

UK Justice Policy Review

Volume 3

6 May 2012 to 5 May 2013

By Richard Garside, Arianna Silvestri
and Helen Mills

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About the authors

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Establishing contemporary criminal justice trends in the UK

This is the third volume in the *UK Justice Policy Review* series from the Centre for Crime and Justice Studies. *UK Justice Policy Review* (hereafter UKJPR) explores key criminal justice developments since the formation of the coalition government in May 2010. It is a series of annual publications providing concise, critical analysis of emerging policy developments and brings this together with robust data about criminal justice for a particular year.

This third volume covers the period from 6 May 2012 to 5 May 2013.

About the *Justice Policy Review* series

UK Justice Policy Review has two main aims. The first is to track notable political and policy debate, major initiatives and interventions and legislative changes over the period of coalition government.

Each volume focuses on the key criminal justice institutions of policing, the courts and access to justice and prison and probation, as well as on the significance of changes in the allied welfare system and other relevant areas of social policy. The second aim of the series is to provide reliable, accessible data, exploring trends across the UK in areas such as criminal justice spending, staffing, the population subject to criminal justice sanctions and developments in related social justice areas. These two aims are taken forward in the main sections: *Key developments* and *Key data*. In meeting these aims we hope this series, with its up-to-date analysis and robust data about the criminal justice system, will prove useful to policy makers, practitioners, researchers and anyone else with an interest in the criminal justice system in the UK. As the series progresses over time, we hope it enables independent tracking of key criminal justice developments in the UK in a comprehensive and accessible way.

Openly accessible data

As well as being a source of high-quality information and analysis about criminal justice, the UKJPR series provides an accessible way to find year-on-year data about key criminal justice trends. To our knowledge, UKJPR is the only publication where one can find UK-wide information about:

- Criminal justice spending (both past expenditure and planned future spending)
- Staffing
- The numbers of people subject to particular criminal justice sanctions.

It is also unique, to our knowledge, in that it analyses the sheer mass of raw 'transparency data' released by the Ministry of Justice on spending in the justice system in England and Wales. Although

such data suffer from a variety of limitations (as we highlight in the text), it offers important glimpses to the way funds are allocated centrally and on changing trends in the provision of public services in this spending area.

A full set of data and notes for the charts and tables which are presented in each volume of UKJPR are made available in Excel format, with the original sources that these figures are based on also made accessible whenever possible.

This material can be accessed either through the links in the online version of each report or via the Centre for Crime and Justice Studies' website: www.crimeandjustice.org.uk. The reader can therefore analyse the original data, in addition to viewing it in the form presented in UKJPR.

This volume

This third volume in the series documents ongoing developments in the third year of coalition government. The public spending cuts continued to be implemented across policy areas and the impact of welfare retrenchment and changes in employment patterns and conditions (such as increases in part-time and precarious working, e.g. zero-hour contracts) began to bite. Privatisation and outsourcing of service delivery also continued to develop, following the government's belief in bolstering the private sphere whilst reducing the role of the state as employer and direct provider. The special focus in the key data section of this report (pages 20-21) considers how the third sector is beginning to feature in this funding contractual model, which differs from the traditional grant system used to enable charities and voluntary organisations to provide services in the justice system.

In relation to the presentation of some of the data in this volume, readers should note that, like in previous years, many charts in the data section of this *Review* have a right as well as a left hand side axis in order to be able to illustrate the three separate jurisdictions and the total UK figures.

The references relating to all the articles in the *Key developments* section are to be found on page 33 of this volume.

Future editions in the series

Further volumes of the UKJPR are to follow. They will update many of the figures presented in this and earlier volumes with the most recent data available, as well as feature figures pertinent to the year in question. The fourth volume will reflect on the period 6 May 2013 to 5 May 2014 and the fifth report will cover the time span from 6 May 2014 to 5 May 2015, leading up to an expected general election in May 2015. As well as these annual reviews, a report that will consider the justice field under the coalition in its whole period of governance (from May 2010 to late 2014) is expected to be published in early 2015.

Context and overview

During its third year in office the coalition faced a bruising battle to get the *Justice and Security Bill* through parliament. Opponents claimed that its provisions to restrict the disclosure of evidence in open court on the grounds of national security undermined the rule of law and weakened government accountability. A joint briefing by the campaign groups Liberty and Reprieve described the Bill as ‘rotten to the core’ (Liberty and Reprieve, 2012). The Bill finally became law in May 2013 after parliamentary opponents had wrung out a number of concessions.

Parliament became a more difficult forum for the coalition government during its third year. The various Select Committees issued a number of critical reports on aspects of coalition policy. The House of Commons chamber also proved a challenging and at times fractious place and, in the words of Philip Cowley and Mark Stuart, remained ‘on course to be the most rebellious since 1945’ (Cowley and Stuart, 2013).

In July 2012 the government faced a major rebellion, with 91 Conservative backbenchers voting against the government’s proposals on Lords reform. The Bill was subsequently withdrawn, resulting in retaliatory action by Liberal Democrat MPs in January 2013 on constituency boundary reform. In October 2012 Conservative rebels joined with Labour to defeat the government on the seemingly arcane matter of European Union (EU) budget. The Prime Minister’s authority took a further knock in May 2013, when more than 100 Conservative backbenchers voted for an amendment to the Queen’s Speech aimed at bringing forward a referendum on the UK’s membership of the EU.

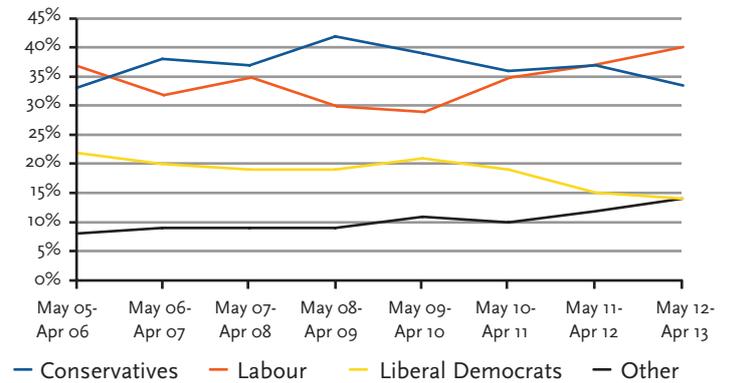
In September 2012 a cabinet reshuffle resulted in a major ministerial shake-up at the Ministry of Justice. Chris Grayling replaced Ken Clarke as Lord Chancellor and Justice Minister. A number of junior ministerial positions also changed. At the Home Office, Nick Herbert, the champion of police reform in general and Police and Crime Commissioners in particular, stepped down as a minister and returned to the backbenches.

On the economic front, the March 2013 *Economic and fiscal outlook* from the Office for Budget Responsibility (OBR) concluded that the economy had shrunk more in 2012 than earlier forecasts had suggested. The OBR halved its growth forecast for 2013 and revised it down for 2014. It also concluded that, while progress had been made since 2010 on deficit reduction, this had stalled since 2011-2012. No further progress was likely before 2014-2015 at the earliest, it concluded (OBR, 2013). On the electoral front, the trends highlighted in UK *Justice Policy Review 2* (UKJPR2) continued. Labour took a decisive lead in the opinion polls during 2012-2013. Conservative and Liberal Democrat support continued to fall.

This thumbnail sketch of some of the more notable wider developments gives a sense of the churn and challenge of the coalition’s third year in office.

As we pass the mid-point in the coalition’s planned five-year term it is possible to offer a provisional assessment of criminal justice and welfare developments to date. We start with the coalition’s own assessment of its achievements to date and plans for the rest of its term in office: the ‘mid-term review’ published in January 2013 (HM Government, 2013).

Figure 1: Voting intentions, May 2005 to April 2013



Source: Original calculations based on *The Guardian*/ICM poll

The mid-term review

The government’s ‘most important task’, the Prime Minister and Deputy Prime Minister explained in their joint Foreword, was ‘to build a stronger, more balanced economy capable of delivering lasting growth and wider shared prosperity’. This involved, they continued, ‘two things: growing the private sector, and reforming the public sector so that what the Government does - and the money it spends - boosts, rather than undermines, Britain’s competitiveness’.

Those concerned with criminal justice or welfare developments tend to understand proposed reforms and policy agendas against the background of distinct and specific challenges and logics specific to those institutions. Ministers too tend to justify proposed reforms in terms of challenges particular to them. The ‘rehabilitation revolution’, for instance, is understood as an attempt to address the revolving door of prison, in which a high proportion of prisoners are released only to be convicted and returned to prison again. The introduction of directly elected Police and Crime Commissioners tackles the democratic deficit, making the police more accountable to local communities. The Work Programme streamlines Labour’s complex back to work schemes with a single programme aimed at getting the unemployed into work. Ministers likewise tend to justify proposed reforms by reference to specific institutional challenges.

Institutional reform in the absence of a clear institution-specific justification risks much unnecessary effort and the waste of scarce resources. In general, ministers have offered a coherent rationale for many of their criminal justice and welfare reforms, though not without criticism. In their joint response to the *Transforming*

Rehabilitation consultation, for instance, the Probation Chiefs Association and the Probation Association questioned the rationale for further structural change. The Probation Service, the first and only public service to receive the British Quality Foundation's gold medal for excellence, was consistently high-performing by the Ministry of Justice's own measures, they argued (Probation Chiefs Association and Probation Association, 2013).

That such institution-specific arguments at times cut little ice with ministers and their advisors points to the importance of understanding the underlying governmental rationale, of which specific institutional reforms are but so many instances. From this perspective, the Prime Minister's and Deputy Prime Minister's emphasis on 'growing the private sector, and reforming the public sector' offers an important framework for understanding criminal justice and welfare reforms that, from an institution-specific perspective, can appear to lack clear reasoning.

Growing the private sector

Under the Work Programme arrangements set up by the government in 2011, 18 prime contractors and an army of subcontractors delivered some 40 contracts worth between £3 billion and £5 billion under a payment by results framework (Garside and Silvestri, 2013). The Ministry of Justice has also placed payment by results at the heart of the rehabilitation revolution agenda. The initially cautious approach adopted by Ken Clarke, with the launch of a number of relatively small scale pilots, has been superseded by a more ambitious programme under his successor Chris Grayling.

In the case of both the Work Programme and the rehabilitation revolution, payment by results offers the prospect of improved outcomes by using a financial incentive to deliver. Payment by results also represents significant business opportunities for, mostly, private sector companies. Other examples include the prison privatisation programme and the contracting out of court translation services (see *Courts and access to justice* in this *Review*).

Growing the private sector, including in the delivery of public services, has been an important government priority since it took office in 2010. And while critics have claimed ministers have at times been uncritical cheerleaders for private sector interests, there has been growing evidence of scrutiny and challenge.

In November 2012, the incoming Justice Secretary Chris Grayling told the House of Commons Justice Committee that he was 'a supporter of privatisation'. But he qualified this by adding:

I am not a supporter of privatisation in all circumstances and in all areas...I would look very hard and carefully at any bid that we received, and I am not interested in bids from the private sector that are unrealistic.

(House of Commons, 2012a)

Only a couple of weeks earlier, the Ministry of Justice signalled a shift in thinking on prison privatisation, with the announcement that some prisons put out to tender would remain in the public sector after the private sector bids did not offer the hoped-for savings and regime improvements.

Allegations of possible private sector fraud or mismanagement of criminal justice and welfare contracts have also emerged during the coalition's second, third and fourth years in office. These will be covered in the relevant sections of this *Review*.

Reforming the public sector

In some respects the growth of private sector involvement in public service delivery is the other side of the coin of public sector reform. Private sector involvement in the Work Programme and prisons, for instance, represents a reconfiguration of the way the state operates in these areas, rather than the state's 'retreat'. The opening up of probation services to competitive tenders as envisaged by *Transforming Rehabilitation* is a clear example of the state reforming a public service in order to create a new market for the private sector.

