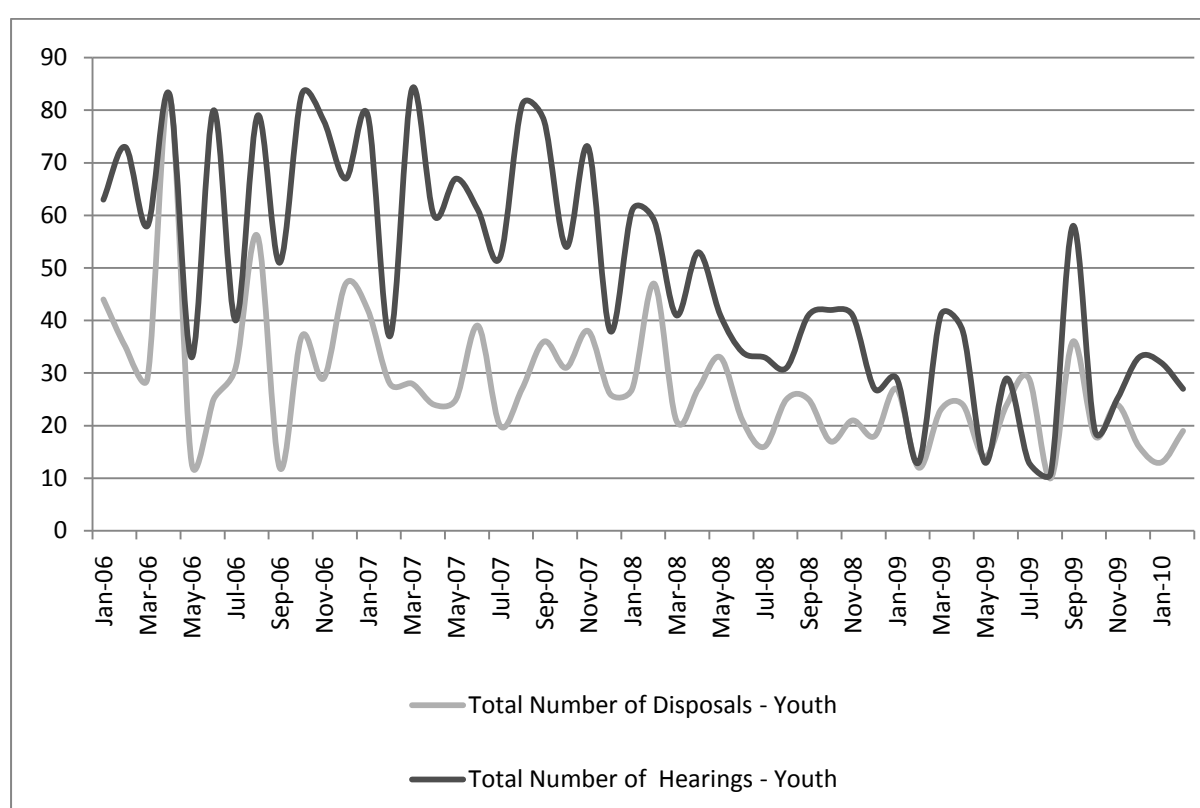
Chart 1 – The total number of adult hearings and adult disposals at the Community Justice Centre January 2006 to February 2010



In Chart 2 however, which covers youths passing through the Community Justice Centre where we are, of course, dealing with much smaller numbers, there has been

a discernable drop in the number of youth hearings, particularly within the past two years. As far as some Centre staff were concerned, this was a clear measure of success; however it should be acknowledged that it could be a reflection of a decrease in youth crime nationally and further research would be needed to validate Centre staff's claim.

Chart 2 – The total number of youth hearings and youth disposals at the Community Justice Centre January 2006 to February 2010



Sentencing

When examining the distribution of disposals at the Centre against the performance of other courts locally and nationally it is possible to determine real differences in practice. Comparing the most recent local and national data and mapping it like with like against the Centre, Table 1 examines the percentage distribution of sentence type by court using data from the National Statistics annual sentencing data for 2009. It must be emphasised, of course, that differences in the use of sentences will be

determined to a large extent by differences in the kinds of offences dealt with by courts, but even with this caveat the Centre seems to sentence differently from other magistrates' courts and from the Crown Court.

Given the demand to tackle underlying issues that impact on offending behaviour that lies at the forefront of the Centre's ethos, the room for manoeuvre and diversity of measures that can be instituted within a community sentence and the conditional discharge probably explain why these are popular sentencing options for the Centre when set against disposals used elsewhere, as Table 1 demonstrates. Of particular note is the much higher use of community sentences at the Centre (32.2 per cent of all disposals) than at magistrates' courts on Merseyside (13.2 per cent) and nationally (13.7 per cent). One of the appeals of the community order is the ability to build in a community payback requirement that to date (using February 2010 as the most recently available data) has seen 5,426 hours spent by offenders on community orientated projects. This aspect of sentencing policy relates closely to the Centre's commitment to a 'problem solving' approach whereby offenders receive support to address offending behaviour and to the Centre's responsibility to community justice, especially given that input from local people is sought in helping to determine the unpaid work offenders do.

Similar differences can be seen in the way specific offences are dealt with: for example, for possession of cannabis (a fairly common offence at the Centre), the use of a conditional discharge is around 20 per cent higher while the use of a fine is almost 30 per cent lower, than the use of these sentences across Merseyside magistrates' courts generally.

It is also notable that the court has a higher rate of immediate custody (9.8 per cent of all disposals) than local and national magistrates' courts, which may be explained by the ability of the Judge to sit as either a District or Crown Court Judge. Such differences in the use of sentences require further exploration, as does the possibility that in some way the Centre sits between magistrates' courts and Crown Court according to its use of fines, the suspended sentence order and custody.

Table 1 –Offenders sentenced for all offences by sentence type and court 2009

	Discharge	Fine	Community sentence	SSO	Custody	Other	Total No.
CJC	23.4	26.9	32.2	5.0	9.8	2.6	1,073
Merseyside magistrates' courts	6.9	74.1	13.2	1.7	3.3	0.7	42,655
Magistrates courts: England and Wales	6.9	71.9	13.7	1.9	3.7	1.9	1,311,351
Liverpool Crown Court	2.7	2.7	18.7	22.6	50.7	2.5	2,954
Crown Court: England and Wales	2.8	2.4	17.1	20.9	54.8	2.0	94,586

(Data for Merseyside and England and Wales taken from Ministry of Justice 2010b and data for CJC from locally held administration data)

Table 2 below identifies how many referrals the court made to its Centre-based agencies and provides an average monthly referral figure using the most recent data from the preceding 12 months (in this case January 2009 to January 2010 because of the unavailability of some agency specific data).

Table 2 – The number of referrals and average monthly referrals from the CJC court to the five main agencies based at the Centre for 2009.

	Referrals	Monthly Average
Citizen's Advice Bureau	37	3.1
Housing	68	5.7
Addaction	203	16.9
Lighthouse Project	122	10.2
Victim and Witness Support	30	2.5
<i>Total Referrals</i>	<i>460</i>	<i>38.3</i>

Two key points emerge from the table. First, that the range of different services at the Centre are used by the Court. The ability of the court to make referrals relies upon the Judge maintaining an awareness of what the various services actually offer potential clients and on these agencies in turn working to make explicit what capacity they offer the Judge. Second, given that the court seeks to address long-standing issues that contribute to an individual's offending behaviour, it is perhaps unsurprising that those services designed to help tackle drug and alcohol problems – Addaction and the Lighthouse Project – are the most utilised. The estimated prevalence of problematic and injecting drug use in Liverpool has been shown to consistently exceed national averages (see Frischer et al., 2004) and the need for quick and coherent access to the service provision provided is validated by the average of nearly 30 defendants a month being referred by the court to drug and alcohol support. The ability of the Judge and court staff to link with these agencies at the time of the hearing and/or problem solving meetings clearly avoids unnecessary delay, duplication of information sharing and (in the view of staff and offenders, see later chapters) strengthens the resolve and enthusiasm of the defendant to engage with the process. The co-location of the staff groups, strong judicial insight and support, and the belief of staff in developing individualised plans for addressing problems all combine to bolster the problem-solving approach.

Community engagement

In the process steps described, we have tried to show how the various staff groups are involved in the Centre's original and defining interventions such as the proactive victim and witness support work and the problem-solving meetings. As the operational map in Figure 1 demonstrates, the two further inputs that shape the demands placed on staff are responding to self-referrals from members of the community to access services, and engaging in proactive community engagement. In both cases, as Figure 1 attempts to show, this might be through work that takes place in the Community Resource Centre where job clubs, self-help groups and counselling sessions (among other things) are provided with support from the Centre, and are seen to provide a less formal pathway to the Centre than entering what is very much seen as a court building (see staff, defendant and community comments later). In terms of self-referrals the table below measures the engagement with services since the Centre opened and within the past 12 months. In contrast to

Table 2 which showed few court referrals to the CAB, community self-referrals are considerably higher than for any other agency. Another noticeable feature is the lack of self-referrals to the drug service orientated agencies of Addaction and the Lighthouse Project.

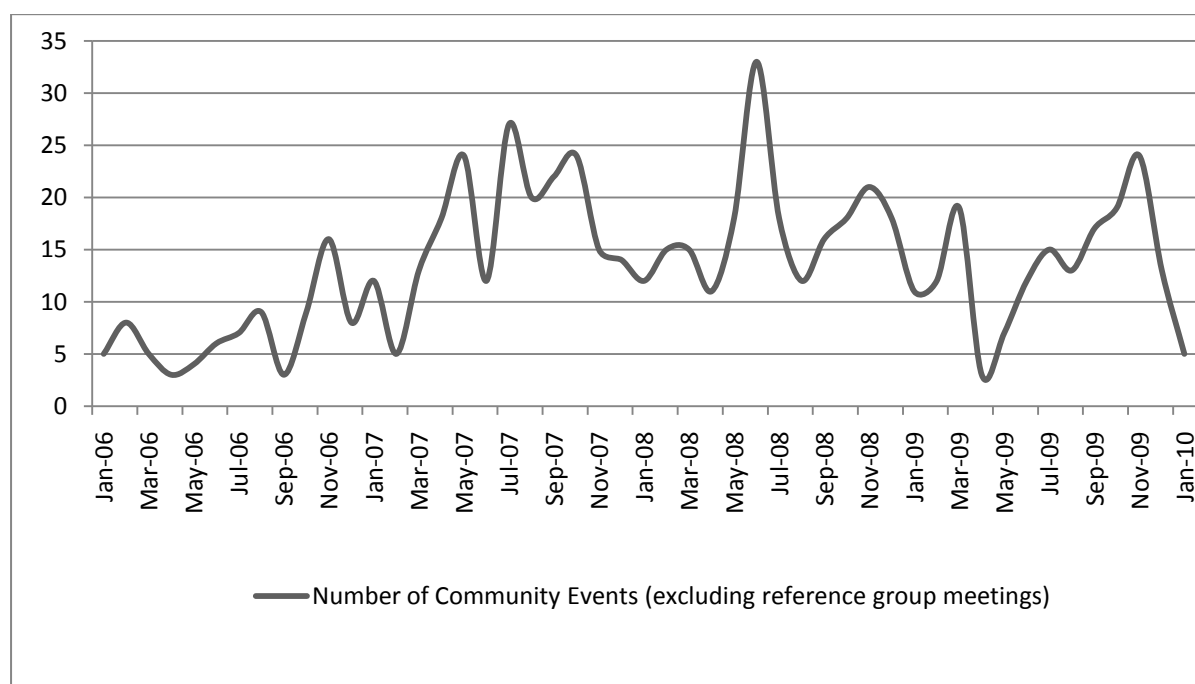
Table 3 – The number of self referrals in total and within the past 12 months to the five main agencies based at the Centre for the period January 2006 to January 2010 (CJC data)

	Total number of self-referrals	Referrals in past 12 months (February 2009 – February 2010)
Citizen's Advice Bureau	1081	286
Housing	351	48
Addaction	52	0
Lighthouse Project	158	63
Victim and Witness Support	263	47
<i>Total Referrals</i>	<i>1905</i>	<i>444</i>

In terms of proactive engagement with the community, new and evolving ways of court / community communication appeared to be used. The early days of the Centre saw newsletters and Community Reference Groups provide real impetus for engagement, but both of these have ended partly as a result of low attendance and a degree of community apathy. Many of the efforts now are directed towards open days at the Centre; mock sentencing events; linking in to other established networks of public meetings/events (the high profile and City Council backed 'Your Community Matters' sessions being a recent example); going into local schools and colleges; and working with local partners to provide opportunities to utilise Centre facilities and positively engage groups of local people (working with Merseyside Fire Service to arrange cage football events for local young people is an example). Data are recorded by the Centre on a monthly basis to measure how many community

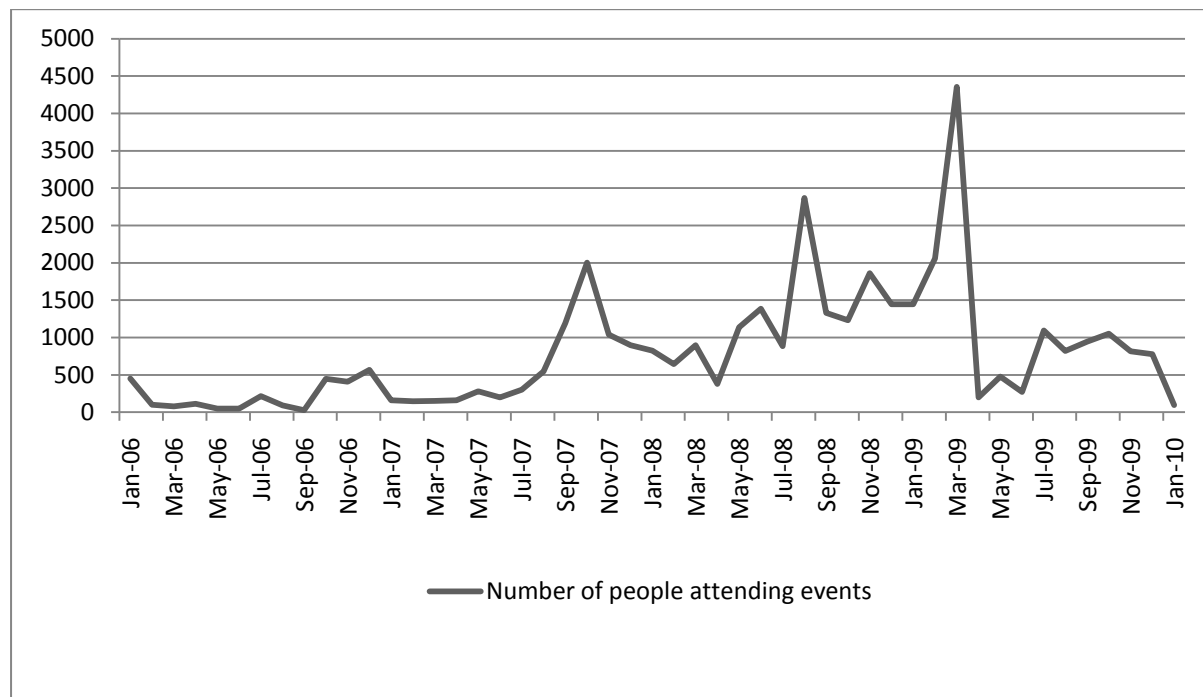
events are organised and how many people have been engaged by the Centre and both are captured in the charts below.

Chart 3 – The number of community events arranged by the Centre’s Community Engagement staff



On average, 13.6 community events a month have been organised by the Centre’s Community Engagement staff and though there are indications of seasonal peaks during summer and a drop off of events towards the start of the year, the number of events has been roughly consistent – perhaps if anything slightly increasing - across the life of the Centre. However this information cannot provide any sense of the size of the events organised or the number and type (e.g. age group or geographical location) of those who took part. Chart 4 suggests that the Centre has been engaging with growing numbers of residents, and that on average 795 people a month are being engaged by the team. Once more, however, the data need to be treated with some caution as it is unclear whether these are all original engagements or whether the same people are appearing on multiple occasions.

Chart 4 – The number of people attending ‘community events’ arranged by the Centre’s Community Engagement Team



In this chapter we have worked through the operational map of the North Liverpool Community Justice Centre in order to outline its operation and organisation. This rather brief overview of the Centre’s workings sets the context for the following chapters where we consider how the model is working in practice through interviews with Centre staff, offenders and members of the community.

Chapter 3 Views and attitudes of Centre staff

Loosely-structured interviews were carried out with key staff who were based in the Centre. Around half of those interviewed had been working with the Centre since its beginning, before it had moved to its present location in the community, and they worked for a variety of statutory and non-statutory agencies. The interviews were recorded and transcribed and lasted for between 30-60 minutes. Their focus was on innovation, partnership, the relationship of the Centre with the local community, the role of the judge, effectiveness, and the good and bad points about the Centre. This chapter of the report discusses the results of the interviews, with the exception of views about effectiveness which are examined in the next chapter.

Innovation

There was general agreement that innovation was what the NLCJC was all about; in this respect it was 'unique', a term that was used on many occasions during interviews. Innovation was the driving force of the Centre: 'Every day we come in we try and get into something different, all the time' (03); 'it's part of our job, isn't it, to try things, to do things' (10); 'the innovation...has been tremendously exciting and challenging, and it's been fantastic' (11). Significantly, it was felt that innovation had not always been led from the top (whether by the Judge, senior staff, or the Ministry of Justice) as had often been the case in similar initiatives respondents had been involved with. Here, they felt that innovations could emerge from those working on the ground – a process that was itself seen as somewhat innovative and, as such, appreciated by staff who felt that working in the area of criminal justice meant that their hands were normally tied tightly by legislation and regulation.

A variety of initiatives located in the Centre or processes in its methods of working were mentioned as being its most innovative features. The three most commonly mentioned by respondents were community involvement/engagement, co-location of all relevant agencies, and problem-solving. Each of these will be discussed separately, but it is imperative to note that they are inextricably linked together; however, the key is problem-solving.

The Centre was set up with a problem-solving brief and this has been its *raison d'être*. For offenders who are pleading guilty there is a meeting between all relevant agencies to try to organise a coherent and integrated response to problems; the package agreed is then taken to the judge and used in sentencing. Where members of the community who seek help with problems are concerned, again a response is formulated by utilising relevant agencies wherever possible. Problem-solving is, therefore, integral to community involvement in the Centre, but the ability to follow such an approach successfully is dependent upon a variety of agencies being readily available to discuss ideas and work together on a package.

In the court I think the problem-solving approach is very, very different. My experience of the courts is we've been very process-focused in the past and – yes – the outcome is important and you care for victims and witnesses, etc. but the offender's almost an observer to the whole thing. Whereas this court, I think, gets to grips with the problems and tries to make sure that they don't come back. Whereas my experience of the courts in the past was that, well that's neither here nor there, you know, we don't worry about how many times they come back; we just deal with them on this occasion. (01)

The Centre wouldn't just look at the offending pattern in isolation; it would look at some of the reasons behind it all, which is where we feed into Addaction, will feed in directly with the probation service, Citizen's Advice Bureau, help with a GP. (12)

Problem-solving was seen as a better way of dealing with offenders than the traditional court process, as a court sentence alone was not enough to reduce or stop offending; the offender's problems had to be dealt with if at all possible. But problem-solving lay behind everything that was done; if there was any problem that staff had to confront they tended to fall back on the problem-solving approach by immediately being able to talk face-to-face with members of other agencies located in the Centre. Similarly, in responding to problems that emerged from local residents, the presence of a number of agencies in the Centre meant that a solution could be pulled together much more quickly than before.

Problem-solving runs through the Centre. Everybody is always looking to resolve something, an issue, whether it be court-based or upstairs with the

resource team...we hold surgeries in community centres for people to come along if they don't want to come to court and talk about anti-social behaviour or drug dealing on the street corner and such. So we get a lot of problems that way. So we can bring them back and I can then use the agencies here to deal with that problem. So, for instance, right now in Berryman Road² there's three shopkeepers who are being bullied and assaulted by young people in that area, but they're not going to press charges because of fear. So I've got Victim Support to visit those shopkeepers and try to get them – which is very brave, I know, to come forward because otherwise it won't stop. (10)

Community involvement is, of course, a key part of the Community Justice Centre; indeed, the local community had a hand in choosing the judge. The community also had some input into the kind of crimes the Centre should focus upon (through the now defunct Community Reference Group, for example), as well as other issues that were of concern:

[The Centre] serves the community in the way the community wants. They will dictate really what sort of crimes they want the Judge to, I mean things like fly-tipping might be described as something petty but it matters if you live out there and the Judge will clamp down on things like that and anti-social behaviour. (09)

A considerable amount of work was carried out by Centre staff in going out into the community in order to find out what residents were worried about and what they might like to see the Centre do about it. Originally, there had been a specific Community Reference Group that met regularly to discuss issues, but this had recently been discontinued as attendance had declined. A Young People's Reference Group had also been tried but had not lasted long as 'we were just interrogating them' (01). Newsletters had been used to spread awareness of the Centre and its activities, but these too had now ceased. Centre staff, however, still spent a considerable amount of time and energy in attending community events, setting up activities such as mock sentencing exercises, going into schools and the

² Except for the four wards which make up the catchment area for the centre, wherever it is relevant street names and other identifiable characteristics in quotations have been anonymised.

like. And this was not just the role of the Community Engagement Team – staff from other agencies also were involved in such work.

We've got cage football with the kids who come in on a Tuesday night and I attend that as well. So the reason I started doing that is if kids come and they're like – oh, me mum's this and that – well, let your mum know we're from Victim Support if she needs us. So we're able to link in with the parents then....I also deal with the LGBT [lesbian, gay, bisexual, transgendered] community as well, just letting them know what the centre does and dealing with anyone who's been assaulted or any homophobic crime...and also with street workers. (03)

Sometimes I'll do community engagement for two weeks and I won't do the court, it depends. I tend not to do community engagement on my own as a Community Support Officer, I tend to link in with what other people are doing. So if X goes to schools and does mock sentencing, I'll go with her. So, I'll just assist basically, assist with events. We've just finished doing a programme on domestic violence in primary schools, a five week programme that we've been trained to do. We're doing a mentoring programme at the moment, it's called Soul Mates and it's the children from Lowell Academy who have got behavioural issues, emotional issues, we've linked into them and we're going to mentor a child for support and things like that. So I do stuff like that, anything really, if I'm out and about and anyone asks me to do anything, I'll do it. (14)

The third pillar of the Centre was the co-location of all key agencies. Partnership work has become an accepted – indeed desirable – method of working for criminal justice agencies during the past 20 years. But partly as a result of the criminal justice agencies usually being based in their separate organisations and buildings, which can easily lead to a blinkered approach to working, multi-agency work can be difficult to practice in the course of normal, everyday tasks. It is even more difficult to involve outside agencies, even though there is an increasing trend to use the expertise of voluntary and other statutory organisations in criminal justice work. Because all of the relevant criminal justice agencies were based in the centre – police, probation, prosecution, Youth Offending Team, sentencers – it was much

easier for them to work together. The presence of a number of other agencies in the Centre made each organisation far more aware of what the others did and meant that true multi-agency work was more likely than in the traditional court process they had previously worked in.

This is like a breath of fresh air. It really is. I mean the chance to work together with all the different agencies in the one building was unique anyway and that has such an advantage being able to get information you want there and then and feed that into the court process. It streamlines the court process. I mean we were stuck in the system and we just used to administer law in court. (02)

Co-location is a massive, massive issue that brings lots and lots of benefits. Having your court staff and your prosecutors and probation and youth offending service all in the same office, brings massive efficiency savings because it's just so much easier to communicate one-to-one than it is to find who your colleague is in the other agency and call them up. (01)

I mean downstairs you've got the five major criminal justice agencies and in the city in any other building they're all in different buildings so here we are all together. So, there's five different agencies but working as one team...the whole thing about losing paper is cut out because you're all working together. And I think the other thing, the over-riding thing is that the CPS learn a bit more about probation, probation learn a bit more about HMC and the different cultures, and I think that is extremely helpful in terms of the development of these agencies and how they fit into the Community Justice Centre. (11)

Most staff considered there had been little guidance when the Centre had been set up on how to develop multi-agency working; staff were very much left to develop this on their own and it had taken some time for all to settle down, but they now tended to view it as a natural and highly effective way of working. In practice, it is difficult to disentangle problem-solving, community involvement and co-location as the above quotes show, but while the latter two innovations could be done independently it is the problem-solving approach that binds them together and makes the Centre unique.

Respondents also mentioned various other innovations that were part of the Centre's operation. By far the most significant of these was the role of the judge. At the Centre the judge who had been appointed has a dual role: he sits as a District Judge and also as a Circuit Judge whenever necessary, which means that cases can be dealt with more speedily than normal. He does not preside over trials but essentially acts as a sentencer. But his sentencing takes account of the problem-solving process that operates prior to sentencing, and this too is perceived as a much more efficient way of proceeding. Further, while any courts can make use of the review procedure for suspended sentence orders (S.191 reviews) only those designated as Community Justice Courts can review a community order (S.178 reviews), and these are a vital aspect of sentencing in the CJC. The following somewhat lengthy quotation shows how the role of the judge is intimately linked to the three key innovations already discussed:

I said... I am a Crown Court judge, why don't we utilise that to try and get some work done here, which will cut down the paperwork, cut down the whole bureaucracy of the thing and take a bit of the pressure off my colleagues at the QEII. Particularly, with some of the stuff that we deal with which is not as big or as serious as a lot of the sentencing stuff and is more likely to result in, perhaps, a non-custodial sentence than the vast majority of the work down there.

So that's worked very well. It also has the huge advantage of dealing with local Crown Court cases locally, and that has played well with the public. And I think it's important they actually can see, and when they see it done quickly as well, that sends out a very, I think, a very positive and reinforcing message to them. So that and, of course, the principal core mechanism that is very different has been the whole problem-solving mechanism. Which has worked very well, has developed, has if you like metamorphosed almost from what it originally started as to what it is now, but the bringing in of all the agencies, both the ones who are based here and the ones who are not, if we need them, on the day to achieve a set of proposals, with the input of the Defence Bar as well, with the defence lawyers, that can enable me in the vast majority of cases actually to craft and to formulate and then to explain the sentence immediately.

So that you've not then got delays, particularly for the preparation of reports, three weeks, when actually the person on the day that he or she pleads is often most likely to be responsive to some form of disposal. Three weeks can go by, they can commit another offence, which could upset the whole thing, they might not turn up for their appointment, and then you are really back-peddling from the point you come into sentence. So that's been useful. And the final thing in terms of the court process is the whole process of the reviewing of sentence completion and compliance with the Section 178 Review process. Which I feel has really humanised the process for the defendants and has made us, or enabled us to go further than just the old question of punishment and, if you like, move on to real rehabilitation. (15)

The other innovations that were mentioned were specific initiatives that had been associated with the Centre from its beginnings, or had developed as a result of a perceived need or problem that required resolution. The regular pre-court meeting that took place before the court sat was considered to be invaluable by those involved (the judge was not involved in these meetings), but could not have taken place without co-location of agencies. It simply checked the list of cases that were coming up and ensured that all concerned had the relevant documentation:

...it's as basic as that, but you wouldn't believe in big city magistrates' courts I've quite often got only 70 per cent of the cases so there's problems when it comes to that. And then we go through individual cases and if we've got somebody who may not have lots of previous convictions but they've had four fixed penalty notices this year for Section 4 and Section 5 public orders, they'll offer a new charge if it's nasty section 4, and then I get the court's view from the clerk, from the legal adviser, have we considered CRASBO³, and that's when I get on to the Anti-Social Behaviour Unit to see if we can have a package put forward...The pre-court meeting does make a big difference because the number of times we think we're singing from the same hymn sheet list-wise when in fact I've got an extra matter that the court didn't know about or vice versa, and rather than it delaying anything we've ironed it out an hour before the actual court process...its brilliant practice. (07)

³ A CRASBO is an Anti-Social Behaviour Order made following conviction for a criminal offence.

The victim/witness support work that went on at the Centre had recently won at the 2009 National Justice Awards for its efforts. The worker involved went out and visited witnesses in order to discuss issues with them and to encourage them to turn up in court; indeed, if necessary 'we will go to the home on the day of the trial and pick them up and bring them to court, nowhere else does that' (03). The results of this work were impressive to the extent that it was claimed that victims' attendance at court had hit 100 per cent for several months recently in respect of domestic violence trials. This too, of course, has a positive impact upon speedy and efficient justice. The police worked closely with the victim/witness co-ordinator and were very keen on her efforts:

She will visit every single witness and every single complainant for every case that goes to court. We pay particular emphasis on domestic violence cases because if you don't inspire confidence in your witness or victim they don't report it...so she goes out and does visits and she works with our police team to do the visits...and this is unique. If you inspire your witnesses and give them confidence and they come, you have more effective trials. The more effective trials you have, the more likelihood you have of getting them guilty at the end of it. (12)

Finally, an example of a specific initiative that was developed in response to a particular problem is the DART (Dual Action Respect Team) programme. The idea originated from a visit to the Centre by a New York judge, but was adapted to fit with the Centre's role:

Where we started was from the very minor Section 5 Public Order Act offences – which are usually arguments between the police and young people which results in the young person getting aggressive, swearing, etc. and getting brought to court – the punishment in law for that is a conditional discharge. Now we're a problem-solving court and that doesn't solve the problem. It doesn't go away, no work's done with them or anything, so we decided to implement this DART programme. And we bring the YOT restorative justice worker in and one of the police officers (if we can we'll get the actual police officer that was involved in the incident), so we bring them together and we try to build up this respect for each other. Let the young

person understand why the police are doing what they consider inappropriate, moving them on, breaking them up, and also let the police know why the young person responds in such a way, and then try to find the middle ground. In our view that is actually working to solve the problem. And when they come back to court they can still have their conditional discharge or fine, but the work has been done and it's better than no work being done. (02)

Partnership

Partnership working was agreed to be a key aspect of the work of the Centre; according to one respondent it was 'pivotal' (15). The problem-solving approach that was the basis of the work of the Centre was reliant upon multi-agency working. It had been quite a big change for some agencies to work together in close physical proximity; the police and probation were mentioned as not being normal bedfellows for example. And it was even more challenging for some of the third sector agencies whose staff had never worked in a criminal justice environment. It had taken time for a positive partnership culture to develop, but it was agreed that having all of the key agencies at hand was hugely helpful to the work of the Centre. The benefits were many. First, it simply made everyone more aware of what other agencies actually did, how they worked, what their everyday problems were, how they related to other agencies:

In my previous roles in the courts area...you knew about, you dealt with probation officers, you dealt with the Youth Offending Team, but they weren't involved in the court, so they arrived at court, done their business and left. Now, because everything is on site I've got a greater knowledge and working relationship with these individual organisations; because they're on site you know exactly what they do, you know where to refer people to and it's speedier. (05)

It's an eye-opener because usually you're blinkered into your role and you're only...getting on with your type of job. You just don't get a look-in as to how police work, the logistics of how the police work, let alone the court and how

the YOT and probation and Addaction, how they all fit into the jigsaw and the judges as well. (07)

This greater level of awareness of the various agencies and what their roles were, led on to further benefits. The service provided by the Centre was far more speedy, efficient and productive as a result of the ready availability of the various agencies;

It makes the whole thing a lot more streamlined and not so bureaucratic, you know, with everything somehow in here. So it's a quite speedy system really. You know, if you need to know anything we've got police here, we can talk to them, and everyone talks to everyone else so I think it's got to be a good thing, really, inter-agency work. (09)

It does save a lot of time in respect that we've got other agencies we can link up to here, so when I do my assessments I can link in as opposed to putting it off for a pre-sentence report which takes two weeks, and means the young person coming back to court, so it's delaying sentence. (13)

It's very productive...if we take just the problem-solving agencies upstairs, that enables them to deal very efficiently with people – who are the majority – who have more than just one problem. So they might go to CAB [Citizens Advice Bureau] because they've got a debt issue but actually when CAB talks to them they've also got a housing problems and they might have an alcohol problem. And being able to say to them - okay, do you mind if I call in a colleague - is far far more efficient than saying - oh get the Yellow Pages out and let's see where you can go for that because I can only help you with this bit. (01)

Information sharing was at the heart of this more efficient way of working.