In other cases, major public sector reforms have wider implications for the private sector and civil society more broadly. The ambitious Universal Credit will require profound changes in the way the public sector operates across a range of government departments and local authorities. It will also require changes to the way that private sector and civil society employers relate to state agencies.

Among the various public sector institutions covered by UKJPR, the police have experienced the greatest change and transformation. The election of Police and Crime Commissioners - covered in more detail in the Policing section of this edition - is the most visible transformation under the coalition. The emergence of the National Crime Agency as a potentially powerful quasi-national police force - and the establishment of a single police force in Scotland - are significant developments. The changes to police pay and conditions prompted by the Winsor reports might appear rather prosaic by comparison. The impact on many thousands of public sector workers will, however, be significant.

Meanwhile, the ongoing reform of the court and legal aid arrangements across England, Wales, Scotland and Northern Ireland looks set to change considerably the ways in which citizens access justice. These and other developments are covered in their respective sections in this edition.

In his evidence to the Justice Committee referred to above, Chris Grayling observed that 'if you are going to be a reformer you have to bite the bullet and reform'. As problems and challenges have piled up, the Justice Secretary's characteristic bullish confidence is in shorter supply than in the coalition's early period of office. But despite setbacks, the government has pursued its criminal justice and welfare plans in a dogged, largely unchanged manner.

Policing

UK Justice Policy Review 2 referred to a ‘developing tension’ between centralism and localism in policing in England and Wales (Garside and Silvestri, 2013). The election of Police and Crime Commissioners (PCCs) in England and Wales signalled what appeared to be a major shift towards localism. A new quasi-national police force - the National Crime Agency - raised the prospect of greater centralisation.

Scotland took a different direction from England and Wales, with the establishment in April 2013 of Police Scotland, a single Scottish force replacing eight regional forces. The Police Service of Northern Ireland was facing different pressures, not least of all with continuing questions over the conduct of the Historical Enquiries Team (see Garside and Silvestri, 2013). These, and other developments in Scotland and Northern Ireland, will be covered in *Justice Policy Review 4* (UKJPR4).

During the coalition’s third year in office the tension between localism and centralism became more apparent. It forms the backdrop to understanding a series of potentially confusing policing developments in England and Wales.

There were many important developments during the year in question worth flagging up: for instance, the revelations of exploitative activities by undercover police officers and of cover-ups over the Hillsborough disaster. The ‘plebgate’ row involving the government’s then Chief Whip was a singular event with ongoing ramifications. There were also continuing discussions and consultations on the Winsor proposals to reform police pay and conditions.

This volume steps back from such specific developments to take a broad look at key policing developments in England and Wales during the coalition’s third year. Five stand out as particularly significant:

1. The publication of the *Strategic Policing Requirement*
2. The election of Police and Crime Commissioners
3. The changing role of the Police Inspectorate
4. The College of Policing
5. The re-emergence of the Association of Chief Police Officers as a major player

The Strategic Policing Requirement

The *Police Reform and Social Responsibility Act of 2011* (PRSRA) placed a requirement on Home Secretary Theresa May to issue a *Strategic Policing Requirement* (SPR). It was duly published in July 2012, in advance of the PCC elections four months later. Balancing the local and the national in policing was the key theme. As May wrote in her Foreword:

The election of police and crime commissioners allows Government to get out of the way of local policing, putting accountability, rightly, in the hands of local people. At the same time, this Strategic Policing Requirement demonstrates our commitment to getting a better grip on the national threats we face.
(Home Office, 2012)

Getting a ‘better grip’ on national threats meant a partnership between PCCs and Chief Constables on the one hand, and the Home Office and national bodies on the other. The partnership was not, however, an optional one. PCCs were ‘required to have regard to this Strategic Policing Requirement’ in relation to their crime plans and ‘should not depart from it without good reason’.

Police and Crime Commissioners

The SPR set out a central framework within which the PCCs would apply their, distinctly qualified, local powers and responsibilities. The organisation and outcome of the PCC elections in November 2012 also raised important questions of the legitimacy and accountability of the incoming PCCs.

The planning of the elections had been poor, with crucial decisions (for instance over bilingual ballot papers in Wales) being made very late in the day. Providing information about candidates primarily via a website contributed to poor awareness of the elections and their purpose among voters. The turnout, at only 15 per cent across England and Wales, was, in the words of a highly critical Electoral Commission report, the ‘lowest recorded level of participation at a peacetime non-local government election in the UK’ (Electoral Commission, 2013).

Questions were also raised about what the House of Commons Home Affairs Committee (HAC) described as the ‘monoculture’ of the elected PCCs:

Only 1 in 7 are women and there is a complete lack of representation of ethnic minorities amongst the commissioners.
(House of Commons, 2013a)

The HAC (further) expressed concern over the apparent lack of transparency over PCCs’ business and other outside interests. Local accountability of PCCs to their respective electorates would be enhanced, the HAC argued, by the Home Office establishing a central register of interests, as had been done in the case of Chief Constables.

The SPR had spelled out PCCs’ national responsibilities in relation to local policing plans. PCCs’ accountability at a *local* level was another matter. This came to a head over a number of high-profile disputes between PCCs and Chief Constables, particularly in Avon and Somerset, Gwent and Lincolnshire.

An election once every four years offered little by the way of ongoing accountability, the HAC argued. Meanwhile, the Police and Crime Panels, which were supposed to scrutinise the work of the PCCs, appeared unclear about their powers. There were ‘risks of maverick behaviour’, noted the HAC, if the appropriate checks and balances were not in place. While steps should be taken to increase local accountability, the Committee also argued that the Home Office needed to take a stronger central lead across England and Wales to underpin the stability of individual police forces and operational effectiveness.

Her Majesty's Inspectorate of Constabulary

In June 2012 the Home Secretary, Theresa May, announced Tom Winsor as her preferred candidate for the role of Her Majesty's Chief Inspector of Constabulary (HMCIC). Following a review of her decision by the HAC, Winsor was confirmed in post in July.

The role of HMCIC - 'perhaps the most important position in policing', according to the HAC (House of Commons, 2013b) - had always been filled by a senior and experienced police officer. Winsor was a civilian the recent author of a major review on police pay and conditions that was highly unpopular among the rank and file.

More significantly, Winsor's appointment symbolised the planned realignment in the role of Her Majesty's Inspectorate of Constabulary (HMIC). The then policing minister Nick Herbert told the HAC that responsibility for promoting best practice would, in future, rest with the College of Policing (CoP). HMIC would perform an inspection and regulatory role, requiring a different leadership skill set. Winsor, the former rail regulator, fitted the bill.

Since the PRSRA, the Home Secretary has the authority to specify particular matters that HMIC should examine as part of its inspections. For the Police Federation (PF) this put in doubt HMIC's independence from the Home Office. As the PF's former chairman, the late Paul McKeever, explained in a letter to the HAC, the concern was what the role of HMIC would 'now entail and from where in the future an insight and assessment of the performance of the police service will come that is independent of government' (ibid).

In his first speech as HMCIC, Winsor emphasised the independence of the Inspectorate from government. In a variation of the centralism/localism dynamic, he raised the prospect of his taking a view on the decisions of PCCs, if these were judged to have impeded the actions of the Chief Constable (Winsor, 2013). Future volumes of UKJPR will return to the shifting terrain of local and central accountability and oversight of the police.

The College of Policing

Proposals for a policing professional body - what became the CoP - emerged from Neyroud's 2011 review of police leadership (see Garside and Mills, 2012). The CoP became operational in December 2012 with Alex Marshall, formerly Chief Constable of Hampshire, as its chief executive.

The CoP is an attempt to consolidate a set of functions relating to police professional development and best practice previously spread across at least three different bodies: the National Police Improvement Agency (NPIA); HMIC and the Association of Chief Police Officers (ACPO).

The NPIA, established in 2006 to, among other things, promote improved policing practice, was wound down operationally in late

2012 and is due to close down during 2013. The majority of the NPIA's functions were transferred to the CoP during the year under review.

The role of the Inspectorate as a champion of effective policing was more informal. As a senior and experienced police officer, HMCIC traditionally performed the role of advisor to successive Home Secretaries and mentor to Chief Constables. The shift in focus of HMIC to a more regulatory function and the appointment of a civilian to the role of Chief Inspector means this informal function has fallen into abeyance, at least for the time being.

ACPO, formally a private company, has historically been the main organisation responsible for the professional leadership of the police. This formal private status had become, Neyroud argued in his report, 'increasingly problematic in terms of public perception of accountability'. He therefore recommended that ACPO should be merged with his proposed police professional body to 'create public accountability and an unequivocal framework of public interest' (Neyroud, 2011). While the government agreed the broad principle of Neyroud's proposals, the College of Policing emerged as a self-standing entity, leaving ACPO's future role in this area rather uncertain.

The Association of Chief Police Officers

The Association of Chief Police Officers started the year under review with its future somewhat in doubt. The Home Office grants that had sustained it over many years came to an end in 2012. Yet by the end of the coalition's third year ACPO emerged in a strong position.

In 2012 a restricted report by HMIC on ACPO, released following a *Freedom of Information Act* request, argued that the combination of localism via the PCCs and new demands for centralised police coordination via the new *Strategic Policing Requirement* meant that there would 'inevitably be tensions between local and national policing requirements' (HM Inspectorate of Constabulary, 2012). Existing national coordinating structures were no longer fit for purpose. The proposed new coordinating bodies - the CoP and the National Crime Agency (NCA) - were not yet fully functional.

In the interim, HMIC proposed, a Strategic Police Coordination Centre (SPoCC) should be established, probably under the auspices of ACPO. In the longer term HMIC argued that the CoP or NCA could perform this coordinating function. However, it argued that keeping SPoCC located with ACPO was 'more likely to accord with and preserve the devolved character of British policing' and more likely to secure buy-in from Chief Constables.

When the SPoCC was announced in April 2013, it was located with ACPO and named the National Police Coordination Centre (NPoCC). Time will tell whether this arrangement is an interim or long term one.

The courts and access to justice

In the year under review the House of Commons Justice Committee (JC) accused the Ministry of Justice of contempt of parliament in its handling of an enquiry into the contract for court translation and interpretation services in England and Wales. Plans to reform judicial review and legal aid prompted claims by over 100 leading lawyers, including a former Attorney General and a former Director of Public Prosecutions, that they would 'seriously undermine the rule of law, and Britain's global reputation for justice'.

Criminal legal aid reforms across the United Kingdom and the disastrous court translation contract in England and Wales are the main developments covered in this section. The reason for exploring the former should be fairly clear. Access to representation via legal aid, as the Justice Secretary wrote in his Foreword to the government's controversial proposals, 'goes to the heart of a civilised society, and underpins access to justice' (Ministry of Justice, 2013a). The proposed changes threw into sharp relief important questions about what access to justice meant in practice. The court translation contract, in contrast, might appear rather technical, arcane even. Its significance for UKJPR comes less from the controversy that it stirred up and more from what it illustrates about the coalition's approach to the delivery of a key justice service. The *Context and overview* section in this issue highlights the importance the coalition attaches to reforming the public sector and growing the private sector. The court translation contract is a good example of this dual priority in action.

The court language service contract

In 2009 the Office of Criminal Justice Reform (OCJR) began a review of court translation and interpretation services in England and Wales. The previous system (which involved the direct commissioning of qualified and accredited specialists, mostly through the National Register of Public Sector Interpreters) was well established and understood. The OCJR concluded that it was also inefficient, badly coordinated and costly. Reform could improve the management of the system and reduce costs. The incoming coalition government picked up this work and in August 2011 signed a framework agreement with Applied Language Services (ALS) to deliver interpretation and translation services across the whole justice sector. ALS was acquired by Capita in late 2011, after the framework agreement had been signed. The contract came into full force in January 2012 (National Audit Office, 2012a).

Problems arose immediately. The new system was the subject of a widespread boycott by interpreters and translators. Only 280 interpreters were ready for work when the new system went live. The Ministry of Justice had estimated that 1,200 were needed. Capita met just 58 per cent of bookings, leading to a sharp rise in trial delays.

A highly critical report by the House of Commons Public Accounts Committee (PAC) in December 2012 found that the Ministry of Justice had failed to consult adequately with court translators and interpreters and lacked information on their previous use. It did not conduct due diligence on ALS before signing the framework agreement. The PAC described the £2,200 penalty Capita/ALS had paid for underperformance as 'risible' and commented on the 'low expectations of performance [that] allow private companies to get away with over promising and under delivering'. At the time of the publication of its report the PAC noted that the Ministry of Justice was still relying on contingency plans to source some interpreters (House of Commons, 2012c).

Two months later the JC published its own report, echoing many of the PAC's concerns. It also questioned the rationale for changes to the court translation service. Acknowledging some 'clear administrative inefficiencies within the variety of previous arrangements', the JC went on to argue that 'there do not appear to have been any fundamental problems with the quality of services'.

Of more political significance, the JC accused the Ministry of Justice of contempt of the House of Commons for discouraging court staff and magistrates from cooperating with its inquiry. It had decided against taking this matter further, but it reminded 'the Ministry of Justice and its agencies to have proper regard to the rights of Parliament' (House of Commons, 2013b).

In all, this rather unedifying episode is a case study of how *not* to undertake public service reform. There was a government department embarking on a reform of questionable necessity, relying on inadequate information about the arrangements it sought to replace and an incomplete specification of the system that would be put in its place. Add to this a lack of consultation with and lack of buy-in from the specialists needed to make it work, an apparent hostility to parliamentary scrutiny and challenge and a perfect storm of poor implementation and crisis management was almost inevitable.

Legal aid

The *Legal Aid, Sentencing and Punishment of Offenders Act 2012* (LASPO) marked the end of the Legal Services Commission. It was replaced from April 2013 by the Legal Aid Agency. LASPO restricted access to legal aid in civil cases but left criminal legal arrangements largely unchanged. During the year under review, the government launched two consultations aimed at restricting criminal legal aid in England and Wales. In Scotland and Northern Ireland, too, the devolved administrations sought to make changes to criminal legal aid.

In October 2012 the Ministry of Justice launched a consultation on the means testing of legal aid in the Crown Court (Ministry of Justice, 2012a). It proposed, among other things, a tightening up of the regime for assessing defendants' means and additional

measures to reclaim legal costs from those found guilty. This included the symbolically important proposal to clamp vehicles of defendants refusing to make a required contribution to their legal costs. The press release that accompanied the consultation, promising 'tough new measures to make sure convicted criminals pay back legal aid', gave a sense of the government's intentions (Ministry of Justice, 2012b). The consultation generated a mere 21 submissions.

In its March 2013 response to the consultation, the Ministry of Justice took note of a number of points of detail raised by the responses and, in modified form, the proposals largely went through (Ministry of Justice, 2013a). The following month the Ministry of Justice initiated a fresh consultation covering both criminal and civil legal aid matters (Ministry of Justice, 2013b). This section only considers the proposals in relation to criminal legal aid.

The main proposals in relation to criminal legal aid can be summarised as:

- A restriction of prisoners' access to criminal legal aid for prison law to cases involving European Convention on Human Rights provisions (related to the right to fair trial and to the review of ongoing detention) and to certain internal prison disciplinary hearings
- The introduction of an income threshold so that Crown Court defendants from households with a disposable annual income above £37,500 would no longer get legal aid
- The establishment of price competition in 'the criminal legal aid market' for most cases apart from the so-called 'Very High Cost Cases' (VHCCs)
- Proposals to reduce the cost of criminal legal aid fees for Crown Court and VHCCs through a reduction in fees and through further restrictions on the use of multiple advocates.

The Ministry of Justice estimated that, if implemented, these and their proposals relating to civil criminal aid would result in savings of £220 million annually by 2018/2019.

The proposals were controversial. If the earlier legal aid consultation had been a quiet affair the latter review was anything but. The Ministry of Justice was deluged with responses, as its consultation response explained:

Ministry of Justice officials held fourteen stakeholder events around the country which were attended by an estimated 2,500 people... Our consultation received nearly 16,000 responses.
(Ministry of Justice, 2013c)

'It is inevitable', the response continued, 'that changes of this kind will generate enormous interest as was evident in the responses we received'. Quite.

The government's response to the consultation was published in September 2013, beyond the end of the year under review in this volume. It will be covered in UKJPR4. A letter to *The Daily Telegraph* in late May 2013, however, gives a flavour of the legal principles critics felt were at stake (Arden and others, 2013).

The letter mostly dealt with the implications of the proposals on judicial review but concluded with an assessment of the criminal legal aid plans:

The Ministry of Justice is proposing changes to criminal legal aid which will deny choice and effective representation to those accused of crimes, leading to a rapid and probably irreversible fall in standards of representation. We urge the Government to withdraw these unjust proposals.

Important legal principles were at stake. But, as the consultation document made clear, other factors, driven by the logic of wider public sector reform, were also important:

It is clear that the current position of administratively set and unnecessarily complex fees, with over 1600 organisations delivering those services is far from being the most efficient way of procuring services. Our proposed model would result in consolidation of the market, making it easier to access greater volumes of work and allowing control of the case from end to end.
(Ministry of Justice, 2013b)

'Consolidation of the market' being code for mergers, takeovers and closures: the legal profession was, unsurprisingly, not impressed.

Similar legal aid developments were unfolding in Scotland at much the same time. The *Scottish Civil Justice Council and Criminal Legal Assistance (Scotland) Act*, which came into law in March 2013, introduced a requirement for defendants with income and/or capital assets above a given threshold to make a contribution to their legal aid bill. After a degree of parliamentary haggling, the threshold was set at a disposable income of more than £82 a week. (Scottish Parliament Information Centre, 2013). In late May 2013, the Scottish Legal Aid Board announced it would be exploring options for the contracting of legal aid work (Scottish Legal Aid Board, 2013).

In Northern Ireland, the Justice Minister David Ford launched a consultation in March 2013 proposing, among other things, to introduce threshold limits for criminal legal aid into the magistrates' courts, drawing on the experience of England, Wales and Scotland (Department of Justice for Northern Ireland, 2013).

These, and other, developments will be covered in the next volume, UKJPR4.

Prisons and probation

In May 2012 the Ministry of Justice launched 'ONE3ONE Solutions' (Ministry of Justice, 2012c). Complete with a slick website and promising a 'workforce of motivated prisoners who are looking to repay society and build outstanding business relationships', ONE3ONE Solutions signalled that the prison system in England and Wales was avowedly open for business. The developing prison and probation marketplace in England and Wales forms the main focus of this section. Before exploring it in detail, we summarise developments in the respective prison estates.

Planning the prison estate

In June 2012 the Northern Ireland Justice Minister, David Ford, announced a consultation on an outline strategy for the Northern Ireland prison estate over the coming decade (Northern Ireland Prison Service, 2012). The strategy proposed significant changes across the estate, including the closure of Magilligan Prison and the construction of a new prison next to Maghaberry. The proposed closure of Magilligan proved particularly controversial. In Ford's statement to the Northern Ireland Assembly in March 2013, he announced a phased redevelopment, rather than closure of Magilligan Prison. He also announced the reconfiguration of Hydebank Wood as a secure college for young offenders; the provision of a separate, dedicated facility for women; the reconfiguration of Maghaberry; and the development of a working out unit on the site of the former Prisoner Assessment Unit. Full implementation of the proposals, however, would 'be dependent upon the level of funding in future Budget allocations' (Ford, 2013).

In Scotland the Justice Secretary, Kenny MacAskill, announced a 'major shake-up' of the approach to women in the criminal justice system in the official response to the Angiolini Commission (Scottish Government, 2012a; see also UKJPR2). Accepting 33 of the Commission's 37 recommendations, the government agreed to consult on proposals for a long-term replacement to Cornton Vale prison. The Scottish Prison Service consultation in August 2012 proposed, as a shorter-term solution, building a specialist women's unit at Edinburgh prison and fully utilising capacity at the planned Inverclyde prison. The more ambitious plans for specific units and a single national prison for women could then be considered 'in the longer term' (Scottish Prison Service, 2012). In a letter to the Scottish Parliament Justice Committee, Mr MacAskill confirmed that a new 'regional unit' would be developed at Edinburgh prison, with Inverclyde being developed as a 'custom-made' national prison for women (MacAskill, 2012).

In January 2013 in England and Wales, the Ministry of Justice announced a combination of prison closures and new prison places. Bullwood Hall, Canterbury, Gloucester, Kingston, Shepton Mallet and Shrewsbury were identified for closure, with some accommodation at Chelmsford, Hull and Isle of Wight also going. The loss of places would, though, be more than offset by a proposed new 2,000-place prison, 'likely to be in London, the North West or North Wales', and some 1,200 new places in Parc, Peterborough, The Mount and Thameside (Ministry of Justice, 2013d).

The offender management marketplace

Since 2010 the coalition has developed a distinctive vision for the governance, procurement and delivery of prison and community sentences. In the *Breaking the Cycle* Green Paper, published in December 2010, the government signalled its intention to create an offender management marketplace for public, private and voluntary sector providers to compete with each other to deliver contracts based on payment by results principles (Ministry of Justice, 2010). The two *Punishment and Rehabilitation* consultations (Ministry of Justice, 2012d; 2012e), published in March 2012, built on this foundation. One, covering 'effective community sentences', proposed a number of changes, mostly of a minor and incremental nature to existing arrangements. The other mapped out a future role for Probation Trusts as the commissioners of probation services in their area, albeit on the basis 'that there may be fewer Probation Trusts than now' in order to achieve the necessary economies of scale (Ministry of Justice, 2012d).

The government gave its response to the community sentences consultation in October 2012, confirming its original proposals, with minor adjustments and making a commitment to legislate for a 'punitive element' in all community sentences (Ministry of Justice, 2012f). This the government duly did with the *Crime and Courts Act 2013*, which came into law in April 2013.

The government's response to the probation consultation did not emerge until January 2013, as part of a new set of proposals, *Transforming Rehabilitation*, promising 'a revolution in the way we manage offenders' (Ministry of Justice, 2013e). This was followed swiftly by the government's firmed-up plans, published in May 2013 (Ministry of Justice, 2013f). It included ambitious proposals for the creation of an offender management marketplace and a radical rethink of the role and structure of the Probation Service.

At least two sets of factors converged to shape these proposals. One set relates to the coalition's underlying commitment, as explored elsewhere in this *Review*, to expand opportunities for the private sector and reform the public sector (see *Context and overview*). From this standpoint, the *Transforming Rehabilitation* proposals ticked both boxes: an offender management marketplace in which the private sector could bid for business and a reformed public sector Probation Service.

The other set of factors relates to an emerging consensus, both within and beyond the Ministry of Justice, that the existing governance and commissioning structures within the National Offender Management Service (NOMS) in general and the Probation Service in particular were hindering progress. A National Audit Office report in September 2012 noted that Probation Trusts, while central to the Ministry of Justice's commissioning agenda, had a 'fundamentally different relationship' to the department as independent, local bodies (National Audit Office, 2012b). This point was also made by a report from the House of Commons Public Accounts Committee (PAC) in March 2013. In

the same report the PAC also stated that it was ‘not convinced that probation trusts have the infrastructure and skills they need to commission probation services’ (House of Commons, 2013c). The report went on to urge NOMS to work with Probation Trusts to develop commissioning skills, while also noting plans to ‘let large contracts nationally, as expertise exists centrally’.