Respondents spoke regularly of how easy it was simply to turn to a colleague and ask for information, whereas in the past they had been used to having to telephone or e-mail individuals they did not know and then have to wait several days or even weeks for the request to be dealt with.

We can deal with things right away. It's not phone calls, it's not making appointments in four or five days. If you walk downstairs you go and talk face-to-face with the department, and I get a better working knowledge of

those aspects and it allows me then to operate and work more efficiently because if people are asking questions I've now got a better working knowledge. (05)

It's great because if, for instance, A picks up a housing issue from the judge but as they're talking they'll have debt problems so straight away you can get CAB on that. Maybe they've got a child or children who are causing anti-social behaviour, so then we can call on B. But they will all have similar notes on the person, even the Victim/Witness Support worker because she'll have known who's been assaulted, who's committed the offence. And so it's all linked in with information and they just share all the information. (10)

One of the plus things about being here is there is a lot of information sharing, so we can just go to the police if we want someone's up-to-date criminal record and things like that, and find out what people are up to...Whereas if you worked somewhere else it'd be very difficult because I think the police then maybe wouldn't want to share stuff with you quite as much. So I think it's the personal stuff that enables you to get hold of information. CPS the same. And Victim Support. (09)

As well as being helpful in dealing with offenders in speeding up the process and making it more efficient, the availability of other agencies also helped victims.

If I'm dealing with someone who's got housing issues, I can go to the housing person and say – this is the problem. He can come out with me and do a home visit with them as well. Probation, if they've been sentenced, especially DV [domestic violence] trials, if he's gone to prison they can let me know roughly when he's coming out, so we deal quite a lot with them. And also if they want restorative justice, the victim will say – we only wanted them to say sorry. Great, I'll go and get probation to speak to the victim...We work with the police, the CAB. (03)

Being physically present in the same building or the same room meant that it was much simpler to talk to someone face-to-face about information they might hold, rather than relying on telephone calls or e-mails and then having to wait for a response. It also meant that setting up arrangements for working together was much

simpler. And it was clear that as some initiatives developed, other agencies began to get involved. Cage football is perhaps the best example, and this was an initiative for young residents.

On Tuesday nights I do cage football here. Now that's on the back of going to a gun and knife crime meeting that I go to in Kirkdale, and that's identifying all the issues that go on in the area that relate to young people using weapons and so on. So we decided to do a cage football session, which is difficult because of the territorial area, kids not wanting to come into a court because the cameras are looking at them, and all those issues. But we've set that up now, we've got about 50 kids, sometimes 70, who come on a Tuesday night. Now the Fire Service are giving them diplomas, they're getting qualities like teamwork, communications and so on. We've also got Victim Support and Young Addaction who give out preventative messages to young people. (10)

The police spoke enthusiastically about working closely with various agencies: the YOT, Addaction, Victim/Witness Support, probation, housing associations, CAB. And these agencies in turn spoke positively of their working with the police. Sometimes partnership work was part of a planned and defined initiative, but just as often it seemed to be 'as and when' (08) as one of our respondents put it. A great deal of the work that was done in the community was carried out by staff from several agencies based in the Centre as well as organisations based in the community.

It should not be assumed that the amount of multi-agency working that went on at the Centre meant that there were no disagreements. Respondents recognised that while everyone might be seeking the same general aims, there could be arguments about how these might be achieved, but differences of opinion were accepted and understood.

Part of the business of the CPS is to secure convictions and probation are there to secure the fairest sentence and there are often conflicts in those two things...there are often clash points between those two particularly and some others. [While] you would never expect them to abandon what they're there for and ignore their agencies' priorities, you at least have an understanding of how it is, that's how it is at their end of the spectrum. So we have police

officers who favour community sentencing and will say – we had no idea, we've changed our minds. (01)

I don't agree with the approach that some of the other teams have. I genuinely don't. I mean, I see the work that the probation service do to keep people out of jail and you speak to them and you recognise they're under pressure from their bosses to reduce the intake into the prison population. And they often get ribbed for it here from the Prosecution Service. (12)

The other problem that was mentioned by several respondents about working in such close proximity to staff from other agencies was confidentiality. While information-sharing was a definite benefit, there were occasions when information could not be easily shared.

I know that you can't discuss cases all the time with everybody, you've got to be careful what you say, obviously there's things that I see on the systems that I can't divulge to other people. (14)

Confidentiality is a big problem for us, and it has been from the word go. But CABs have the tenet of free, impartial, non-judgemental, confidential advice. You're not even allowed to, if you see a client in the street you're not allowed to acknowledge them until they acknowledge you. And it's really strict, but there's no real confidentiality here. And this is something we debate probably once a month at least, what can we do? (08)

There's sometimes issues about confidentiality, for example J who used to be on the X team. Now the guy that does that now, he's fine, he'll always come down and say – I want some information on so and so, could you – and he accepts what information we can give. We did have a worker there who was totally like – can I go on your system? To use the information in, I thought, the wrong way, to look at other aspects, and I thought – no, I'm not giving that information out. But, like I say, that has been resolved because that worker has had to leave...I think most people from the statutory agencies do respect confidentiality, but you can see the difference in the non-statutory agencies...and sometimes people can make comments that are inappropriate. (13)

The relationship between the Centre and the local community

As has already been mentioned, one significant partnership was that between the Centre and the local community. The Centre's staff were all fully alive to the relationship between the two. The Centre is there to serve the community, it is for anyone in the community not just those who are caught up in the criminal justice process. As we noted earlier, residents had been involved in the appointment of the judge and put forward suggestions about where the Centre should be located, and Centre staff felt that community concerns were something that they had to respond to. For example, residents had made it clear that they were worried about the use of cannabis – particularly 'skunk' - as they considered it was harming their children, leading to the use of other drugs, encouraging drug dealers and the like. As a result, a special programme had been set up to try to tackle the issue. So the idea was to help resolve the residents' problems:

If a resident comes in with a problem we will try and solve it whatever it is.
(01)

And when they come to meetings, they give their input and we take that on board and we look to see how we can do it, how we can work together and change that. (10)

I know people in the area who I'll go and visit and have a cup of tea with and they might tell me about somebody else. They might say there's some lady down the road and she's getting persecuted by the kids, she's getting stones thrown at her and could you do us a favour and go and see her. And I'll go and knock and say – do you need any help, we've got these services at the Centre: we've got CAB, we've got housing and if you've got any issues I can give them information basically or I can ring up Age Concern or ring up whoever. (14)

All sorts of activities had been carried out in order to let the community know about the Centre and what it offered – open days, regular reference group meetings, leaflet drops, newsletters, school visits, sitting on housing association meetings, roadshows, arranging to have court sentences listed in the local newspaper. This felt a little like

a scattershot approach and it is unfortunate that such efforts had never been adequately evaluated with regard to their effectiveness. All were agreed that this was a major task and it was not something that had ever stopped; it was a process that continued as many residents had no need or desire to visit a court and therefore were still not aware of the Centre's existence and what it offered.

The first year in particular was very difficult and we still have things that are hard to do because we're engaging with a community who – I don't know the figures – but I imagine the majority of them couldn't care less if the court was here or not. So you can engage very well with...the people who use the court or are being affected by the offenders that we're dealing with. They're willing to get engaged but beyond that it's very, very difficult to even identify people and it's like how do you tap into those things? (01)

Although the people that come here know about it and appreciate it, although we've done leaflet drops, we're linked in with all the housing associations, with all the community places, I don't think the message has fully got across to the community. Probably because they don't really care, they're not interested, it doesn't affect them, it's not something they want to be involved with. As soon as they come here and find out what's here, they're astonished. (02)

...the general public are quite apathetic, as they are with most things really, and they would only be really interested in somewhere like this when they needed it. (09)

In fact, the Centre had not been welcomed into the area by everyone. There had been a feeling that by locating a court in the community it would attract more offenders to the area, that the Centre was responsible for the loss of the school and swimming baths where it had been located, and that those who worked for the Centre were not locals and therefore did not understand the community:

You'd sit in a meeting with some of the local residents and you were a foreigner, they didn't know you, and at one local meeting I was told I couldn't appreciate anything that happened in this area so I asked them why and it was because I was a posh bloke, I worked for the courts and I knew nothing about it. (05)

So the work to keep in close touch with the community continued. It was felt that all of it was paying off; a number of respondents spoke of getting very positive feedback from their community contacts. But again, this was anecdotal and there was no hard evidence to demonstrate that community confidence in the court specifically, and the criminal justice system more generally, had increased as a result of the work carried out by Centre staff. It was notable that several respondents claimed that those who lived close to the Centre were far more likely to be aware of it than those who lived a few miles away. It was thus possible to make a good case for the area covered by the Centre to be smaller, although the resource issues raised by such an idea were not addressed by the respondent:

People are far more aware of it in the immediate locality than they are in the other wards, Anfield and Everton. Personally I think it covers too big an area for the nature of the problems within the three wards, no it's four wards that covers. It probably needs to focus on just a smaller geographical area because the challenges I think are too great to actually cover, Anfield, Everton and Kirkdale I think those are the three of the most ten or twenty deprived wards in the country so you're not going to be able to change that overnight. If you were to just focus on a small area, just Kirkdale for example, or even Vauxhall which is a district in Liverpool which has been absorbed into Kirkdale by boundary changes, it might actually be able to make more of a difference because it is a more manageable area.

Certainly if you look at parts of Anfield which is two miles away, there's absolutely no association or affinity to Kirkdale so they may not be as aware of the CJC. You've also got a fairly ridiculous sort of, people are very territorial and there's a turf thing, even going back to sectarian days when Scotland Road was a boundary between the Irish Catholics on the one side and the Protestants on the other and people still do think like that, and you will get people on one side of Scotland Road won't want to mix with people on the other. So although it's called a Community Justice Centre there's no such thing as a community of north Liverpool. It's a collection of small communities.
(06)

Offenders were said to be more relaxed about coming into the Centre, they felt they were treated with some respect.

One said we're normally used to being treated like a piece of shit...whereas here we think we're respected, we're valued. (11)

To some extent this was a result of the consistency offered by having the same judge, as offenders got to recognise and know him, but a great deal of the reason for this was the way they were actually dealt with in court by him.

They see the judge as being very fair to them. Even when he's locking them up, which he tries not to but even when, this is the first court I've ever worked in where he's locked a young person up and the person's gone out and said – thank you judge. And that's because he's explained the reason why he's had to lock them up...he's courteous, he doesn't look down on them, he's courteous to the parents so most people have a lot of respect for the way this system works and we think it's successful. (02)

The judge knew the community and could bring this knowledge to bear in sentencing:

One of the things I was aware of straight away when I was in court is that it's blatantly apparent that the judge knows his community...he does know the issues and he does bring it on board in court. (07)

It was partly as a result of listening to community concerns that the Intensive Community Payback scheme had been formulated. Residents had felt that offenders sentenced to carry out unpaid work were rarely attending their placements and doing little work when they did. The Community Payback scheme that was organised was based around offenders working five days a week, and not only had this encouraged community confidence in the work of the Centre but it had also led to some of the offenders getting full-time employment.

Two concerns that were mentioned in relation to the Centre/community relationship were the location of the Centre and its entrance. It was felt that, if possible, it would have been better if the Centre had been located in the middle of the area it was meant to serve, rather than being based on the periphery. The entrance was considered to put residents off coming into the Centre as everyone used the same

entrance with its strict court security and individuals might not wish to be seen entering a court building.

At the end of the day you've got one public entrance and you've basically got a gang of yobs stood outside all smoking because they were in court. And I wouldn't come in to report anti-social behaviour if you had to walk past that or the fear of being seen. (06)

If you want to go and talk about CAB issues, you have to go into a court system where you get a security guard before you get to the door and you're going through a detector and you say – hang on, I'm only going to talk to CAB. So there might be an issue over accessibility. (04)

Community engagement was the bedrock of the Centre but it remains somewhat nebulous and intangible and difficult to measure. Perhaps one sign that the Centre was accepted by the community was the fact that, according to one respondent, the Centre buildings had never been vandalised or subjected to graffiti since it had opened.

Interestingly, in relation to the specific issue of relationships between the Centre and the local criminal justice agencies, respondents spoke of resentment towards or jealousy of the Centre, as it was seen (in their view mistakenly) as very-well resourced – indeed rather opulent – compared to them. This had implications for the level of interest in the Centre which tended to be greater on the national and international level than locally:

It's interesting to me that when I go and speak, for example, at international events, there is greater understanding and appreciation of this Centre than there is 20 miles up the road. And I think that's sad. But a lot of it's to do with this perception that, well it's worked because money has been thrown at it. And that, I think, is a real travesty and I feel very sorry for the people who work here with such enthusiasm that that charge is sometimes laid and nobody's given the opportunity properly to rebut it. (15)

While the primary audience for the Centre is the local area where it is sited, it should not be forgotten that it also plays to a national audience, given its significance as a unique model for how community justice might be delivered.

The role of the Judge

We have already noted the unique position of the Judge in the Centre, being able to sit as a District Judge as well as a Crown Court Judge. This gives a great deal of flexibility to what he can do in terms of sentencing. But perhaps just as important is the fact that he is the sole Judge who sits in the Centre, so that he is associated with the Centre in a way that no other Crown Court or District Judges are associated with the court or courts where they sit. It is difficult to dissociate the Centre from Judge David Fletcher and this has considerable advantages, but also some drawbacks.

Respondents regularly used terms such as unique, the figurehead, the kingpin to describe his role and they acknowledged his work in building up the Centre, in getting to know the community, in his willingness to attend meetings in the evenings, his media work. While all of this had helped the Centre to become well-established, it was acknowledged that his success might be a 'a double-edged sword...He was the right man for the job here, and he's led the place, inspired the place, very, very effectively. Perhaps too effectively some might say' (11). The problem here was that if only a very special kind of individual could lead a Community Justice Centre, then the possibility of rolling out the model widely was remote.

Judge Fletcher's personal attributes were clearly part of his success. He was regularly praised for being approachable to all, for taking the time to chat to people and find out about their families, their interests, as well as their work at the Centre. He had taken the time to get to know the local area, and this had benefits when it came to dealing with offenders.

He knows them [local offenders], he's up there with it, you know, he knows all what goes on in the streets, all what goes on in the area, in the community.
(10)

I think the judge has made a particular effort to get to know the area. So, when addresses are coming up, for example, a bail address might be 36 Whitman Street, well he will know immediately, because he knows the area well – better than some scousers believe it or not – he will say I know that street and every other house is derelict so are you actually saying that you do

live in 36? And they get a bit jittery then... so I think it gives him some sort of street cred...they can't blag him. (11)

Many respondents noted that the presence of a single judge gave continuity and consistency to his work, and this too had advantages when dealing with offenders.

Having a single judge is very important; it means that you've got continuity all the way through. I worked in Liverpool Magistrates' Court and they had such a big Youth Court Panel that young people could come before the court ten, twelve times and never see the same magistrate. They got quite wise to that so they could tell a different story every time, which they can't do here because the judge does get to know them, I guess know them personally. (02)

It's the same judge so he knows them, he knows the background, he knows the family. I've been in court where the judge had got a defendant in the dock and if the parents are at the back he'll talk to them. (03)

It comes back to this constancy again, because if you've got the same judge who's seen that same face and dealt with him and seen how he's reacted, then he's got far more measure of the man to deal with him again in the future. (07)

It's the consistent approach to engagement and enforcement and education that makes a difference, definitely. (12)

Continuity meant that offenders were dealt with more consistently. When a sentence review was carried out, it was considered to be invaluable that the offender was seen regularly by the same person who had sentenced him and told him that his progress would be assessed regularly. When it came to committing an individual for sentence from a summary hearing to the Crown Court, the sentencing decision was made by the same person who had made the decision to commit for sentence and who, therefore, was aware of all the details of the case.

And, as we have already mentioned, it was felt that offenders saw the judge as fair.

Their experience of being here is so different than the magistrates; and when they see the judge, who will tell them straight and quite sternly because he's not going to have any cheek or messing, but he's fair...It's not just that going

to court, out the door with your fine and you'll get a smack off your mum and your community payback with some stranger who couldn't give a toss about you really. It's more engaged, it's more personal. (10)

The impersonal, isolated nature of most Crown Court work was very different from how the Centre operated.

If you go into a 22 court Crown Court and you are one of the judges who does as you're told by a Listings Officer...the role here is very different. The role here is much more – let's discuss with the judge first of all what we're going to do – even though there's a Centre manager. There's much more linkage here and contact with other members of staff than there ever is when I, for example, go and sit in the Crown Court where I have very nice chambers and I sit in splendid isolation. I see my colleagues at lunchtime, I see the usher and my clerk through the day and that's it. The other people you only see that they are in the well of the court and you're on the bench. Whereas here, there's a policy whereby if my door's open, then people know that they can knock and I'll have a chat with them and that has worked very, very well, so you get a great deal of exchange. You've just got to be careful of your independence and that's something you're always vigilant about and I would never do anything to compromise that. (15)

Staff were alive to the question about how far what they saw as the success of the Centre could be replicated elsewhere or whether it could be continued in North Liverpool if the judge left. On the whole, they tended to agree that while Judge Fletcher might be unique, the Centre model could survive without him.

It would look different if it was someone else...It's often said of the Centre that it couldn't exist without Judge Fletcher. And I think that's not strictly true because someone else could have worked with those core principles and it would have looked different but it wouldn't have been miles apart. His personality and his leadership qualities take us a long, long way and he's key to it and it would be very different if he went, but I don't think it is totally dependent on him. I think he adds massive amounts of value and has very much flavoured the way it is at the moment, but I don't think it's the case

where if you hadn't got Judge Fletcher it wouldn't exist. It would be different but it would still be here. (01)

I don't think our judge ever wants to leave here but invariably he will leave and I have to say he has been the kingpin of the place, but I think that could be, any judge could come in and do it. It's the consistency, the continuity that we need, as well as the approach that our judge has and we can get that off other judges. (02)

The difficulty was – as several respondents pointed out – that the kind of selection criteria that operated in the appointment of judges tended to make it hard to see where those who might work effectively in the Community Justice Centre context would come from.

Summing up the Centre

From much of the foregoing, it should be becoming obvious what staff considered to be the good points about the Centre. Perhaps the biggest advantage was simply that all five of the relevant criminal justice agencies were located in the same building. This had many beneficial consequences: it meant that working together in partnership became the norm and this facilitated information-sharing, thereby making the court process more efficient with fewer delays; it meant that the various agencies became more understanding of how each other worked, and such wider awareness also helped to make work more efficient. And this was not just the case for the criminal justice agencies; the voluntary and other agencies that worked in the Centre also appreciated the advantages of co-location. All staff were embedded in a complex web of relationships with agencies other than their own and while there could be occasional problems (confidentiality, for example), the advantages massively outweighed these.

The Centre's location in the community that it served was also seen as a particular advantage. This meant that those based at the Centre had more local knowledge than their colleagues based elsewhere:

It's better in that respect that you're actually within your area so you're seeing around you what's going on more, you're not as detached as you would be if I was in an office in the south end of the city. (06)

It meant that the Centre was much better placed to address local issues more effectively than the previous court system, as it was more aware of such issues. Children not attending school was one example and the Centre held an education court and used staff from Barnardo's (who were not based in the Centre) to work with the families affected. The Intensive Community Payback scheme that operated in the area had originated from a coming-together of community and judicial concerns.

Staff also spoke of the relative freedom they had to try out new ideas; no-one was afraid to voice suggestions as they would be discussed seriously rather than dismissed as impracticable. And staff appreciated working in the Centre: many talked about how they enjoyed working there, it was a 'happy family' (03), it was 'like a breath of fresh air' (02), it was 'exciting' (11).

The general atmosphere is very conducive to work, but it's very happy and pleasant to work in, that's the one striking thing. (07)

Despite (or perhaps because of) the feeling of staff that originally all of the agencies had simply been dumped together in the same building and left to get on with it, there was a sense of teamwork and unity about the centre.

When it came to bad points about the Centre and how it might be improved, it should be emphasised that most respondents found it difficult to come up with many and those they did mention tended not to be directly related to failings in the Centre itself.

Several respondents were anxious about the future of the Centre and wanted some reassurance about its long-term future. They felt that a great deal had been achieved, that a lot more needed to be done, but that there were questions about whether the Centre would survive in its present form. They had understood that the Centre model would be rolled out nationally, but so far they had seen little evidence of this. The main reason for worries about the future was the alleged cost of the Centre, which was seen by outsiders as very high:

We are perceived as the rich relations. This roof, for example, you're sitting on a carpet, the court. I mean my own view is, I think whatever neck of the business you're working in you need decent facilities and...I don't see why people have got to operate in crap conditions. But, of course, a lot of the agencies that work here, their parent organisations are not as well blessed as this, so there is that sort of perception. (11)

This perception ignored the costs associated with other local developments such as the new Youth Court:

They built the Youth Court down the road in City Square there and, I don't know, it costs millions but that is not flagged up every time they mention it...and they don't factor in that all this work would be done elsewhere and paid for by the parent organisation or the current existing system. (11)

I mean nobody said it was too expensive when the Crown Court was converted locally into a Youth Court, and I don't know the figures but I know that it was well in excess of £6 million to do that and they're sitting four days a week...This [the Centre] has been a whole new set-up for a fraction of that sort of price. (15)

The claims that the Centre was too expensive also ignored the complex funding arrangements that were in place, so that it was the Centre that paid for its police and CPS staff, for example, whereas a strong argument could be made that the relevant agency should pay, and such a shift in funding would lead to decreased costs for the Centre. Cost was claimed by several as the main reason for not rolling out the Centre model, yet they also noted that a full costing exercise had never been carried out.

Another misperception that needed to be corrected was that the Centre only dealt with low-level crime (and this argument linked in with the claims about its cost).

One of the biggest bugbears I've got is this phrase about low-level crime. Crap. Low-level crime is because to Merseyside police it's relatively low on the important scale of things, because there are murderers, there are drug dealers, there are rapists going out on the street and... we must get them. But to say to somebody who has suffered from criminal damage for the fourth

time in 12 months, when kids have been banging a ball against a window this is low-level crime, that's crap because that's the most important thing that they've got. (12)

Another perceived failing was the lack of local research and statistics that could be used to monitor and evaluate the effectiveness of the Centre. Staff admitted that without any real baseline data they would find it difficult to claim effectiveness, but they had been given no advice about how to set up even adequate monitoring systems. They were convinced of the Centre's effectiveness (and they talked of improvements in community confidence, of reductions in local crime, of more efficient trials, for example) but also painfully aware of the lack of research evidence to back up such claims. In relation to this, it was noticeable that while some respondents claimed that community use of the centre was increasing (see Charts 4 and 5 above), others felt that it was decreasing and that there was still a good deal of community apathy about the existence of and services offered by the Centre.

More specific ideas about improving the Centre included:

- A separate entrance for local residents who wished to use the community services of the Centre
- The Centre to be located more centrally in its catchment area
- Staff from the benefits agency to be located in the centre
- The ability to offer a rehabilitation service for drug users
- Setting up a half-way house for those released from prison
- Developing more work with schools
- Having a Community Psychiatry Nurse based at the Centre
- Carrying out Youth Court trials

So while there were various suggestions about how the Centre might be even better, these tended to be more about taking it forward, developing it further, rather than fundamental criticisms of it that required action.

Chapter 4 Effectiveness

In this chapter we examine how effective the different stakeholders of the Community Justice Centre view it to be. In themed sections, the chapter will in turn cover the views and contributions of members of staff based at the Centre, a sample of defendants who have passed through the court, and local people who have had various levels of engagement with the Centre since its creation. As the discussion will demonstrate, effectiveness is one of the most contentious yet frustratingly elusive questions that surround the operation of the Centre. For those who work at the Centre there is a pervasive sense of anxiety surrounding discussions of effectiveness and impact, that is fuelled by the belief that no appropriate tools or recording techniques are currently used to capture the results of Centre activities. For those outside the Centre, whether local residents or offenders, effectiveness is measured very differently and often in the absence of any clear sense of what qualifies as outcomes. The chapter examines the views of these three groups (Centre staff, local residents and offenders) separately.

Centre Staff

In Chapter 1 the seven principles of community justice as outlined in the Green Paper *Engaging Communities in Criminal Justice* (Ministry of Justice et al., 2009) were mapped out. Given that these objectives are the closest the Centre has to a set of guidelines to govern its operation, we begin this chapter by taking each in turn to examine how effective the Centre's staff group believe they have been in satisfying their demands. Though the chapter will employ more organically emergent themes when exploring contributions of the offenders and members of the community who were interviewed as part of the research, the seven defined objectives of community justice help sharpen the focus of the reflections offered by Centre staff into the Centre's working and operation.

Objective Number 1 - *courts connecting to the community; there should be significant liaison between the courts and the local community so that the community is able to put forward its views, and the court has a view of the wider context of the crime*

How and why the Centre needs to connect with the public it is charged with serving remains one of the most complex and enduring concerns for its staff. The vast majority of staff respondents were aware of the on-going efforts to engage the community with these respondents speaking very highly of the mock sentencing events, open days, and outreach projects they had either participated in or were familiar with. But for all this optimism, how consistently and how effectively the 'community' was contributing to the workings of the Centre provided a constant source of uncertainty:

On the community engagement thing I think it's [the Centre] been very, very effective, how you evaluate that's the issue...we were never given any baseline assessments when we started five years ago and that has rumbled on really. I don't know what the level of confidence was in the area 5½ years ago I don't know what the reoffending was 5½ years ago and of course that is one of the issues that we face on a regular basis when people say well, you know, prove your effectiveness. (11)

As the above quote captures, there is frustration that the Centre has been unable to present hard data to support what the majority of the staff firmly believe has been the sustained series of positive contributions the Centre has made to the community. The comment also lays bare how conscious staff are of the perceived benchmarks of success for the Centre model and the explicit need to engage with local people. Against this backdrop concerted efforts have been made to interact with local communities, an experience that has been challenging and often pursued without a very clear sense of what was hoped to be achieved:

Partnership with agencies is one thing and then you've got to have a sort of looser partnership with the whole of the community by going out to the community groups and speaking to them, having them in, listening to them...the response may be sorry we can't do anything, but responding nevertheless, that's important, so they feel this is a first point of contact for them in the event they have got real queries about the criminal justice process and they can come here and ask us about it. (15)

...prior to my professional involvement in criminal justice I don't think I spent any evening going to a mock sentencing why would you when you've got

other priorities, what we try and do, we try and piggy-back on to events offering some of the youth activities or there's free fairs or the giveaway stuff and you get people in, we try and do something off the back of that to try and broaden it out a bit, to try and get information out. (10)

Staff were convinced that those local residents who engaged with the Centre and particularly those who observed or took part in the mock sentencing exercises felt much more positive about it than they had previously. Having the opportunity to listen to the Judge's sentencing options and the rationale he gave for sentences in the exercises helped broaden people's horizons in general and assisted them in understanding why what seemed like unexpected punishments were utilised. But how members of the local community arrive at the point of showing curiosity in the Centre's workings and where this interest and support for it should now lead is, as the above quotes capture, perplexing. The now redundant Community Reference Group was often cited as a working practice that at least appeared to offer some structure, in that it was a mechanism that local people could identify with and access if they wished to raise issues. The fact that the Judge engaged with the Group and discussed their issues meant at the very least that the community had been heard and was seen to have an input into the Centre's working.

In the continued absence of the Community Reference Group there were suggestions from some respondents that rather than attempt to raise and sustain the profile of the Centre at the level of the wider community, certain populations of residents - often those most marginalised by the criminal justice system - should instead be targeted. The argument followed that while it was good to receive positive feedback from those who voluntarily gave up their time to attend open days and mock sentencing events at the Centre, these very often were not the kind of people who needed to be convinced that the Centre's approach was worthwhile. By taking on and proactively addressing the issues of those who have been more cynical or suspicious about what it did, there was a feeling that much of the idle criticism levelled at the Centre would be dismissed and its credibility enhanced.

Highlighting the need for further re-assessment of the Centre's ability to engage with the public it serves, there was a strong feeling that more needed to be done to

access communities beyond Kirkdale and the area immediately surrounding the Centre:

We can't lose sight of the fact the Centre services four wards and I just don't think you'd get the same levels of awareness in Anfield as you would half a mile from here. It's bad enough that we're on the fringes of this community here but we're literally miles from the other wards and I wonder if more needs to be done to systematically consult them and promote this place, I don't doubt it's hard and I know the community team here are certainly committed to what they're doing but we must remember the reach of this place. (06)

It would seem that in terms of establishing mechanisms to engage local people, what is needed is a clear rationale for why and how outside interests can be involved. Raising confidence in the work of the Centre is one thing, seeking the community's active participation in helping establish crime problems/concerns is quite another and the majority of respondents felt that for this to operate effectively and transparently consideration needed to be given to establishing more clearly defined structures of communication. There was complete confidence and faith in Judge Fletcher's appreciation of the wider context of criminal activity and in the individual efforts he made to engage with members of the community. However it was felt that other representatives from the Centre could involve themselves more with the community, and that the other judges who stood in for Judge Fletcher when he was absent might also benefit from purposeful engagement with local people. Despite the many efforts that had gone into building community engagement strategies since the Centre had opened, it would appear that this initial principle of community justice is difficult to realise and even more difficult to demonstrate its effectiveness.