Around the same time, the House of Commons Justice Committee (JC) was conducting an inquiry into operations of the Ministry of Justice. In its report the JC argued that the existing NOMS structure was ‘inadequate’ and that attempts to bring prisons and probation closer together were ‘little more than a sticking plaster’. Moreover:

We have long argued that the difficulties NOMS has experienced in reducing reoffending are inherent in its current structure and that there should be a more ambitious integrated system of offender management involving the commissioning of both prison and probation services in defined geographical areas.
(House of Commons, 2012d)

The proposals in *Transforming Rehabilitation* therefore addressed a number of concerns raised by both the PAC and JC. In terms of governance, the relationship of the Probation Service to the Ministry of Justice that the PAC saw as anomalous was resolved. *Transforming Rehabilitation* proposed the establishment of a new ‘public sector probation service’, managed directly by the Ministry of Justice rather than at arm’s length via the quasi-independent Probation Trusts.

In terms of commissioning, contracting would be handled centrally by the Ministry of Justice, across 21 ‘contract package areas’ (CPAs), rather than locally by the 35 Probation Trusts. In a sign of the shifting geography of criminal justice, in which joint working with non-criminal justice agencies was considered as important as partnerships between criminal justice agencies, the Ministry of Justice also indicated that it would ‘ensure that contract package areas do not cut across either PCC¹ or Local Authority boundaries and align as closely as possible with the Work Programme’ (Ministry of Justice, 2013f).

In terms of delivery, *Transforming Rehabilitation* appeared to be taking further steps towards the kind of integrated approach recommended by the JC. One provider would have overall responsibility for the majority of released prisoners and those serving community sentences in a given CPA. A proportion of prisons in each CPA would be redesignated ‘resettlement prisons’, with inmates being released from them into the local area. The residual public sector Probation Service would manage the numerically much smaller ‘high-risk’ individuals.

To simplify a much more complicated picture, the government drew the conclusion that, if the marketplace was to work, existing prison and probation structures would need to be adapted to its requirements. Previously the coalition had attempted to do the opposite: adapting the emerging offender management

marketplace to fit with existing prison and probation structures.

In Scotland too the government was wrestling with the tension between the national coordination and local delivery of offender services in the community. In December it launched a consultation on redesigning the community justice system (Scottish Government, 2012b). The consultation offered three options:

1. An ‘enhanced’ Community Justice Authority (CJA) model, allowing the Scottish Government greater coordinating control over the work of the CJAs
2. The abolition of the CJAs, with local authorities taking on the responsibility for the planning and delivery of services to offenders in their areas
3. The abolition of the CJAs, with a new single social work led service being established

The consultation closed in April 2013. Further developments will be covered in UKJPR4.

The prisons marketplace

In July 2011 the Ministry of Justice had put nine prisons in England and Wales out to tender, with a view to possible privatisation. To the surprise of many, in November 2012, the Ministry of Justice announced that only five of the original nine prisons would progress to the next stage of negotiations with the private sector. Three would remain in the public sector because a ‘compelling package of reforms to deliver cost reductions’ had not been forthcoming. A fourth, G4S-run HMP Wolds, would return to the public sector (Ministry of Justice, 2012g).

The electronic monitoring marketplace

Questions of cost and value for money from the private sector became an emerging issue also in relation to electronic monitoring. In Scotland, in September 2012, G4S was controversially awarded the contract to deliver the next generation of satellite tracking tags (Scottish Government, 2012c). The announcement came on the same day that an HAC report criticised the company for failings in its delivery of the security contract for the London Olympic Games (House of Commons, 2012e). In the same month a report by Policy Exchange argued that the private sector charged much higher fees for electronic monitoring in England and Wales than it did in the United States (Geoghegan, 2012), a point picked up on by the PAC in its report on NOMS (House of Commons, 2013c). The reverberations were to continue into the coalition’s fourth year. G4S and Serco, the two electronic monitoring providers in England and Wales, were subject to Serious Fraud Office investigations and withdrew from the competition to supply a new generation of satellite tracking tags (Barrett, 2013).

¹ i.e. Police and Crime Commissioners.

Welfare reform

During its third year, the coalition's two flagship welfare reform programmes, the Universal Credit and the Work Programme, faced major turbulence. This section summarises the key events during the year under review against the background of developments since 2010.

Universal Credit

Universal Credit brings together six working-age benefits: Jobseeker's Allowance, Employment and Support Allowance, Income Support, Housing Benefit, Working Tax Credit and Child Tax Credit (National Audit Office, 2013).

Under the government's outline timetable, published in November 2010, all new out-of-work claims for the first four of these benefits were due to be handled as Universal Credit from October 2013. From April 2014, no new tax credits were to be processed. The government then proposed to migrate all existing claims over to Universal Credit from April 2014, with a completion target of October 2017 (Department for Work and Pensions, 2010).

A year later, an updated and more detailed plan confirmed this timetable (Department for Work and Pensions, 2011). In a written ministerial statement, Work and Pensions Secretary Iain Duncan Smith mapped out an ambitious programme:

Between October 2013 and April 2014, 500,000 new claimants will receive universal credit in place of jobseekers allowance, employment support allowance, housing benefit, working tax credit and child tax credit. At the same time a further 500,000 existing claimants (and their partners and dependants) will also move on to universal credit as and when their circumstances change significantly, such as when they find work or when a child is born. (HC Deb, 1 November 2011, c35WS)

In May 2012 the government announced an additional element in the roll-out programme: four 'pathfinder' projects would start in April 2013, six months before the national roll-out, to test out the new system on 'up to 1,500 new Universal Credit claimants' (Department for Work and Pensions, 2012a). The contrast between a handful of pilots with a caseload in the low thousands and a planned national roll-out with caseloads in the hundreds of thousands just six months on was striking.

On 19 September 2012, Duncan Smith was in Glasgow, delivering a keynote speech on the government's welfare reform programme. Universal Credit was 'on time and within budget,' he said. 'The delivery programme is challenging, but we are handling the risks' (Duncan Smith, 2012). The launch of Universal Credit would be 'staged' he added. There would be 'no big bang launch'. His department was working on a gradual 'transition from current benefits and tax credits' over a number of years, with the national roll-out 'expected to be completed by the end of 2017'.

With the advantage of hindsight, that careful phrase, 'expected to be completed', and the reference to the 'challenging' delivery programme were significant. At the time he made his speech, Duncan Smith would have known that the roll-out was in trouble. As he was to tell MPs in September 2013, an internal review instigated in 'early 2012' found that 'the leadership was struggling, a culture of good news was prevailing and intervention was required'. Following a shake-up of the senior team, the programme was 'reset' in October 2012 (HC Deb, 5 September 2013, c467).

In early 2013, however, a further review, this time by the Major Projects Authority (MPA) a Cabinet Office body created in 2011 to coordinate major projects across government raised fresh concerns. The programme, it concluded, lacked a clear blueprint or delivery plan. The IT infrastructure that had been developed for the small-scale 'pathfinder' pilots did not appear scalable, nor secure, for a national roll-out. Clarity over accountability in the leadership team was lacking. Control over suppliers and expenditure was weak. The MPA gave the project an amber/red rating, indicating that successful delivery was in doubt, and recommended that it be 'paused' with immediate effect until the underlying problems were resolved (National Audit Office, 2013).

The existing 'lack of transparency', the PAC noticed, 'merely serves to heighten lack of confidence in the programme and the providers working in it'

Following this further review, an MPA-led 'reset team' worked with the DWP between February and May 2013 to develop a programme delivery blueprint. In May 2013 the programme team embarked on a '100-day planning period', due to end in September 2013, with a view to developing fresh delivery plans towards the end of 2013 (National Audit Office, 2013).

In the meantime, only a single pathfinder was launched in April 2013, handling a much simpler caseload than originally planned, with three further pathfinders coming on stream three months later in July. The DWP also revised its plans for the national roll-out, only committing to the launch of six further pathfinders by October 2013. In its assessment of progress to date, published in September 2013, the National Audit Office considered it 'likely that Universal Credit will not be able to take all new claims and provide the full planned service until at least December 2014' (National Audit Office, 2013).

The Universal Credit was intended to be applied consistently across the United Kingdom. During the year under review differences across the regions became apparent.

A report for the Welsh Government by the Institute for Fiscal Studies, published in February 2013, estimated that the

coalition's welfare reforms would 'reduce total benefit and tax credit entitlements in Wales by around £520 million' (Adam and Phillips, 2013). The report added to concerns that reforms dreamt up in Westminster would have differential, and unfair, impacts in different regions of the United Kingdom. In Scotland the parliament brought forward its own legislation on welfare reform, rather than agreeing to the *Welfare Reform Act*, passed by parliament in Westminster, applying automatically to Scotland. The resulting *Welfare Reform (Further Provision) (Scotland) Act* became law in August 2012 and gave limited powers to Scottish ministers to seek to mitigate some of the impact of the coalition's reforms (Scottish Parliament, 2012).

Welfare matters are formally devolved in relation to Northern Ireland, though in practice the Northern Ireland Government seeks to maintain a consistent approach with that of the United Kingdom Government. During the year under review the necessary legislation for the Universal Credit was working its way through the Northern Ireland Assembly. Developments in Northern Ireland will be picked up in UKJPR4.

In November 2012, a report by the House of Commons Work and Pensions Select Committee raised significant concerns about the possible impact of the changes on vulnerable claimants, including those without regular internet access, the disabled and those who with poor financial literacy (House of Commons, 2012f).

The Work Programme

On 15 May 2012 the DWP announced the cancellation of the Mandatory Work Activity (MWA) contract held by public services contractor A4e. The decision followed a DWP investigation, prompted by allegations of fraud in relation to the MWA and other employment programme contracts, some dating back to 2009. The DWP investigation 'identified significant weaknesses in A4e's internal controls on the Mandatory Work Activity Contract...The documentation supporting payments was seriously inadequate, and in a small number the claim was erroneous' (DWP, 2012b). The DWP 'found no evidence of fraud'.

The contract, one of 12 major contracts the DWP had with A4e, was a small one. Its annual estimated value of £664,000 was less than one per cent of A4e's more than £78 million worth of employment programme business it conducted annually on behalf of the DWP (National Audit Office, 2012c). The fraud allegations were, though, to rumble on. In late September 2013 the Crown Prosecution Service announced that nine A4e employees had been charged with committing 'numerous offences of fraud' between 2009 and 2013 (Crown Prosecution Service, 2013).

These allegations related to other employment-related schemes, not the Work Programme. Indeed the PAC noted in a report in September 2012 that fraud controls in relation to the Work Programme were 'a significant improvement on previous

schemes', not least because it had rationalised significantly the number of contracts. Under the previous Labour Government's New Deal, it noted: 'there were 1,300 contracts and 600 contractors compared to the Work Programme's 18 contractors and 40 contracts' (House of Commons, 2012g).

None of the 18 Work Programme providers met their contractual targets

PAC also called for the DWP to 'publish validated data on the outcomes achieved by the Work Programme'. The existing 'lack of transparency', the PAC noticed, 'merely serves to heighten lack of confidence in the programme and the providers working in it'.

In November 2012 the DWP published the first set of Work Programme outcomes data, covering the period June 2011 to July 2012 (Department for Work and Pensions, 2012c). An assessment by NAO the following month raised a number of points of concern. In the year to July 2012, 3.6 per cent of those referred to providers by Jobcentre Plus - some 31,240 - were judged to be off benefits and in sustained employment. This compared with an estimated minimum performance level of 9.7 per cent and the DWP's expectation of 11.9 per cent (National Audit Office, 2012d).

Outcomes for particular groups varied. For the largest group of participants - those aged 25 and over and claiming Jobseeker's Allowance - the actual performance of 3.4 per cent was significantly below the DWP's estimate of the 'non-intervention rate': those who would have found sustained work had the Work Programme not been running at all. This was 9.2 per cent. None of the 18 Work Programme providers met their contractual targets.

A report by the PAC the following February highlighted the poor outcome figures. Incentives to encourage providers to reach the 'hardest to help' were not working, with evidence of providers 'parking' those clients who proved difficult to get into work while 'cream skimming' the easier cases. Performance across the different providers varied widely. The PAC expressed concerns that one or more of the Work Programme providers might go out of business or have their contracts cancelled (House of Commons, 2013d).

The PAC also criticised the DWP for its approach to releasing performance data. 'The Department's failure to publish information on its own expectations of performance, or an explanation of why actual performance was worse than expected, hindered a proper understanding of the Programme's progress,' the PAC noted. 'In future the Department should release information in a timely manner, and include details of expected as well as actual performance, explaining any differences between the two.'

The year in view: Timeline, 6 May 2012 to 5 May 2013

6 May 2012

9 May: Queen's speech

Focus on competition, employment disputes, director's pay and regulatory reform.

9 May: Iain Duncan Smith's welfare speech

Plans for 'effectiveness in public spending' and 'mobility in our welfare system'.

10 May: Nick Herbert's letter to police officers

Detailing the case for police reform.

16 May: Home Secretary Police Federation speech

Theresa May defends police cuts and sets out plans to make policing more 'efficient'.

24 May: Launch of One3One Solutions

A government-led enterprise designed to increase prisoners' commercial work by attracting business partnerships.

30 May: £383,000 deducted from prisoners' pay in six months

Under the *Prisoners Earnings Act 2011*, 40 per cent of wages can fund victim support services.

2 July: Increase to the Victim Surcharge

Increasing fines and extending the scheme to those given conditional discharge, community or custodial sentences expected to raise an extra £50m.

2 July: Policing in Austerity report

HM Inspectorate of Constabulary finds police forces rising to the 'challenge of decreasing spending'.

4 July: Tom Winsor appointed as Her Majesty's Chief Inspector of the Constabulary

11 July: Lawrence investigation review

Looking at alleged corruption in the original police investigation of Stephen Lawrence's murder.

27 July: Report into summary criminal legal assistance and disclosure in Scotland

Findings of the impact of reforms introduced by the summary justice reform programme.

4 September: Chris Grayling appointed Justice Secretary

For England and Wales.

12 September: Report of the Hillsborough Panel published

Clears fans of causing the disaster; acknowledges the ordeal faced by victims' families in their search for justice.

18 September: Restructuring of the National Offender Management Service (NOMS)

Report examines NOMS' restructuring process to achieve its savings target of 37 per cent; finds that it has improved efficiency and accountability.

21 September: G4S satellite tracking contract in Scotland

Hailed by the Scottish Justice Secretary as a significant step for law enforcement.

7 June: Consultation on Northern Ireland prison estate

Aims to develop a 'modern and fit for purpose prison estate' which 'supports rehabilitation'.

12 June: Expansion of mandatory work activity scheme

Extra £5m to allow for 70,000 referrals each year.

14 June: Probation Inspectorate report into electronic monitoring

'Tagging should be used not only to punish, but also to help change behaviour'.

15 June: Child Poverty in the UK report

Target to halve the number of children in poverty by 2010 has been missed.

25 June: Scottish Government response to Angiolini Commission

Prison Service to identify ways to replace Scotland's only female prison, HMP Cornton Vale.

6 August: Corton Vale replacement consultation

The Scottish Prison Service looks into options for the replacement of Scotland's only female prison.

6 August: Judicial review rejects claims that work schemes are forced labour

The Department for Work and Pensions must however improve the clarity of its sanction warnings for people deemed to have failed to join the schemes without 'good reason'.

7 August: Police and Fire Reform (Scotland) Act gains Royal Assent

Establishes a single Scottish police force and fire service.

16 August: Police and Crime Commissioners to swear oath of impartiality

PCCs in England and Wales brought into line with the requirement on judges and police officers.

1 October: New community payback arrangements

Run by SERCO and the London Probation Trust.

16 October: Gary McKinnon extradition refused

Home Secretary announces withdrawal of the extradition order on the grounds that it would violate his human rights.

23 October: Police powers to prosecute without CPS enhanced

Police can prosecute a wider range of offences to 'reduce unnecessary bureaucracy and ensure swifter justice'.

8 November: More prison competition

HMP Northumberland and the South Yorkshire group of prisons are to become part of the private sector, while HMPs Coldingley, Durham and Onley remain in the public sector.

15 November: First Police and Crime Commissioner Elections in England and Wales**19 November: Proposals on judicial review reform in England and Wales**

Aim to reduce the number of 'ill-founded' applications.

22 November: Voting Eligibility (Prisoners) Draft Bill

Two options would give certain prisoners the vote while the third would see the continuation of the existing ban.

9 January: 'Transforming Rehabilitation' plans announced

All first time offenders to be subject to mandatory supervision and tailored programmes on release from prison.

10 January: Seven prisons to be closed in England

A feasibility study into a Titan-style super prison also announced.

29 January: Scottish Civil Justice Council and Criminal Legal Aid Act passed

Brings in controversial changes to criminal legal aid.

31 January: Home Affairs Committee reports on the Independent Police Complaints Commission

The regulator is deemed 'woefully under-equipped'; serious concerns are raised around its capacity to conduct a 'proper investigation'.

1 March: House of Commons interim report on undercover policing

Following High Court claims against ACPO, Metropolitan Police and South Wales Police that undercover police officers had breached the human rights of the people they had had relationships with while infiltrating their groups.

5 March: New 'crime outcomes recording framework'

Changes to crime recording are supposed to facilitate police officers using 'their professional judgment', according to the government.

19 March: Northern Ireland prisons estate reconfiguration

Hydebank Wood prison to become a secure college; dedicated facilities to provide custodial and community sentences for women.

3 December: College of Policing becomes operational

Aims to provide police forces with the relevant knowledge and skills.

7 December: Publication of coalition mid-term review

In spite of disagreements the parties remain 'steadfast and united' over the coalition's key aims.

20 December: Consultation on redesign of Scottish community justice system

To make the most of the £100m allocated annually to deliver community sentences.

7 February: Community impact statements introduced in Northern Ireland

For those indirectly affected by crime.

12 February: Police integrity reforms announced

Include plans for a code of ethics and a national register of officers who have been struck off.

14 February: 'Transforming youth custody: putting education at the heart of detention'

'Secure Colleges' to combine periods of detention with 'intensive education'.

27 February: First report on impact of benefit changes in Northern Ireland

102,000 households expected to be better off on Universal Credit but concerns raised over the 86,000 households who will get less money.

1 April: Spare room subsidy changes introduced

Housing benefit restrictions, aka the 'bedroom tax'.

3 April: Cautions Review launched in England and Wales

Aimed at stopping serious and repeat offenders from receiving a caution instead of being brought before a court.

15 April: Low Pay Commission reports on minimum wage

Recommends an increase by 1.9 per cent to £6.31 an hour for those aged 21 and over.

23 April: Crime and Courts Act gains Royal Assent

Establishes the National Crime Agency. Allows TV cameras into courtrooms 'in limited circumstances'. All adult community sentences to contain a punitive element.

26 April: Independent prison monitoring in Scotland announced

Four monitors, overseen by HM Chief Inspector of Prisons, will replace visiting committees.

30 April: Changes to Incentives and Earned Privileges announced

Prisoners will have to earn privileges by 'actively engaging' in rehabilitation programmes.

The year in numbers

£0.8 billion

Real-terms reduction in the UK's spend on police services in 2012/13 compared to the previous year.

Source: Figure 5.

5%

Proportion of the UK's public sector expenditure spent on public order and safety in 2012/13.

Source: Figure 5.

£21 billion

Combined Home Office and Ministry of Justice spend in 2012/13.

Source: Figure 6.

£595.7 million

Contracts awarded by NOMS to G4S and Serco for running prisons and detention centres, providing court and prison escort services and electronic monitoring in England and Wales between May 2010 and October 2012.

Source: Figure 13.

1.4 million

Number of people convicted by the courts in the UK in 2012.

Source: Figure 15.

£5 million

Total indicative value of contracts over £20,000 awarded by the Scottish Prison Service to third sector organisations, May 2010 to April 2013.

Source: Figure 4.

£1.5 billion

Public spending in England and Wales (individual transactions over £25,000) by NOMS on three contracted-out services (operations of prisons and detention centres; court/prison escort services; electronic monitoring) between May 2010 and October 2012.

Source: Figure 10.

£53.7 million

Contracts awarded in England and Wales by the Ministry of Justice to third sector organisations between May 2010 and October 2012.

Source: Figure 2.

2 million

Increase in the numbers living in absolute poverty in the UK in 2011/12 compared to the previous year (calculated after housing costs).

Source: Figure 20.

17%

Proportion of children living in relative poverty in the UK in 2011/12 (calculated before housing costs).

Source: Figure 22.

£100 million

More was spent on prisons in Scotland in 2012/13 compared to the previous year

Source: Figure 7.

168,031

The number of police officers in the UK as of 31 March. By the same date in 2013 the number had fallen to:

152,493

Source: Figure 9.

£4.9 million

Criminal justice contracts awarded in Northern Ireland to third sector organisations, May 2010 to April 2013.

Source: Table 1.

25

Fewer people were imprisoned in the UK in 2012 compared to the previous year.

Source: Figure 18.

11.4%

Decline in prison staffing numbers in the UK between 2010/11 and 2012/13.

Source: Figure 10.

£17 million

Yearly contract between Serco and the Scottish Prison Service, lasting from 2000 to 2023.

Scottish Prison Service (2013), *Summary of awarded contracts*.

£2.7 million

In contracts awarded to third sector organisations in England and Wales for the provision of prison visitors, centres (May 2010 to October 2012).

Ministry of Justice (2010-12), *Spending over £25,000*, London: Ministry of Justice.

14%

Decline in number of people subject to a court ordered fine in the UK in the last five years.

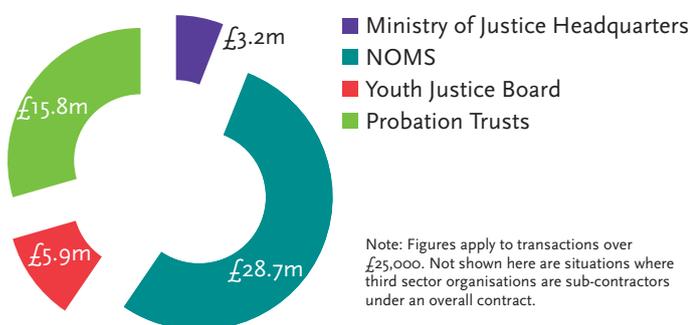
Source: Figure 16.

Special focus: third sector involvement in criminal justice outsourcing

One of the prominent coalition government themes when it came to power centred around the concept of a 'Big Society': the empowerment of the grassroots individuals and organisations who would take an active part in the decision-making and running of local services and initiatives impacting on their community. As part of such discourse was an avowed commitment to facilitate the involvement of the third (otherwise referred to as charity or voluntary) sector in the delivery of public services. Three years on, we consider such involvement in relation to the coalition's outsourcing drive, specifically with regards to the contracting out of justice delivery. To do this we had to make recourse to the official 'transparency data' on public spending (like all data, they need to be approached with a degree of caution: see previous volumes of this *Review* and pages 24-25 in this volume).