Objective Number 2 - *justice is seen to be done; better information about the criminal justice services so that local people have an opportunity to put forward their views on the way offending is tackled. Compliance with the court's orders or other penalties should be seen and recognised by the community*

The discussion of Objective 1 covered extensive ground about how workers based at the Centre thought they might better be able to engage with members of the community to encourage participation in the Centre's working. In determining how effective the Centre has been in presenting its work and raising awareness of its

performance, the key challenge for many is once again how to build robust communication channels with local audiences to get messages across. Within that, two key themes emerged: the need for reliable statistical data to judge performance, and enhanced mediums of communication to get the data and other largely positive messages across to local people.

It was a source of great regret for many of the employees of the Centre, particularly those who had been involved with it since its formation, that no simple, accessible and workable source of data had been developed. Not only was it believed that such information would help buttress the Centre against criticism of its performance – it was a matter of faith that statistics would bear out the pervasive belief that the Centre was impacting positively on reoffending rates - but that it could be used positively to promote the work of the Centre and to allow for closer monitoring of performance:

I think it would be great if there was something in place, because I think reoffending probably has gone down and it would be nice to show that, especially when questions are being asked it'd be nice to have that information...if something was in place from day one that would have shown everything...you could give out to people I think that would be something that could have been changed from the beginning. (14)

Data sources do exist and the Ministry of Justice provided 'Community Justice Programme - Performance Management Matrix' does indeed provide a viable and workable framework to record the impact of the Centre. The problem however is that there is a common belief amongst Centre staff that there is not the level of expertise to interpret these figures. In fairness to the Centre staff, some of the original and ambitious measures the Matrix looks to record – listed below – are either collected centrally (in which case Centre staff are unaware of them) or not at all:

- rate of re-offending for those adults sentenced by court
- fear of crime in local area
- confidence in ability of criminal justice system to reduce crime
- confidence in ability of Community Justice Centre to reduce crime

- awareness of Community Justice Centre
- per cent of residents using Community Justice Centre facilities
- number of incidents of anti-social behaviour recorded in the designated area

Though well intentioned ad hoc measures have been initiated from within the staff group to develop recording tools (such as developing databases that record offenders' engagement with the review court, and an attempt to back-track through court records to generate more detail on the profiles of people passing through the Centre), many believed more needed to be done to make data gathering and presentation more robust in order that the Centre can more effectively deliver on its responsibility to meet the demands of justice seen, justice done. With data provided for the above variables on a regular basis, the desire to more completely understand and interpret the Centre's impact would be possible:

Operationally, and we've begged for it from day one, and perhaps you would have got a more intelligent interview from me if we'd have had an analyst or a researcher or statistician that was actually pulling together all this information from day one...we've relied on the different agencies to provide their own stats; some can, some can't, some won't...it's the analysis of them, interpreting it and making sense of it and putting into a fashion that the media and the politicians understand. (11)

In the absence of reliable and credible data, the majority of the staff then recognised, in our second theme, the need to more meaningfully promote good practice and build confidence in the Centre locally. In what is one of the most pervasive features of the research there was a strong belief that the Centre is working and is effective in terms of making a difference in people's lives, reducing reoffending rates, and being capable of responding to local concerns. There was a pride in the work and creativity of colleagues at the Centre and there was a real sense that more needed to be done to celebrate and promote these efforts:

There is a need to get the message across more purposefully...people on the street need to understand that people are being dealt with, yes they may see

Johnny from down the road out and about two days after he's been here but that doesn't mean nothing's happened to him, we need to communicate more effectively to people what we can do here and what we do do here so they understand and have confidence in us to make change, yes statistics and charts will help that but it's really speaking to people that you make a difference and we know we can make a difference. (05)

In light of the perceived constant pressure to evidence effectiveness and continued innovation, there was a firm belief that too often the Centre undersells itself and does not do enough to promote its efforts coherently, either through the local media or more importantly through its own promotional materials and the website in particular.

Promotion is key but promotion of the centre is also very poor, the website hasn't been updated and that looks bad...in the name of building confidence it is essential to get the messages out there that things are happening and can work, justice seen justice done also trotted out, educating people is the key to tackling ignorance of the soft option perception. (12)

The sense of disappointment and disillusionment at the state of the website and the ending of circulating newsletters - where it is difficult to point to the cause, although funding seems to hold the key - often turned to a real sense of frustration that the Centre was not more bullish in promoting itself. Citing the original and unique practices that define the workings of the Centre – in particular the power of the Judge, the ability to execute warrants on the day they are issued, the close partnership working, the problem-solving approach, the attendance rate of particularly vulnerable victims/witnesses, the high guilty plea rates, the speed of court processes, and the perceived offender experience – there were calls to be far more forceful in hammering home the positive impact of the Centre. The absence of data, the long drawn out closure of the website and the failure to circulate success stories made many fear that the Centre looked like it was underperforming and was in some way avoiding scrutiny. Having been successful in 'winning over' (07) those that have had close involvement with the Centre, the firm belief is that the Centre is effective but that the ways of communicating these messages need to be strengthened and made more robust.

Objective Number 3 - cases handled robustly and speedily; harnessing the combined potential of a range of agencies working together, meaning increased speed and ensuring offenders begin sentences promptly

Obviously not all staff members of the Centre have direct involvement in the court process, but among those that do there was confidence that the operation of the court is highly effective, fair, and efficient. All court-related staff, without exception, were quick to praise the professionalism and dedication of Judge Fletcher for managing a well run court and in ensuring meticulous planning was invested into the processing of each case – ‘they’ve (defendants) also got the benefit of a better justice system here because of the Judge’ (13). With all respondents having varying degrees of experience in other mainstream courts, it was acknowledged that the approach of the court was much more innovative, balanced and holistic in its approach:

My experience of the courts is we’ve been very process focused in the past and, yes, the outcome is important and you care for victims and witnesses etc, but the offender’s almost an observer to the whole thing, whereas this court I think gets to grips with the problems, and tries to make sure that they don’t come back...so we’re very much focused on changing people’s behaviour here, and that’s one of the real success factors. (01)

It was recognised that key to the delivery of this comprehensive approach to court working was close and productive interaction between court staff pulling together as a single team. Commentary on partnership working, of course, runs throughout the report, but with specific reference to the handling of cases, key junctures were identified where negotiation and industry have acted to speed up and bolster the delivery of justice:

- (i) In ensuring that the Judge gets information from the police upfront to enable him to view the evidence, form a view and enter into a proper discussion with the advocates helps ‘cut away any of the chaff and get to the heart of the matter so that you weren’t being asked for unnecessary adjournments’ (15);
- (ii) The daily, on-site, multi-agency pre-court meetings mean staff can use the ‘CPS advance disclosure package where they’ve admitted the offence then

we can look straight away where they're going' (02) allowing the system to run smoothly through the court;

- (iii) The use of on-site police officers to execute warrants on the day they are issued and to identify, collect and present witnesses as soon as court staff can identify any absentees – 'co-location is a utopia and allows proactive policing to flourish' (12);
- (iv) Close team working through the victim and witness care coordinator and the police has improved the court process, its smoothness and made it much more robust – 'we will go to the home (of the domestic violence victim) on the day of the trial as well as pick them up and bring them to court, nowhere else does that' (03). Not only have these efforts resulted in 100 per cent attendance for domestic violence clients, but the partnership has achieved national recognition (see previous chapter);
- (v) There was a pervasive sense that not only were offenders treated 'with absolute courtesy, respect and dignity [with] full explanation of what is going on, [but] there's a professional, judicial relationship happening' (11). This quote referred to the Centre's use of section 178 reviews, another positive intervention it was believed helped promote problem-solving strategies while at the same time enhancing the robustness of the court.
- (vi) The presence of multi-agency support workers on site means that problem-solving meetings can be called quickly after cases have been adjourned and ensures the exchange of information is consistent and thorough – 'there's no rushing around chasing people up on the phone for days, it's instant and is one of the Centre's great efficiencies' (07). It is also possible for community resource staff to be called upon quickly if it is felt they may help individuals presenting at the review court sessions.

All of the above combine to make the court staff of the Centre feel confident that they offered a fast, efficient, and robust service. There is a sense of pride in the original and innovative measures of getting cases moved in house from magistrates' to Crown Court (that cannot be done elsewhere), the collective emphasis on problem-solving, and the proactive way dependants, witnesses and victims are engaged

within the criminal justice system. Confidence in the process is reinforced by those who drew out contrasts between their experiences at the Centre compared to other courts, which were perceived as much less fluid and dynamic.

Objective Number 4 - *strong independent judiciary; enabling the judiciary to lead the problem solving approach and maintain oversight over offenders' progress after sentence*

The previous chapter and the discussion of Objective 3 offer detailed critical commentary on the staff group's perception of the Judge and his role as the 'driving force behind the Centre with passion and enthusiasm for community justice' (12). For this reason our discussion here need only bullet point the key arguments used by respondents to support their belief that the Judge is highly effective in providing strong judicial leadership that is fair, independent and committed to the delivery of the Centre's problem-solving ethos:

- his role in promoting and standing firmly behind the problem-solving ethos of the Centre and innovatively using his powers to deliver tailored responses to tackle the underlying causes of offending behaviour, whether through the problem-solving mechanisms, interaction with defendants, or the types of sentences used;
- his long-term and continued commitment to the Centre that both ensures a consistency of provision within the court and lends gravitas to the efforts to engage the community through his involvement in mock sentencing exercises;
- his ability to communicate and productively engage with all actors within the operational processes of the Centre from the offenders, witnesses, victims and legal and administrative staff of the court to other staff of the Centre and beyond that to the wider community and networks of local and national criminal justice agencies;
- his ability to sit as a District Judge as well as a Crown Court Judge, offering both something unique to the Community Justice Centre (that in itself is to be celebrated) and helping to speed up judicial processes;

- the fact that he had (to a certain degree) been appointed by, and consistently demonstrated he was serving, local people, keeping the demands of community justice in clear focus.

It should also be noted that the majority of the staff were also very quick to praise the efforts of the district judges who stood in for Judge Fletcher when he was absent, with Judge Chatelier receiving special mention. Acknowledging that it could take the stand-in judges 'time to adapt to what is a startlingly different environment' (07) there was a firm conviction that overtime they had 'bought into the CJC's approach and embraced the approach we have to problem-solving' (11).

Objective Number 5 - *solving problems and findings solutions; making use of a range of available service providers to tackle the underlying causes of offending. Problem solving can operate both at the community level – tackling safety concerns raised by local people – and also when dealing with individual offenders*

In assessing how effectively the Centre was engaging in problem solving approaches and generating innovative solutions to emergent issues, responses can be grouped around two core themes. In the first instance, and a view shared by the vast majority, was the wholehearted belief that the Centre's approach was defined by its investment in problem-solving strategies. Very much feeding off the Judge's vision of community justice, there was a pervasive belief that the emphasis on problem-solving served as the catalyst for processes of innovation and underpinned the multi-agency partnership working that governs the operation of the Centre (although it must be acknowledged that partnership working and problem-solving were, to a considerable extent, mutually interdependent). There was confidence that the collective powers of the Centre were mobilised to offer a thorough and comprehensive service:

Oh yeah, everyone loves the philosophy of here...this problem-solving approach...to work you do need all the agencies together as well, and that's what we've got and we all work very closely together, there's no antagonism to any particular agency where as in the past there has been...we work so

closely together, we cooperate with each other, we provide each other with information, which is used by all parties for this problem-solving approach (02)

The second emergent theme (and many respondents aired the two alongside one another) while still largely positive was a little more cautious in its tone. Echoing sentiments expressed in reflecting upon community engagement, there was a feeling that the Centre could do a little more (or at least be seen to do a little more) to impact upon community-wide problems. Once again there was a collective confidence that the in-house work of the Centre was worthy, valid, and having a positive impact on those whom it encountered. The challenge was seen as translating this effectiveness and the messages caught up within it to a broader audience of people in the local area who were not as involved in ongoing dialogue about the Centre as some felt they should be:

The CJC is in a difficult position, it knows what local problems are because it encounters them on a regular basis with offenders drawn from the locality, working with those individuals on a one-to-one, issue-by-issue basis is tackling local problems but you wouldn't necessarily say it's a community-wide strategy, for that to happen you need mechanisms in place that allow local people to get their points across and I just don't know if they exist (16)

The vast majority of respondents claimed that the Judge maintained communication channels with members of the local community and they were also able to point to key issues that the 'community' had raised for the Centre's attention (the need to tackle the extensive smoking of skunk by local young people was mentioned by half the participants). However there was a feeling that for the problem-solving efforts of the Centre to move to a truly community-wide level, the mechanisms for interaction needed to be more transparent. Not only would this raise the profile of such efforts amongst the staff group and encourage workers from all parts of the Centre to get involved, but more importantly it was felt it would help to demonstrate to the community that pathways were in place for them to feed into the decision/policy making processes.

Following on from these observations, was the belief that if more people were made aware of the Centre's innovative practices and willingness to try things differently, greater trust would be secured. Again revisiting issues raised earlier in looking at the

Centre's engagement with the local community, there was a feeling that through education and dialogue not only could spaces be fashioned for participation but there would be greater acknowledgement of what the Centre could contribute to the well-being of the area:

I've been in criminal justice work for over 20 years and it's been about enforcement and punishment for me...I never thought I'd be involved in projects like DART, or that I'd be an expert in diversionary measures from custody but working here has completely changed my perspective...the community justice idea and restorative justice principles have worked on me and if we spread this message I can see more people getting sold on it to and understanding that it's not about soft or cheap options but about helping individuals and the wider community. (17)

In sum, then, there was a clear belief that the Centre fulfilled its objectives to focus on individual centred problem-solving. As is clear from contributions throughout the report, there is strong evidence of multi-agency, purposeful partnership working and very often it is the problem-solving operations that are seen to galvanise the different agencies based at the Centre. The 'utopia' (12) of co-location ensures that these relationships and the innovative problem-solving approaches they generate are constantly developed and refined. For some members of the staff group there was a feeling that the Centre was somehow missing a trick and underselling itself by failing to promote its efforts to be creative in its working practices, and by not setting out route-ways for community input into the workings of the court more clearly. While there was recognition that Community Reference Groups had tried and ultimately folded in the past through tepid community participation, it was felt by a significant number that the tools for communication should remain in place and be publicised.

Objective Number 6 - *working together; a team approach to decision making and dealing with offenders. Ensuring that a range of agencies, necessary for problem solving, are available to the court, delivering an end-to-end service to offenders, victims and the community*

At all levels of its operation there are clear and explicit examples of the different agencies and bodies based in the Centre working together in the delivery of services. All respondents, to varying degrees, commented upon how they had benefitted from

the team working ethos and had built relationships with partners to enhance the effectiveness of their performance.

Co-location obviously makes it easier for different agencies to pull together, but what it also does it makes you understand where you fit in the process and makes you think less about the simple outcomes of your input which is what usually happens, and gets you to think about the longer-term impact you're having, it's very empowering to see our work here that way. (01)

I've had people from our head office come down and they spent an afternoon with me to see what I done and how I worked and they were amazed...they can't believe the relationship I've got with the agencies here and if we need an answer you ask someone in the office from other agencies we don't hold anything so I just ask X and if they're not in the office or working somewhere else that day I call them and get an answer straight away and people are amazed the information we can find out right away instead of waiting weeks or leaving a message, we don't get that, so it's sorted there and then. (03)

As has been seen at different points throughout the previous chapter, Centre staff were able to identify a number of specific projects to back up their conviction that multi-agency working function effectively at the Centre. To pick one, we can revisit the oft-cited work of the victim and witness support coordinator who works closely with the police and on many occasions with the judge and probation to improve victim and witness engagement and attendance rates. The results of this example of partnership working did not go unnoticed:

There's been a rise from a 40 per cent attendance rate to 100 per cent in the past 18 months, that's formidable and shows how when people commit to their job and work together you can achieve remarkable results, that's effectiveness in evidence and it's right we celebrate that achievement in my eyes. (10)

One difference here from Liverpool is that seldom do witness not appear...and when they do appear in Liverpool they don't want to give evidence, whereas here through the witness support service who locate and collect them and the

care in between trial they're more willing to give evidence, that's a striking difference. (07)

These positive stories, along with other innovative interventions like the DART programme and the broader raft of problem-solving meetings, appear to stimulate the Centre staff to explore further collaborations and to continue to forge closer ties. To aid this process many felt there needed to be a return to the original rotating monthly programme of presentations by different Centre partners in order to ensure that everyone was fully up to date with the working practices and innovations of their colleagues.

We haven't had any for a while, but most Friday afternoons we used to have sessions where the agencies would brief the rest of the agencies on what they're doing. For example the Citizen's Advice Bureau would put on a presentation to say what they're offering and what's going on in the housing association, we've done it, probation have done it. (02)

The general feeling among the staff group was that the Centre effectively delivered on its mandate to promote and utilise group working in delivering services to the offenders, victims and witnesses who passed through the court, and more broadly to the wider community outside the building. Though in the past issues had been raised about data protection, the majority of respondents felt that data sharing protocols were effectively governing the operation of the disparate agencies and that this helped provide the backdrop for initiating further multi-agency collaborations.

The shared community justice ethos encourages greater multi-agency activity, and the staff group were buoyed by, and quick to praise, the efforts of others who had succeeded in developing new collaborative ways of working and thereby enhancing the Centre's effectiveness and impact. There was a strong feeling among the majority of respondents that such experimentation should define the Centre, and that it was dependent upon them not to become complacent and to continue to evolve and strive for new ways of working.

Objective Number 7 - *repairing harm and raising confidence; seeking the views of the community on what projects should be carried out by offenders on unpaid work.*

These unpaid work projects should then be badged once completed so that the community can see what has been achieved

Discussions of Objectives 1 and 2 have in many ways mapped out the re-emphasis of commitment required on communication and promotion that is relevant to evidencing effectiveness in respect of repairing harm and raising confidence. There was a firm belief that if people were to be made aware of the work of the Centre and were purposefully engaged, then they would develop a much more positive perception of the Centre than they had previously:

What I do know is that those people who have had contact with it, on the basis of our discussions and my sort of anecdotal evidence is that they have a lot more confidence in the place's ability to deal with things fairly and properly than they have generally with the Criminal Justice System. (15)

In a similar vein, Centre staff pointed to the extremely high attendance rate of victims and witnesses in court, particularly with regard to sensitive crimes where absenteeism is a common problem for most courts, as evidence that the Centre was delivering on its duty to repair harm and instil confidence in its workings. These measures, the speed and efficiency of the court process and again the powerful role performed by the Judge were all cited as factors that could and should bolster confidence in the Centre, if people were made fully aware of them.

With explicit reference to Community Payback, there was a real sense within the Community Engagement Team that they had successfully engaged with and listened to the concerns of local residents. Citing the praise of Louise Casey (the then Crime and Justice Advisor of the previous Labour administration) on her visit to the Centre and pointing to publicity materials that document the improvements the Centre's community payback scheme has helped make to Walton Hall Park and the Fountains Estate, both of which feature the Judge and court staff prominently. Building on the positive feedback of these publications, there was a strong conviction that other Centre-based initiatives should also be properly promoted and acknowledged to evidence effectiveness;

Our restorative justice worker does a lot of good work locally, I know for a fact he's gone to the pensioners' club, he's done work in the churches and various

places, communities and we get inundated with calls from different people saying oh thanks for that and on the pensioners' scheme a lot of the young people actually like going there, cooking for them and listening to them talk...so I think it's really beneficial because the community then see that well these young people here, they've committed crime in the area but they're doing something about it...people do see that things do happen, that the Centre responds to the needs of the community in trying to support them to see that well ok this has happened but we'll make sure it's rectified. (13)

As with all of the above objectives, there was a common and shared belief that the work the Centre was engaging in was both effective and innovative. There remained a firm conviction that with more coverage of these practices and smoother, more consistent and transparent mechanisms for engaging the community, greater levels of public confidence could be evidenced and secured. If this kind of engagement was coupled with more explicit measures of impact and operational performance - and the robust data sources needed to help critical reflection – then the efforts of the Centre staff could be more purposely focused.

Views from Offenders

The research team spoke to 40 offenders across a three month period. 32 of this group had been through the court system previously, and of these, 30 had previously been through a hearing at the Centre. In all, 23 offenders had been through the Community Justice Court on more than one occasion and 12 of the respondents were interviewed after they had had a section 178 review court hearing (6 of these people were in fact interviewed on two occasions, once at their initial sentencing and again at the review hearing). Having been allowed to sit in on the hearings on the participants the researcher was formally introduced by the Judge with a short statement at the end of the session that stated 'as one last request it would be of great help to me and the Centre if you could spare a few minutes to speak to a researcher we have with us today who would like to ask you a few questions about your experience of the court. You are under no obligation to take part but I'd be grateful if you could give up a few minutes of your time to answer his questions'. In most cases defendants were happy to accept the request and when they did they were led away to speak in confidence to the researcher in one of the side rooms of

the court. It should be emphasised that the Judge offered the opportunity to all defendants appearing on the days the research team observed the court and that no filtering of offenders was in operation.

In what follows we tease out the core themes that emerged from the interviews with defendants. The discussion is built around 4 themes – awareness of the Centre, the court process, the role of Judge Fletcher, and impact on offending behaviour. Throughout, close attention is paid to the roles performed by the emphasis on problem-solving, the multi-agency approach of the Centre, and the powerful role performed by the Judge and it will be seen how these topics underpin offenders' views.

Awareness of the Centre

The majority of respondents claimed not to have heard of the Centre at the time of their first appearance in front of Judge Fletcher. Of the 10 respondents who had never been to the Centre previously – five of whom lived in the local area - 6 had not heard of the court and two of these did not know where in Liverpool they were once they had left their hearing. For the vast majority of the remaining locally based defendants who recalled passing through the court for the first time, their overriding sense was one of bewilderment:

It was mad because the thing is you know this was a school before...I even came here then, and I reckon people still think it's a school like because you have to come in and see the court to know it's all been changed around in here. (40)

I used to be in this dancing troupe and I remember coming here when it all opened, I didn't know it was a court then and didn't until I had to turn up here; we all thought it was a community centre with police and stuff here that was opening and then I find out it's the local court. (53)

Given that large numbers of respondents made their first appearance within the Centre's first two years of operation it is perhaps unsurprising that there was initially such limited knowledge of its existence. What was interesting was that these same people felt that were they to be summoned to court for the first time today, they

felt that they would have a much clearer sense of what would happen to them and who they would encounter:

People talk, you know what I mean, and word gets round about this place and Fletch. It's different and you get treated different and you hear someone's up at community court and you know they'll get fair but tough time you know. (47)

This place is one of the best things that's happened to this community because I hear people speaking and I've heard people in the pub talking and a lot of it is directed towards Mr Fletcher as a, not just as a Judge but as an individual, you can see how much passion he has and he wants to try and help the community and he really does understand your pitfalls and the man really does want to help. (25)

As should by now be apparent, the Judge, his manner and perceived fairness was a massive influence on the majority of offenders' reflections on the Centre and we will explore this issue further below. However, it is also immediately apparent that two further and clearly articulated themes also characterised the well rehearsed Centre folk tales that circulated amongst the offenders' peer groups. First, that the experience of the court was different to what you would encounter in more traditional venues: the courtroom, the pace of proceedings and the way in which you were spoken to were all seen to be radically different from the hearings individuals had been subject to in other courts. Second, that the sentence one was likely to receive was also likely to be different to what you might get elsewhere; that rather than custody or a financial penalty there was the scope for the sentence to be built around accessing support services, completing community payback, and/or incremental reviews of progress.

Turning now to examine respondents' views of the court process, it is possible to determine how these perceptions of the Centre experience shape attitudes towards the court process.

The court process

Respondents' attitudes towards the court process can roughly be positioned within one of two camps. As the two rather acerbic contributions below capture there were

those who were generally ambivalent about the whole process on the one hand and those who were much more supportive of the Centre's approach on the other:

It's no different here to anywhere, it's all shit, the Mags' shit, Crown's shit, this place's shit, none of em are any different from the last. (22)

They don't just look at yer and make a decision, 'yeah, dickheads going to jail and that', they want to know stuff about yer, what you been up to, what you want to do and then they make a decision and say like think about what you're doing and how it's effecting people round yer and the future. (38)

Of the 32 participants who'd been through courts previously, almost a third of respondents claimed they were unable to identify anything different about their experience at the Centre. Providing often limited answers and generally negative commentary of their experiences of criminal justice, respondents in this group were unable to offer any constructive criticism of the experience to help determine where improvements might be made. In direct contrast, the much larger number of positive respondents provided detailed and thorough reflections on their experiences and pinpointed specific aspects of the process that they felt were worthy of comment.

From start to finish you just know it's different, I mean you don't expect to watch Jeremy Kyle on TV before you go before a judge do you, it's more like a probation office or something it's much calmer and you're not just pulled in and out of court rooms like the usual Mags...they pay more attention and they seem interested in what you say, even the bizzies here treat you with respect but you get worked hard. (28)

The general mood and ambience of the court room was something a large number of participants commented upon. It was not only the geography of the room, which led offenders to feel less threatened and more involved in the process than previous experiences elsewhere; but crucially it was the attitudes of Centre staff who were seen to be fair and efficient - and importantly not confrontational - in how they managed proceedings. Drawing out further contrasts with experiences in mainstream magistrates' courts, there was a feeling that the whole process was a lot more fluid and engaging. Though there were complaints from some about the times one occasionally had to hang around waiting for the case to be called, there was

widespread recognition that the processes of the court were much quicker and that there were far fewer adjournments and delays in working through cases. For those who engaged with the court process, they found the experience to be far more intense and rewarding than past occasions where they had struggled to comprehend what was happening:

I've been up the Mags sometimes and I know shit of what's happening, sometimes I don't even speak and like they've done it all and I'm on my way and still don't what's happened; like here today though it's all explained and I know what's gone on, I mean man, I asked him what stuff I've got to do and he explains why he's given me what he's given and I've learned something today and had my say. (36)

What is especially important for our concern with community justice was the way in which those participants (just over half) who commented positively upon their experience, acknowledged to varying degrees the respective roles played by problem-solving strategies and the Centre's desire to connect to the community. Taking each in turn, the two quotes below respectively capture the recognition that the Centre encouraged a deeper and longer-term assessment of the kind of issues a defendants were experiencing and that the Judge needed to keep the demands and expectations of the community in clear focus when he sentenced:

They take time here and you end up talking about all kinds of stuff and it's good, cause you know you go to court and it's tough, you get pumped up and sometimes you can't think through things, here I've had meetings where we've ended up talking about me drinking and even today this review they've said there's a bloke to speak to about getting work experience and you can calm down and work through it like and take it all in and stop things all kicking off again. (39)

People I know used to take the piss out of the community stuff where you're painting and doing gardens and stuff, and when I got it I thought it was a joke at first but it was mad, we were on this estate painting these fences and these people said to the probation guy that some of the fences weren't any good so we had to do them again, and you thought why do they care about it but once it was done good they thanked us and you could see it was useful for them

that we'd done it and if you don't have people like that who care about an area it would all be shit round here, so it's good someone does it. (55)

Of those who offered opinions on the court experience and its processes there was clear acknowledgement that it was very different from traditional courts, and that its speed and ability to offer a more holistic approach to dealing with individual cases meant it was an improvement on previous experiences elsewhere. Though some of the older respondents felt that the environment of the Centre needed to be more 'daunting [where] you were scared of court and the stigma attached to people in wigs that made you stop getting in trouble' (32) the majority felt they were much less antagonistic towards the court process and more engaged than they had ever been previously. Even those who readily admitted that they had originally taken the Centre rather lightly, came to acknowledge that they were being - and had been previously - offered advice and guidance that was designed to address their offending behaviour and its underlying causes.

But the most overwhelming influence and very often the most forceful impact on offenders was the Judge. As we explore in the section below, it is not just the way he deals with defendants on an individual level, his legal expertise, or the creativity of the sentencing he advances. It is also the fact that he is at the court day in, day out, week in, week out that impacts greatly upon the offenders:

You go to a Mags court and you're likely to be up before someone you've never met and can try a pull a few fast ones. Here though the judge knows yer, you get me, he's seen yer before, he knows yer history, yer family and he knows when you're bull- shitting. You don't wanna get pulled up before him time after time it's embarrassing cause he'll have a go at yer and there's nowhere to hide, he's good at his job and he gets results. (44)

The role of Judge Fletcher

The vast majority of respondents, even those who offered very little reflection upon their court experience, talked positively about their dealings with the Judge. In 34 of the 40 interviews the word 'fair' was used to describe their experience at his hands and similarly high numbers felt that everything had been explained to them in a clear

and precise fashion. Consistency and communication were the other defining characteristics of offenders' responses: consistency in terms of regularly sitting in the court (as noted above) and in terms of explaining sentencing decisions, and taking action when promised if offenders failed to respond; and communication in terms of clarity and in engaging people in the process of tackling their offending behaviour:

There's nothing for me to complain about, he's set out what I've got to do and why, if I fuck up I'm taking the fall and he's been fair and honest with me in the past and he's increased sanctions on me when I've fucked up before so it's clear what I can and can't do, and I'll be at that review date clean cause I know what's coming if I ain't. (33)

I was up for drink driving and three assaults on police officers and I got 80 hours community work and got banned from driving for 16 months, put on this course, probation and a suspended sentence and he said to me I've give ya the most I can give you without sending you to jail, the maximum you know, it's up to you whether you want to do it and if you don't you go to jail don't you, so he set it out for me and gave me a chance there. (24)

The clarity with which sentences were pronounced combined with what respondents felt to be a genuine belief that the Judge was working in their interest to help deal with issues in their lives that were bringing them before the court. For those who had appeared in the court or review hearings on multiple occasions, there was praise for the way Judge Fletcher remembered who they were and for recalling specific details of their case. This close attention to detail confirmed in the minds of respondents that the Judge was highly professional in his responsibilities, and, more importantly from their point of view, took them more seriously as individuals:

It's completely different to anything I've ever known previously. I mean we had a slight delay in proceedings when we were waiting for a statement when he asked me if I was keeping up with the swimming...I was amazed that he'd remembered a small conversation we'd had about keeping fit and exercises months earlier and it just comes natural to him and it puts you at your ease and that must make people work with him. (29)

We have previously alluded to how the Judge's reputation had helped to raise the profile of the Centre among offenders, and how there was much talk of how one might be treated and what one might realistically expect in terms of sentence. When our respondents reflected upon these issues, it was possible to identify two sets of responses. In the first instance there were relative newcomers to the Centre who tended to see the Judge and the emphasis on community sentences as a soft touch where there was room for manoeuvre during one or two hearings. However, for more experienced campaigners, there was recognition that by being shown the errors of your ways and having to face up to the Judge to explain your actions, the reality of the situation hit home and the Judge made it quite clear that options for avoiding custody were running short and responsibility lay with the individual.