In England and Wales, the Ministry of Justice (MoJ) awarded in total £53.7m of contracts to third sector organisations between May 2010 and October 2012. Such contracts were issued by MoJ headquarters, NOMS, the Youth Justice Board and Probation Trusts (the amount excludes spend under £25,000 and situations where third sector organisations are subcontractors). Compared to contracts awarded to private companies the sum is small. ATOS alone received £151m worth of contracts from the MoJ in one year (May 2011-April 2012); G4S received £118m and SERCO £113m (same period) (see UKJPR2 for details of these contracts). Also, in the first year of coalition government, no contracts over £25,000 were awarded to the third sector in relation to the MoJ headquarters, indicating that it took some time for the policy to embed, at least in this area of expenditure.

Figure 2: Ministry of Justice spending on third sector organisations contracts, England and Wales, May 2010-October 2012

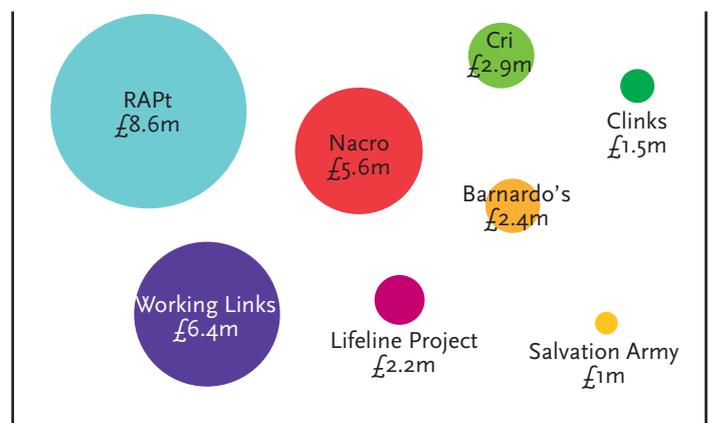


The £53.7m covers MoJ contracts with a variety of organisations and paid for a range of criminal justice services. In **figure 3** we have selected organisations that individually received relatively significant amounts over the period May 2010-October 2012 across the four areas of expenditure highlighted in **figure 2**. Together these eight organisations totalled £30.6m worth of contracts, which is 57 per cent of the overall MoJ spending on third sector contracts.

The kind of criminal justice work these organisations are delivering include drug interventions in prison (RAPt, Lifeline Project), resettlement and community services (Working Links, Nacro), 'reducing re-offending' infrastructure (Clinks). Among the services provided by Barnardo's is the provision of 'secure accommodation' for young people, which constitutes most of this organisation's contracts with the Youth Justice Board. The Salvation Army obtained £1m to work as the prime contractor in the commissioning of services for victims of human trafficking.

It is important to bear in mind that the available transparency data is not exhaustive (both in terms of amounts, type of contracts and period covered) and should therefore be treated as indicative. For example, Cri's £2.9m worth of contracts, as shown by the data we were able to access, were all with the Wales Probation Trust and related to 'Integrated Offender Services', which include drug interventions. Cri is, however, also involved in various other services, including drug intervention programmes in prisons in England (Cri, 2014), although this does not appear on the MoJ transparency data that was accessible at the time of writing: this could be for a number of reasons, e.g. that Cri are not the prime contractors in such programmes.

Figure 3: Ministry of Justice spend on third sector organisations contracts, May 2010-October 2012: selected contractors



Note: Figures apply to transactions over £25,000

The provision of visitors' centres and support for prisoners' families and children accounted for around £2.7m of contracts to third sector organisations in England and Wales between May 2010 and October 2012. This sum, accounting only for individual invoices over £25,000, was shared between three organisations (Ormiston Children & Families Trust, PACT and NEPACS: see Excel sheets for details).

In Northern Ireland third sector organisations received contracts for a total of £4.9m in the period between May 2010 to April 2013 inclusive. This amount covers contracts involving 22 suppliers in total. The largest area of involvement was the provision of visitors' centres (£1.3m for centres in Hydebank Wood Young Offenders' Centre, HMP Maghaberry and HMP Magilligan). The

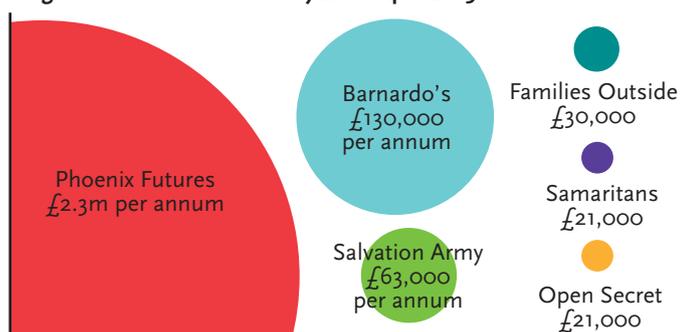
second largest expenditure in terms of contracts to third sector organisations was in the provision of youth justice support services, which accounted for £1.9m. See table 1.

Table 1: Department of Justice contracts to third sector organisations in Northern Ireland, May 2010-April 2013

Contract Title	Department	Award date	Value £	No. of suppliers
Provision of support services	Youth Justice Agency	10/11/2011 and 2/4/2012	1.9m	12
Provision of 3 Visitors' Centres	Prison Service	12/08/2010 and 28/3/2011	1.3m	4
Mentoring, advocacy and support services	Prison Service	03/04/2013	876,000	1
Bereavement care for prisoners	Prison Service	30/03/2012	366,782	1
Human trafficking victims support services (adults)	Department of Justice	20/12/2010	180,000	2
Open and close interface area security gates	Department of Justice	17/08/2010	163,927	1
Outreach work to Loyalist and Republican Communities	Northern Ireland Policing Board	07/06/2012	90,000	1
TOTAL			4.9m	22

Figure 4 illustrates the Scottish Prison Service expenditure on contracts with third sector organisations during the three years of coalition government. It should be noted that some of these contracts pre-date the arrival of the coalition into power: for example, Phoenix Futures have received £2.3m per annum from June 2005 until July 2012 for their 'addiction services' and the Salvation Army £63,000 per annum from 2000 to 2014 for their visitor centre provision. All of the Scottish Prison Service third sector contracts relate to prisoners' support/risk management functions: youth work (Barnardo's), counselling (Open Secret), suicide risk helpline (Samaritans) and families' helpline (Families Outside).

Figure 4: Scottish Prison Service: value of third sector organisations' contracts May 2010-April 2013



Note: These are contracts awarded by the Scottish Prison Service where the value is greater than £20,000. Contract values are indicative. The Phoenix Futures contract for addiction services ended in 2012.

Criminal justice contracts awarded in Scotland to third sector (voluntary sector) organisations between May 2010 and April 2013 also include £149,847 awarded to The Robertson Trust by the Justice Directorate for the Management of the Reducing Reoffending Change Fund for the financial years 2012/13 to 2014/15 (Scottish Justice Directorate, 2013).

Like in the other jurisdictions, the involvement of the voluntary sector in criminal justice delivery in Scotland remains relatively modest in financial terms. For example, a total indicative value of the contracts over £20,000 that were awarded by the Scottish Prison Service to third sector organisations between May 2010 and April 2013 can be estimated to around £7.5m. By contrast, Serco alone has a yearly contract with the Scottish Prison Service of £17m per annum, lasting from 2000 to 2023 (Scottish Prison Service, 2013). However, it is important to bear in mind that third sector organisations are also paid by government to deliver services either directly via grants or indirectly via local authority funding. The biggest investment in Scotland is via the Reducing Reoffending Fund, which allocates money to deliver mentoring projects: in 2012-13 the third sector received £1.5m. Apex Scotland, Sacro and Families Outside receive around £1m annually, also via non-contractual funding arrangement, to cover their 'head office operations' (Scottish Justice Directorate, 2013).

While in Northern Ireland and Scotland outsourcing to charities seems to have been focused on areas of activity traditionally associated with the sector (around support and treatment), MoJ contracts in England and Wales have seen some major charities veering towards a containment role, often with a commercial enterprise as the prime contractor. For example, in July 2010, Turning Point and Catch22 won a £415m, 26-year contract in partnership with Serco to run a new prison at Belmarsh West (Ricketts, 2010). This new positioning has led to considerable speculation about the impact on the sector's independence and ethos and the potential loss of its distinctiveness and critical voice (see e.g. Crook, 2012).

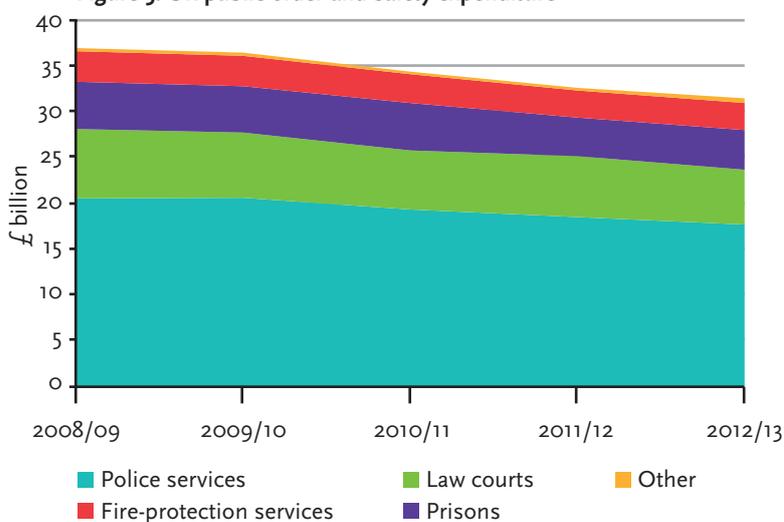
References

- Cri (2014), *Criminal Justice Services*, web only.
- Crook, F. (2012), *Charities involved in running prisons should have their charitable status revoked*, Third Sector Online, 24 August.
- Ministry of Justice (2010-2012), *Spend over £25K, May 2010-Oct 2012*, London: Ministry of Justice.
- Ricketts, A. (2010), *Consortium signs £415m deal to build and run prison*, Third Sector Online, 6 July.
- Scottish Justice Directorate (2013), *Freedom of Information Response to CCJS*, Ref: FoI/13/0838, 10/12/13.
- Scottish Prison Service (2013), *Summary of awarded contracts*, web only.

Expenditure

This section outlines real-terms criminal justice spending for the five-year period ending 2012/13. The figures focus on central government expenditure. They therefore exclude, for example, local authority-generated income, which makes a significant contribution to policing. The exception to this is **figure 5** which is compiled from data produced by the Treasury for international comparison and attempts to be inclusive of spending by all government departments. All figures in this section have been adjusted to real terms using GDP deflators as at 25 September 2013.

Figure 5: UK public order and safety expenditure



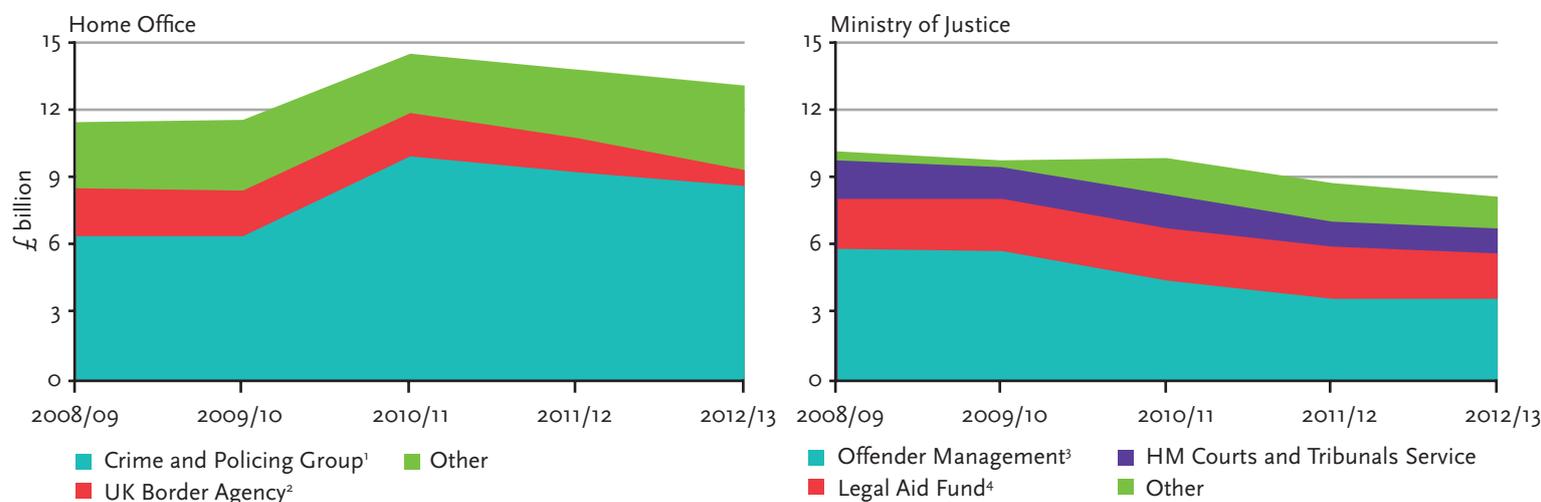
The UK spent £31.5bn on public order and safety in 2012/13; a category described as inclusive of police, courts, prisons, offender programmes and immigration. Over the last five years there has

been a 15 per cent cut in this expenditure. Law courts experienced the greatest squeeze, with a 21 per cent decrease in spending since 2008/09. It is interesting to note this trend of decreased public order and safety spending began several years prior to the overall reduction in spending on public sector in 2011/12.

The overall trend in central government criminal justice expenditure since 2010/11 is downwards, with a 13, one and six per cent reduction in this type of expenditure in England and Wales, Scotland and Northern Ireland respectively (**figures 6-8**).

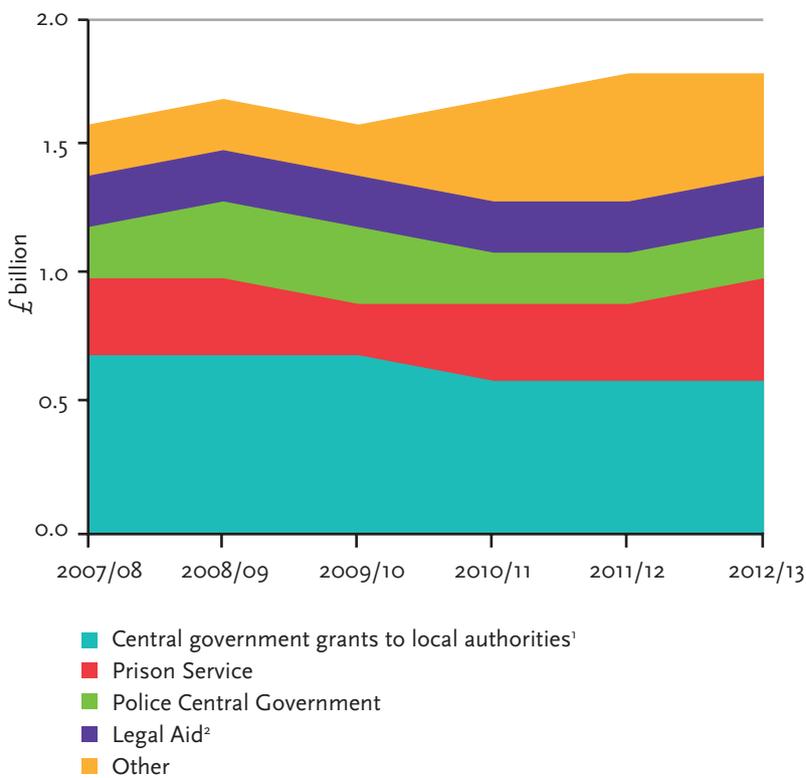
In England and Wales, over £3.2bn less was spent by the Home Office and Ministry of Justice in 2012/13 compared to the two years previously (**figure 6**). The £3.5bn jump in Crime and Policing Group expenditure in 2010/11 reflects the transfer of police rates payments from the Department for Communities and Local Government to the Home Office in this year; it is not a real increase in expenditure but rather a machinery of government change. HM Courts and Tribunals Services and Offender Management (prisons, probation and the National Offender Management Service) have experienced the greatest cuts since 2010/11, declining by 29 and 18 per cent respectively. Finding cost savings in the prison estate is a key component of the reductions to offender management, with a strategy of closing down prison buildings and building new prisons or creating additional lower-cost places at the remaining prisons in the penal estate. The Public Accounts Committee raised concerns about the impact budget cuts to date have had on prison standards and conditions (Committee of Public Accounts, 2013). The Committee also questioned the achievability of the Ministry of Justice's plans to deliver further planned savings in the forthcoming years, noting future savings are dependent on substantial staffing cost reductions.

Figure 6: England and Wales central government criminal justice expenditure



1) The increase in crime and policing group expenditure in 2010/11 reflects a significant machinery of government change with the transfer of police rates payments to the Home Office from this year.
 2) In 2013 the UK Border Agency was split into two separate units with some former UK Border Agency functions due to be incorporated into the core Home Office department.
 3) Offender management includes spend on prison, probation and National Offender Management Service (NOMS).
 4) Legal Aid includes civil and criminal legal aid, Legal Services Commission and Legal Aid Agency administration.

Figure 7: Scotland central government criminal justice expenditure



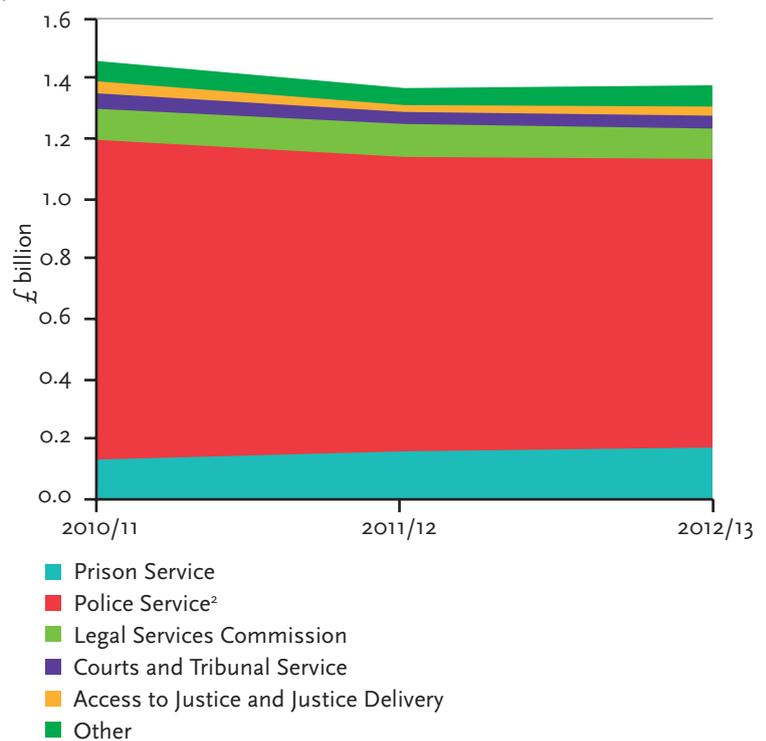
1) Includes grants for police, civil protection, fire and district courts.
2) Includes civil and criminal legal aid.

Whilst there are plans to offer a voluntary staff redundancy scheme, the funds required to finance this had not been found.

2012/13 saw an upturn in Scottish justice spending overall and for two areas in particular, prisons and policing, compared to the previous year (figure 7). What may, on the surface of it, appear to be a divergent Scottish climate to the continued year-on-year cuts in the UK Government's justice spending, imposed in the rest of the UK masks the fact that Scotland, like England and Wales, had planned real-terms spending reductions in justice from 2010/11 to 2014/15. However, the key reform programme and timetable for cuts is markedly different. Most striking is the nearly £100m more spent on prisons in Scotland in 2012/13 compared to the previous year. This is due to a prior capital spend commitment to expand and modernise the prison estate and is an area of expenditure due to fall sharply in the next few years (albeit with a ring-fenced amount for changes to women's prisons). The increased spend on the Central Government Police Grant reflects the investment being made to centralise the Scottish police force in this year, a reform which is again planned to realise savings by 2016/17. The increased Scottish justice expenditure in the last year is a planned spike in spending in an overall period of decline. Indeed, the increased spend in 2012/13, rather than marking the beginning of a sustained increased investment, will be compensated by planned sharp reductions in forthcoming years (see Scottish Finance Committee, 2011 for more detail).

Similarly, 2012/13 saw a slight increase in Northern Ireland's justice spending compared to the previous year (a one per cent increase) (figure 8). Again, prisons experienced the greatest increased investment in this period. The 30 per cent rise in Prison Services cost since 2010/11 reflect a major reform programme following the Prison Review Team report (2011) including a voluntary redundancy scheme to reduce the Prison Service workforce post the Troubles and a programme of staff training. In future years, a longer-term redevelopment of the prison estate has been announced, although the funding for this is yet to be agreed (Ford, 2013).

Figure 8: Northern Ireland central government criminal justice expenditure¹



1) As the Department of Justice for Northern Ireland was established in April 2010, it is possible to establish comparative expenditure data for three years.
2) Includes Police Service, police pensions, Office of the Police Ombudsman, the Policing Board and Policing and Community Safety (Safer Communities Directorate from 2011/12). From 2011/12 also includes RUC George Cross Foundation and NI Police Fund.

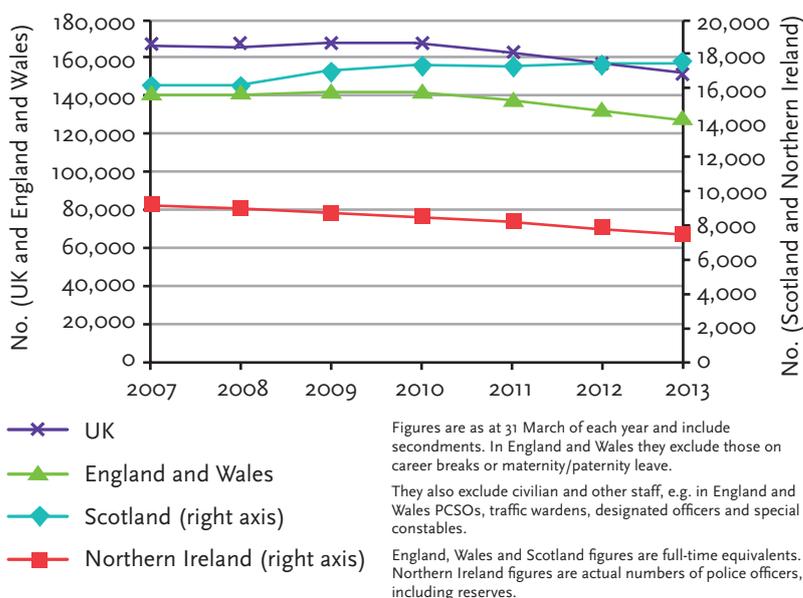
References

Ford, D. (2013), *Statement to the Assembly, March 19, Northern Ireland Prison Service Estate Strategy*, Belfast: Department of Justice.
House of Commons Committee of Public Accounts (2013), *Restructuring the National Offender Management Service*, London: The Stationery Office.
Prison Review Team (2011), *Review of the Northern Ireland Prison Service. Conditions, management and oversight of all prisons*, Belfast: Prison Review Team.
Scottish Finance Committee (2011), *Report on the Scottish Spending Review 2011 and draft Budget 2012/13*, web only.