I've been to youth court in town and had mates go through the Mags on Dale Street and they were saying to me you'll get treated different here and people saying you get it easy at first, but Fletch work's yer hard, I've been there myself and yeah it took me a couple of visits before I got my arse kicked and he started to lose faith in me and I got a grip like. (37)

The Judge will always be fair with you and communicates with you explaining everything like, if he doesn't like you or your attitude he will tell you, which I think is good cause when it comes from him and he's tried to help you it hurts like. (30)

Impact on offending behaviour

Though the conduct of the Judge helps makes defendants' experience of the court more engaging, as indeed does the Centre's broader interventions, the ultimate measure of effectiveness is whether there is any impact upon offending behaviour. It is obvious, given that many of the respondents reflected upon their multiple encounters with the Judge, that they have been unable to desist from offending. Given that all those interviewed had also just recently been sentenced and/or were under regular review, it is difficult to gauge whether there had been any long-term impact on their offending. Only longitudinal research that appropriately captures and defines changes in patterns in behaviour can answer these questions with any great

certainty. In the absence of such research and within the confines of this project, it is, however, possible to document the comments of those currently passing through the Centre and reflect upon their thoughts on how their experiences might alter their likelihood to reoffend.

Though a considerable majority of respondents claimed that their current experience of the criminal justice system would be the last, only 12 offenders articulated detailed and persuasive arguments on why they felt committed to change. Within these narratives it is possible to discern two ways in which the Centre was perceived to work in addressing future offending behaviour. First, the Centre and the problem-solving approach had helped individuals to come to terms with, and address, underlying issues that had contributed to their offending careers. Having the opportunity to work through these issues and to access sources of help offenders had previously ignored or not been aware of, had helped make manifest changes in the lives of the respondents:

Yeah the domestic violence course definitely did, it opened my eyes a lot, you know, and even to this day I still use things off that what they taught you to learn if you're getting stressed and mad you do this, just clam down like and now with the reviews you keep thinking don't get involved and make trouble for yourself and stay out of it...I suppose it's courses and stuff like that I need to show me where I'm going wrong. (24)

For one young first-time offender sentenced for possession of cannabis, it was securing an opportunity to gain employability skills - through the Centre's involvement with a local work experience/job agency, Progress into Work - that had galvanised his efforts to stay away from drug use and saw him praised at his review hearing for the progress he had made. For others it was the encouragement, and in some cases compulsion, to tackle anger, alcohol, and drug use that served as a catalyst for change:

At the end of the day only you change things and get your shit sorted, but people need chances and support and this place helps that and throws it to you to get sorted...they put you on the programmes and slowly help you, and when you fall they can but don't put you in prison, and that changes everything and you get on and sort yourself which they've made happen. (45)

The emphasis on problem solving and the detailed case by case analysis of individuals that lies at the heart of the principles of community justice, does appear to have had a genuine impact on how many offenders viewed their life beyond the Centre. What was apparent in the way offenders talked was the way in which they appeared to be wrestling back responsibility and taking ownership of the need to address their offending behaviour. There was a strong sense that the Judge and Centre staff would mobilise to help the individual and that within that process many individuals recognised they had a role to play themselves.

In many ways this sense of a partnership between the offender and Centre working together to tackle the issues that led to offending is reiterated by a second narrative about the Centre's effectiveness, where offenders repay what they see as the faith and trust invested in them by the Judge. This powerful, but largely immeasurable, commodity is captured in the quotes below:

...like the stuff I was up for last year I just thought I was going straight into custody and like he knew I thought that, cause I was dead upset and all that and I wrote him a letter properly explaining, and he took time to read the letter and then like he said to me, you're not getting away with it because you can't get away with everything but like he gave me all orders and that which have kept me out and I stuck to them and I won't let him down, I told him I won't be back in again. (30)

I'd been in and out with breaches and been tagged and that, and then this last time is just hit me I know I couldn't take the piss anymore and he'd made it clear I was on my last chance, and what with me getting older and thinking in the long run I had to change, its hit me really, really hard you know...this can't happen again. (51)

In both of these cases the offenders concerned had made similar statements in their dialogue with the Judge and were as moved during the interview as they were when speaking in court. While on both occasions their commitment appeared entirely genuine, and they had already begun to take steps to address their offending behaviour by moving back in with parents and accessing job clubs and housing support officers respectively, the opportunity to speak to them both less than two months later after their review hearing helped determine the state of progress. In

both cases the positive statements presented by the Centre probation staff helped secure praise from the presiding Judge and renewed their efforts to desist from offending and to continue to access support.

As one final account to conclude this discussion of the views of offenders, the quote below neatly captures the ambition and courage of the judicial independence that is another core underpinning value of community justice. The first quote is taken from a highly emotional interview immediately following a court appearance where the defendant had been recalled to court for breaching the terms of his previous sentence. The second quote is taken from our next interview over three months later following a successful review hearing:

I came here today not expecting to come back out, one stupid drink-filled fight and I'd blown everything, my girlfriend was ready to walk, people were having nothing to do with me and I was going back inside and I decided after last time I wasn't coming out, I couldn't cope with letting everyone down again...from nowhere he's given me a chance and I can't stop shaking and crying, I've got fucking miles to go but from nothing it's all back. Me and the drink is over and I'm moving on from getting caught up with the drunks who've helped put me here, he's given me my final chance when he should have sent me down.

It's progress all the time and I'm still living with me girlfriend, I've not touched the drink since I got arrested and I've attended all my sessions and classes, the job club has got me filling the time the drink used to and there's too much to lose with hanging around with drinkers that I got nothing to do with them no more...I've been inside mate and I can't go back, coming to these appearances is worth it if I stay outside and I can't waste this opportunity. (31)

This particularly powerful tale stands as just one of a small handful that can be drawn from the 40 offenders involved in the research, who were all at various stages of progress through the criminal justice system. Though we must bear in mind that much more developed research tools operating over much longer periods of time are required to monitor effectiveness, and that within the sample of 40 there were also examples of offenders who seemed completely unresponsive, it would be wrong to ignore the impact of the Centre on the cases documented above. Studies of

desistence (see e.g. Farrall 2004 and Maruna 2001) record how important the many factors external to the criminal justice system are in shaping offender's ability to drift in and out of crime. However within the few narratives briefly explored here there do appear to be tangible impacts that the Community Justice Centre has had and is having on changing patterns of offending.

Views from the 'community'

Though the research was primarily focused on two of the three constituent populations of the Centre, namely the staff members and offenders, it also engaged with a small number of people who belonged to the third stakeholder group, the 'community'. In total, 10 local residents who had had direct and explicit dealings with the Centre took part in the research. Two had been involved in setting up the Community Justice Centre through involvement in designing the court process map and interviewing the judge and staff members. A further two claimed to have been involved in the original Community Reference Groups while the remaining six had regular contact with the Centre and acted as representatives of larger groups of people in the local area (through residents associations and community groups). All 10 had had direct contact with the Judge, had visited the Centre on numerous occasions, and claimed to be able to speak about its workings from a position of knowledge. The following four sub-headings – the Centre as a concept, engaging a challenging community, the integrity of the criminal justice system, and confused measures of success - help knit together the common themes that emerged throughout the discussions and where appropriate our analysis will explicitly relate back to the founding seven principles of community justice.

The Community Justice Centre as a concept

In general terms, most of our community respondents were very supportive of the idea of a court house being housed alongside a range of services/resources that the wider community could access and engage with. There was strong support for the idea that local people should have a stake in the delivery of justice locally, and that the idea of a named and high profile figure working at a venue like the Centre gave

local people a clear sense of the criminal justice system taking ownership of a series of persistent problems that had troubled the area. The comment below captures the spirit of these observations, emphasising the need for innovative methods of connecting with a largely disillusioned public:

New things, new approaches have to be tried because the old ones aren't working...people need to know something is going to be done about the problems they're facing on a day-to-day basis in their area and that someone is seen to be doing something...drug dealing, anti-social behaviour, cannabis use and general unruliness needs to be dealt with and when people don't see the police or courts having any impact then we need to think again, and something like the CJC where people can access support and should see people being put to work for their crimes is obviously better for people's faith in the system. (65)

Respondents were consistent in seeing linkages between what they believed to be the driving force behind the idea of the Centre as delivering justice differently and more inclusively, and the set of social problems that they all agreed impacted upon the Anfield, Everton, Walton and Kirkdale areas of North Liverpool. The consequent appeal of the concept of the Centre, and in real terms the perceived financial strength offered by a criminal justice intervention (and being associated with it), is that it provided the impetus for a combined and unified effort to combat anti-social behaviour.

A development like the CJC has the ability to show the community that actions are being supported by all the agencies coming together against anti-social behaviour and against criminality, and that at all times the prompt action of the court in being able to deliver penalties is there to ensure progress is made. That core of a court service brings the other agencies with it and should empower them and give them greater credibility. (60)

However when the discussion shifted to reflect more specifically upon the experience and effectiveness of the Centre, opinion split and while the general sentiment remained largely positive it became possible to distinguish between three groups of respondents. The first group – ‘supporters’ - were unconditionally behind the operational practices of the Centre, while at the other extreme the third group –

‘dissenters’ – were sceptical of the Centre’s aims and impact (we return to assess their contributions below). Between these two polar opposites we find the biggest group, those best described as ‘supporters with reservations’. Members of this group believed in the purpose and objectives of the Centre but had fundamental concerns that undermined their belief in what it could realistically hope to achieve. Two factors were at the core of their pessimism – the Centre’s cost and the role the community played in its operation:

I’m all in favour of what the CJC is about and what it wants to achieve but this is a very, very expensive experiment at the end of the day and I can’t tell you if it will still be here in 5 years and the funds that have been spent concern me.
(61)

We will return to the role of the community below, but it is worth concluding this theme by noting the prominence given to costs in the interviews. Though none of those interviewed could quote specific figures or even claim to have ever been privy to a breakdown of the costs of the Centre, the perception that it is expensive, and continues to be funded as an entity separate from local delivery of criminal justice, clouds respondents’ judgement. The elusiveness of actual costings appears to temper the overwhelming enthusiasm respondents have for the concept of community justice. A central part of the narratives of those who were reluctant to endorse or support Centre discussions with members of the ‘community’, emphasises the need for greater openness and specificity on the cost of the Centre in the context of, and in comparison with, alternatives forms of criminal justice policy delivery.

Engaging a challenging community

While the perceived cost was a concern for all respondents, many also voiced concerns about the level of community engagement with the Centre. All of our community respondents belonged to, or had worked with local people drawn from across North Liverpool and all recognised that engaging with the communities of the area was difficult:

This local area wasn't just built around the docks and associated works which gave many people jobs, but you had factories, big factories the length of Commercial Road, some on Stanley Road, Tinling's, Tate & Lyle, big employers that gave this area an identity and people worked hard as a community...twenty, thirty years on and you've got generations of people who don't and have never worked. The community's lost a sense of itself, it's fractured and within that there's been a total collapse of respect for authority. To be fair to the CJC it's had to come in and work in that environment and though I can be critical of what it's all about at times, I'm the first to recognise that it's tried hard and done all it can to achieve the almost impossible in that you've got people who'll instinctively have nothing to do with authority. (62)

Throughout the interviews respondents emphasised that the Centre had worked hard to reach out to populations of local people who seemed reluctant to engage with mainstream service provision. Indeed, those respondents who had ongoing and consistent involvement with the Centre - and Community Engagement staff in particular - were very quick to praise their commitment and creativity in reaching out to local people and agencies. While this meant they were often sympathetic towards the efforts of those charged with engaging with the community, it also made some, once again, reflect upon the fundamental challenges that lay at the heart of the concept of community justice:

I find it hard now to accept that residents of Kirkdale don't know about the CJC, as they've tried endless tactics such as newsletters, open days and going into schools and you have to get to a point where you say the lack of engagement comes from the community itself. I know panels and committees have been tried before but have ebbed away, so we've got to be realistic about what the CJC can achieve and realistic about how much engagement we can expect when there's a seeming reluctance to get involved. (64)

In the light of such concerns, respondents were quick to identify solutions that they felt might re-orientate the Centre in the popular imagination. In the next section we will look at the need to focus on aspects of justice, but first it is possible to draw out more practical areas of improvement in the Centre that could help it to establish stronger ties with the local community:

Co-location is without doubt very good for the smoothness of operation and effectiveness of the Centre, however I feel there needs to be a clearer distinguishing from the outside of the two different aspects of the Centre and to help move away from the idea that it is just a glorified court. (64)

In my mind there's a real concern over the one entrance. If you're accessing the Centre for advice or support it's intimidating to have to walk past a security guard, through a detector...even the walk up to the court can feel strange especially if you've got your neighbour from three doors down waiting for their court appearance, a separate entrance for the agencies support network would help overcome that I feel. (60)

The employment of a second entrance to allow easier access to the Community Resource Team and a renewed promotion of these services to local residents, were felt by all respondents to be ways of opening up the Centre to groups who had been reluctant to get involved. Striking a chord with views expressed by the staff who work at the Centre, there was a real enthusiasm to experiment with a second entrance and to see if that one measure alone might have the predicted impact many were confident it would have. Certainly the strong up-take of the cage football events and the use by different community groups of the Resource Centre situated within the grounds of the building on Boundary Street, suggests it may be possible to access new groups of residents.

The integrity of the criminal justice system

Coupled with these practical measures and the third theme we turn to now, was the belief that the Centre needed to be more explicit about what realistically it offered the community and how it could improve the quality of life for local people:

Coming from a non-statutory agency like I do I'm of course interested in how the CJC can galvanise local service provision, however we can't lose sight of the fact that the judge and the court define the place and whilst we need to promote engagement with services it is also clear that this is a court, and when you do wrong you'll be dealt with...people want police officers to arrest people, they want judges to convict them, they want probation officers to treat

offenders...multi-agency working doesn't mean anything to them when they want to see action and I think banging the community focus drum can make us lose sight of what the judge is trying to achieve and how the public need to be aware of this. (67)

All of our community respondents had at various times met Judge Fletcher and all were very positive in their views about him and his vision of the Centre. Six of those involved had attended and engaged with 'mock sentencing' exercises that the Centre presented at promotional/engagement events and all commented upon how that experience had not only challenged their own perceptions but had positively impacted upon their reflections of the Centre's approach:

When you get the opportunity to strip down cases and look at the details, and look at the offender and start to think about why they've done what they've done, and you have to think about what you're going to do with this person, then you see why you need to be creative and know what's available to address what are usually on-going problems...you only need to spend a little time with the Judge to know he understands that and I think his belief and experience instils confidence. (59)

As a result, the most effective and powerful way many respondents felt the Centre could raise its profile and secure greater levels of trust and confidence, was through what could loosely be termed a re-establishing of the integrity of the criminal justice system. Citing the powerful need for the community to have input, faith, and a stake in the delivery of justice there was dismay from many that the Judge's dynamism and charisma had been unable to engage wider audiences:

The Judge is a champion of the CJC's cause and I know he's been invaluable in building confidence in the work of the CJC. I know of many people, myself included, who have a much greater understanding of the judicial system than I did previously and I just feel that if there was more understanding of the sentences and methods used at the CJC that more popular support would be gained and we'd move on from the criticism that the CJC's too lenient. (60)

With a project like the CJC you have to get the right person in charge and they did that with Judge Fletcher who can relate to the community because he

sits as his normal day job in the court and he's got to know the community he deals with...that's important as when the straightforward law abiding majority see transgressors going to court who aren't sent to prison he's got to be able to get that message across why this person hasn't gone to prison, that's about trust and relationships. (62)

The two comments above capture a common almost contradictory theme that ran throughout many of the discussions; where there is warmth of feeling towards the Judge but occasional dismay at some of the sentencing decisions that emerge from the Centre (which are somehow dissociated from the Judge). There was a great deal of respect for what was readily acknowledged as the Judge's commitment to the Centre, his willingness to engage with the communities of North Liverpool, and the fact that he had been a constant presence; helping to maintain the Centre's public profile and ensuring a consistency of approach in the court. This respect encouraged those who had met the Judge and listened to his explanations for the sentencing decisions he has made - either through the mock sentencing exercises or actual in-court observations - to be more trusting (or certainly less antagonistic towards) what some claimed could occasionally appear to be rather lenient punishments.

It would be wrong, however, to suggest that the operations of the court did not raise concerns, and there were strong views expressed that more needed to be done to address what some felt were pockets of discontent in the local area where the Centre appeared not to have had the intended impact:

The sad thing is it [the CJC] does not seem to be consistent in its dealings with offenders, they are back out on the streets with conditions and fines, that is not what we wanted, we would like to see people taken off the streets, instead they are bailed. It has been very poor in dealing with the main issues of the area. (59)

Such criticism, especially from someone involved in the establishment of the Centre, while obviously rather damning is also highly illuminating. In particular it raises three real concerns over communication and the fundamental values of community justice - as captured in principles 1 and 2 - that local people contribute to, and understand, the nature of sentencing decisions. First, having acknowledged that Community

Reference Groups once existed 'but have tapered off' (ibid) it is disappointing that there are seemingly well formulated views and opinions from within 'the community' that do not have a platform to be aired. Second, that responsibility for this breakdown lies not exclusively with one party but that both must do more to interact with one another, and if such opinions on the court are being fashioned locally then they do need to be discussed and worked through. The third and final comment relates to how realistic people's expectations of the Centre are when the desire is for 'people to be taken off the streets' (ibid). The rather punitive attitude captured within this critical commentary stands at odds with the problem-solving emphasis of the Centre and adds to the already confused negotiation of judging the its impact, effectiveness and general performance which we turn to next.

Confused measures of success

Having moved from a position of widespread support for the concept of the Centre, reflections upon its actual performance divided opinion and at times carved open space for some quite harsh criticism. In the same vein, from apparent unconditional faith in the integrity and character of Judge Fletcher, assessments on sentencing decisions generated strong opinions both in support of, and opposition to, the approach taken to community justice. These rather contradictory and fluid positions appear in large part to be fuelled by vastly different levels of highly personalised expectations of the Centre and are heavily influenced by the individual's knowledge and engagement with it. For those who had witnessed and had intimate involvement with the problem-solving strategies promoted by the Centre there is support for and patience with the work of the Judge. In contrast, for those less familiar with the workings of the court and more removed from engaging with the offenders and defendants who pass through the Centre, there were greater levels of scepticism. The two comments below represent figures from both camps:

I know people who work with the Judge and they talk about a generational strategy of changing people's mindsets over a sustained period of years and reversing a culture of anti-social behaviour. Knowing the area as I do, that is a very tough ask but I understand why he thinks that way and if people realise

he's doing the best he can within sentencing guidelines and that he's doing it for the best for the community, they'll begin to see changes. (59)

People don't necessarily want to think of their area and their problems as some form of experiment, they have a right to see issues dealt with and if there's a feeling that the same revolving door of criminals is getting away with it and they're laughing at the police in the process because they're back out, it lowers people's trust in the criminal justice system. (60)

The lesson that emerges is that in the absence of clearly stated and measurable objectives for the operation of community justice there is a danger that pessimism and confusion sets in. The closer one gets to the Centre and understands its workings, the more confident in the project one becomes. Whereas those distant from the day-to-day delivery of the Centre's services - either through choice or failed engagement strategies - are much more negative in their judgements.

The first principle of community justice is to connect the court to the community, and when there is a lack of significant liaison between court and community the model begins to falter. Clearly, attempts have been made in the past to establish links with the community and in many cases those links remain strong today, with the Judge securing the confidence of the majority of our respondents (and again these people claimed to speak for much larger sections of the local community). However, there are clearly some groups of people who not only feel removed from the decision-making and sentencing processes of the Centre, but also from the idea that structures are in place to give them a voice. Though the arrangement of open days, participation in 'Community Matters' events, and broader community engagement strategies of the Centre should provide the opportunities for such groups to raise their concerns and tackle their confidence issues about it, there was a feeling that the Centre's best course of action was to be even more proactive and forceful in promoting itself:

At the time of the CJC's opening there was big talk of justice seen justice done...Fletcher isn't going to send people away for 10 year stretches every day of the week but he is going to get them out in the community putting something back, even if it is tidying up gardens or cleaning up graffiti it's something and it's something that's going on all the time. People want to see

punishment, of course they do, but I bet they want to see people making amends even more and that's what the CJC needs to show residents that's what happening and then you'll secure your support, publicise the good work and explain why it's better to have Joe Bloggs doing gardening than sitting in Walton [Liverpool Prison] for 5 weeks. (58)

This quote captures both the spirit of community justice and provides optimism that fundamentally what the Centre is trying to do is valid and worthwhile; but it also suggests that this message needs to reach out further into the communities of the Kirkdale, Anfield, Everton and County wards. One can see the importance attached to the principles of repairing harm and raising confidence through offenders making amends for the damage they have caused; one can see the emphasis on 'solving problems and finding solutions' in the belief that alternative strategies should be used to tackle offending behaviour; and there is also the clear belief that Community Payback schemes offered the potential for 'justice to be seen to be done', as when delivered and managed efficiently people are put to work for their crimes. It is also worth mentioning – yet again – the significance of Judge Fletcher and his identity as the Centre's figurehead in all of this.

These measures of effectiveness, essentially defined by the principles of community justice clearly need to be made more explicit to local people and they should be measured regularly to help gauge the Centre's impact. Putting a figure on, and publicising, the amount of hours of Community Payback managed by Centre staff and identifying the number of public engagement exercises that discuss local issues would help this process and begin to redefine the terms of performance of the Centre. The promotion of success stories (a feature of the website and promotional materials previously) that emphasise the problem-solving and multi-agency approach and gauge its impact would also help to reinforce the principles and values of community justice. Until these issues are addressed there is a danger that locally sourced cautionary tales will continue to feed off well rehearsed, broader discourses that attack community orientated sentences to undermine the fundamentally good work of the CJC:

It's all too easy to make things like tackling anti-social behaviour and schemes like the CJC into a farce for people who'll go on about cases of ASBO killers

and ASBO criminals, and this when they should be the ones who need to understand we've got to use different methods to tackle the problems that are effecting their lives. They shouldn't be encouraged to ridicule alternative interventions and with their support we can look beyond - do they reoffend yes or no to address long-term issues. (64)

Chapter 5 Conclusions

The North Liverpool Community Justice Centre represents a unique development in criminal justice in England and Wales. While a number of other community justice courts have been introduced, none of them has the facilities of North Liverpool; community justice in these other locations is a pale reflection of what it is in North Liverpool. The Centre is a frustratingly elusive initiative. It is relatively simple to list the various agencies and organisations that are involved in it, whether they are based on-site or not, but it is another matter entirely to try to capture the complex weave of multi-agency work that goes on, whether structured and planned, or spur-of-the-moment and spontaneously. The parts of the Centre can be listed, but the whole is greater than the sum of the Centre's parts, and it is this whole which is difficult to describe and evaluate – especially given the limited resources available for this study. We are conscious that much of this report may give an impression of stating the same thing several times, but that is a direct result of the way in which the Centre operates. The three foundation stones of the Centre – a problem-solving approach, partnership working, and the unique role of the judge – are inextricably linked up with each other and cannot be disentangled. Thus, while we have tried to discuss such issues separately for the sake of simplicity, we have found that we have tended to cover the same kind of ground when discussing each of the issues. We would argue that this is very much a reflection of the Centre and its way of working.

In terms of the objectives of this study, how does the Centre measure up?

- *How far had innovation occurred?* There seems little doubt that a great deal of innovation had taken place – indeed, staff saw the Centre as a place that was dedicated to innovation, that was its reason for being. However, it should be added that innovations tended to take place on occasion with little planning, so that there was no record of what the innovation was aimed at, how it was planned, what its objectives were, what its outputs were, whether it was successful. It seems clear that because of the commitment to partnership working, and the way in which individuals in the Centre had close working relationships with each other, that there was certainly discussion and

reflection about such innovations but – critically – there was little in the way of records or data to demonstrate this.

- *What were the most important innovations?* It is difficult to single out some innovations above others, but (in no particular order) problem solving, multi-agency working, the role of the judge, co-location of agencies, community engagement, pre-court meetings, working with victims and witnesses were probably the most significant. We are confident from our interviews that these had a significant impact upon criminal justice in North Liverpool, although it is unfortunate that there are few sources of data to provide more quantitative evidence. As a result of these innovations, our assessment is that criminal justice is speedier, fairer, more efficient, more community oriented, more holistic than the traditional court model – and this very much chimes with government's aims for the Centre.
- *To what extent was partnership working a key aspect of the Centre?* While the adoption of the problem-solving approach was probably the key to the Centre as a whole (the other innovations discussed above could be carried on effectively without problem solving, but problem solving could not be done effectively without the others), partnership working was absolutely crucial. And while it might have been feasible to carry on partnership working without the agencies being based on the same site, co-location made it all a lot simpler. Organisational processes could be formulated to facilitate partnership working, but face-to-face, personal knowledge of individuals sitting in the same building helped these processes to be more effective, and many of our interviewees mentioned the importance of this. The separate silos that criminal justice agencies tend to inhabit have – to a considerable extent - been broken down by the Centre, leading individuals to have a much better appreciation of what each agency did, and this on its own was seen as a major step forward.
- *What was the impact of the judge?* Quite simply, the answer to this is – massive. While the personality of Judge Fletcher certainly played a part in his effectiveness, this was also a result of his dual role as District Judge and Crown Court Judge, and his position as the sole resident Judge at the Centre. His position as the figurehead for the Centre was agreed by all to have been hugely beneficial; within 12 months of the Centre opening, local residents

(albeit only two per cent – see Llewellyn-Thomas and Prior 2007) actually knew the name of the judge, which is a considerable advance on other courts where there are a number of sentencers who have little to do with their local communities (and it must be remembered that many courts cover much wider areas than the Centre does). As one of our respondents from the Centre stated: ‘That doesn’t seem a lot, but by comparison to other areas...they wouldn’t know anything about their local judge’. (11)

- *What were the outputs of the Centre?* We would argue that the Centre delivered more effective justice than the traditional court model, although we would find it difficult to provide unequivocal evidence to support this claim apart from the consistent accounts given to us by respondents. By this, we mean sentencing that tried to address the problems that led to offending; a much more efficient and supportive approach to victims/witnesses; a Community Payback scheme that had led to praise from residents; a raft of activities for the community as a whole; a general community resource; greater community understanding of the criminal justice process. The next step for the Centre must be to try to address the lack of hard evidence of such outputs, and to carry out work to evaluate the Centre more fully.
- *What improvements might be made?* From our interviews with staff and local residents, the main general improvements suggested were: reassurance about the future of the Centre (as with many initiatives funding was not secure); improving knowledge about the Centre and what it did, not only for the local community but for the wider community; and more research to prove what respondents were sure was the Centre’s effectiveness. More specific suggestions included a separate entrance for those who were not visiting the Centre in connection with its function as a court, having more services on site (the benefits agency, rehabilitation for drug users, Community Psychiatric Nurse), more work with schools, and carrying out Youth Court trials. The key improvement, as far as we are concerned, would be to set in place research to monitor and evaluate fully the work of the Centre; without this, all of its initiatives and suggestions for further development will remain in a limbo.

The Centre is in a strange position: on the one hand it is feted as a flagship development and staff point out that they get visitors from all over the world; while on

the other, there is no consistent evidence that it 'works'. We would claim that it does work – in a general way, insofar as it has proved to be a vibrant and exciting place to work and where staff are keen to try out new approaches and have the confidence to do so. It also seems clear that in terms of speedy justice and witness attendance it is remarkably effective, but these are parts of the Centre not the whole. The Centre is on the way to meeting the seven objectives of community justice that we have identified, but it has not met all of them fully and it needs more and better data (more valid and more reliable) to demonstrate that it is doing so.

The Centre has, to a large extent, been permitted considerable freedom to innovate but this freedom has a downside. There has been no sustained collection of data to help ground a proper evaluation of the Centre. So, initiatives have been started and then stopped with only anecdotal accounts of what was done, what happened and why they were terminated. There is no adequate system to monitor events or initiatives organised by, or with an input from, the Centre - objectives, how many attended, what happened, etc. - far less full-scale research to assess the work of the Centre. This is not a criticism of the Centre as its staff were only too aware of the lack of research and of their own lack of expertise in this area; but the failure to set up long-term research on the Centre is a serious limitation on taking it, or 'community justice' forward. The exasperation shown by some staff at what they saw as persistent sniping about the financial cost of the Centre could be addressed as part of such research. The Centre pays for most of the criminal justice staff located on-site and it would be interesting to examine their costs and to explore what would happen if the home agency paid for work that it would probably be doing in any event.

While the previous government has made it clear that it considered community justice to be a good thing and set out why this is so (Office for Criminal Justice Reform, 2009), it seems to us that the concept of community justice as operationalised in the work of the Centre remains nebulous. Is it justice done by the community? Justice done to the community? Justice done with the consent of the community? Justice done with a full understanding of the community? What exactly does justice become when it is part of a community resource that offers a range of support services? And if this is justice, then what is provided by other courts? Is community justice better than ordinary justice? Such questions lie at the heart of the Centre, and while they may not have a direct impact upon what it does in its

everyday practice, they require responses. The issue is perhaps most starkly outlined in the idea of community engagement. It is very obvious that Centre staff take this very seriously and work hard to bring what the Centre offers to the attention of the local community. But can the community as a whole be engaged? What exactly would an engaged community be like? Would such a community need community justice? It is very clear from our interviews that there was some agreement and frustration that only a minority of local residents were being 'engaged'. Respondents spoke about scratching the surface, about community apathy, about people only taking an interest in the Centre when they had a problem – and, of course, this is exactly how support services are used by the general public.

All of this raises other questions. Are expectations of community engagement pitched too high? Should certain groups be targeted more than others? How do you get to the hard core of problematic individuals – should you even try? If they are ignored, then they are likely to become even more excluded and isolated. Should the Centre be actively trying to change genuinely held community views about the need for tough sentences? Or is a long-term approach, slowly working to make people more knowledgeable about the tensions in delivering justice, a better way. The problem with this, of course, is that it takes time and governments want answers quickly.

Intimately linked to these questions is the issue of replication. The Labour government (Office for Criminal Justice Reform, 2009) made it clear that the North Liverpool model is too expensive to be replicated – yet a full examination of its costs has never been carried out. A dozen community justice courts have been set up around the country, but precisely which parts of the North Liverpool model they utilise, why, and how they put community justice into practice remains unclear. Care will be necessary if community justice is to be developed (as the previous government seemed to wish) as some parts of the North Liverpool model may be more effectively replicated than others; but if a problem solving approach is the key to community justice, then various factors are necessary to ensure this is done effectively. The worst-case scenario is that community justice is rolled out in a fragmented way, with initiatives taking on parts of the North Liverpool model that are cheap or easy to implement, and its strengths are dissipated.

Community justice in general, and the North Liverpool Community Justice Centre in particular, could have a potentially transformative effect on criminal justice. It is vital that the North Liverpool Centre continues its work as a crucible for experimentation and a flagship for community justice. But to do this successfully it requires long-term funding, an acknowledgement that – if it is expected to innovate and experiment – then failures will occur, and a long-term research strategy that can work alongside the Centre. Without the latter, the Centre will eventually be seen as an emperor with no clothes.

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