Staffing and outsourcing

In this section we continue to consider the numbers of police, prison and probation staff over time, as they reflect changes in criminal justice policy overall as well as in the size and shape of the specific institutions.

Figure 9: UK police officer numbers



In the third year of coalition government we can observe the continuation of the trend, examined in the previous issues of this *Review*, of cost reductions impacting on the number of staff in criminal justice services.

The number of police officers (see figure 9) has been falling in the UK since the coalition came to power. Adjusted trend figures show that, since the peak in 2010, police officer levels decreased overall by 9.2 per cent by 31 March 2013.

As in the previous years we examined, these totals continue to disguise differences between jurisdictions. In Scotland, unlike the rest of the UK, police officer numbers have carried on rising, albeit modestly, from 17,263 in 2011 to 17,496 in 2013. The decline is to be found in England and Wales, where officer numbers dropped from 142,132 in 2010 to 127,495 in 2013 (a 10.3 per cent fall), and in Northern Ireland, which witnessed a 11.6 percentage drop in officer levels between 2010 and 2013 (8,490 and 7,502 respectively).

Prison staffing in the UK fell overall by 11.4 per cent between 2010/11 and 2012/13. In England and Wales, staff numbers declined from 49,348 to 43,160 in this period (even taking into account that in the last year's figures included secondments: see figure 10); in Northern Ireland from 2,348 to 1,992. Again, against the UK trend, numbers in Scotland rose steadily, from 4,178 in 2010/11 to 4,350 in 2012/13, an increase of 4.1 per cent.

When considering data collected in the distinct parts of the UK, it is necessary to bear in mind that compatibility is often problematic: different jurisdictions often vary in their recording practices, and within each jurisdiction there can be changes in recording practices over the years. This is particularly an issue with regards to probation staffing data (see source Excel spreadsheet for details). Bearing in mind these limitations, the official figures (see figure 11) show numbers contracting from 2007: whilst there were 26,694 staff in the UK overall in 2006, by 2012 the number had shrunk to 18,998 (about the same staffing levels as ten years previously, in 2002). In the first three years of coalition government the decline was 8.9 per cent. This overall trend also contains the jurisdictional divergencies we have observed elsewhere. For example, in 2012, probation staff numbers rose slightly, compared to the previous year, both in Northern Ireland (403, up from 385) and in Scotland (up by 70 to 2,070), but decisively fell in England and Wales (16,525, down from 18,330 in 2011).

In this *Review* we continue to look at outsourcing costs as gleaned from the 'transparency data' items released by the Ministry of Justice for spending over £25,000. In spite of the coalition's commitment to opening access to governmental information,

Figure 10: UK prison staffing

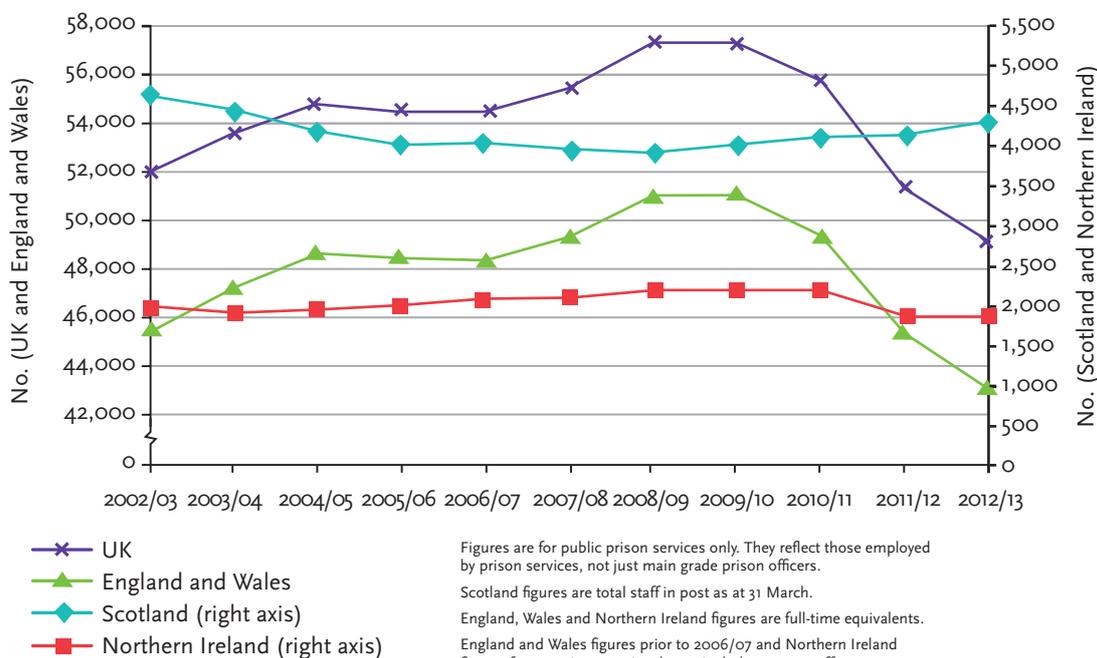
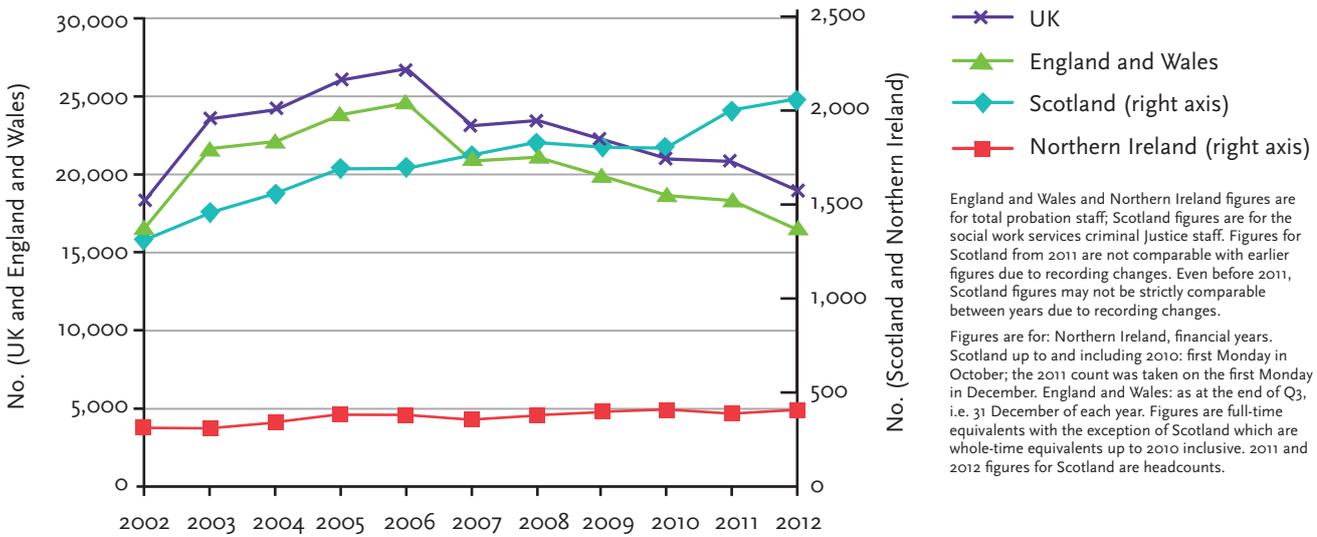


Figure 11: UK probation staffing

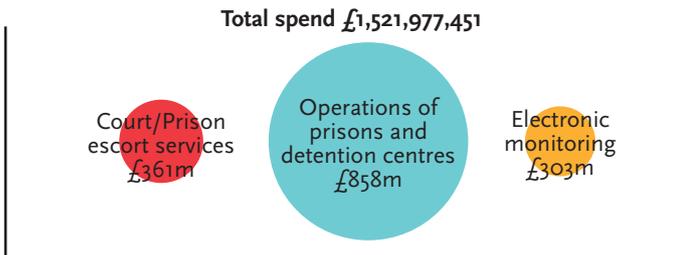


England and Wales and Northern Ireland figures are for total probation staff; Scotland figures are for the social work services criminal Justice staff. Figures for Scotland from 2011 are not comparable with earlier figures due to recording changes. Even before 2011, Scotland figures may not be strictly comparable between years due to recording changes.

Figures are for: Northern Ireland, financial years. Scotland up to and including 2010: first Monday in October; the 2011 count was taken on the first Monday in December. England and Wales: as at the end of Q3, i.e. 31 December of each year. Figures are full-time equivalents with the exception of Scotland which are whole-time equivalents up to 2010 inclusive. 2011 and 2012 figures for Scotland are headcounts.

these data are not presented in an easy-to-use format and we have found the files to be often 'corrupt', which complicates access further. We also need to bear in mind that the data are available in a 'raw' form that has not been subject to verification processes such as for national statistics.

Figure 12: National Offender Management Service spend on selected contracted-out services, May 2010-October 2012



Figures are actuals in England and Wales and cover individual transactions over £25,000.

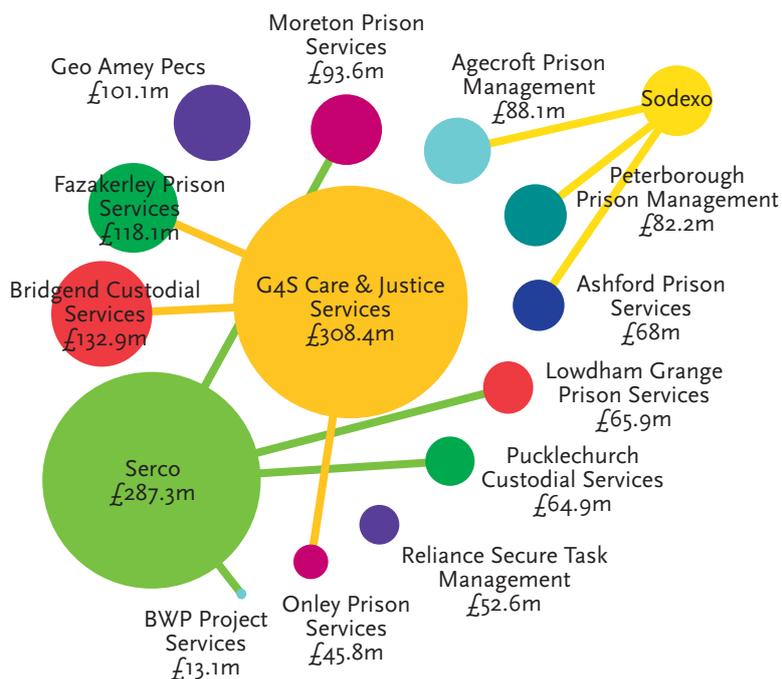
Looking at the three areas we started examining in UKJPR1 (operation of prisons and detention centres, court and prison services and electronic monitoring in England and Wales), we find an overall spend by NOMS of £1.5bn between May 2010 and October 2012: see figure 12. In the first two years of coalition government, spending in these areas increased by three per cent, from £578m to just under £595m (in actual terms). In the first year, £319m had been paid to external providers to operate prisons and detention centres; this expenditure increased by ten per cent (to £351m) the following year. There was also a ten per cent increase in spending on contracted-out electronic monitoring services, which rose from just under £100m in 2010-2011, to almost £110m in 2011-2012. Not all spending on contracted-out operations rose, however, with the costs to private companies providing prison escort services falling by 16 per cent, from £159m to £134m (See Excel sheets on the website for details).

The suppliers chosen to deliver the contracted-out services in these three areas are in figure 13, which shows the total amounts of individual invoices from each company for the period between May 2010 and October 2012.

The figure shows two things. First it identifies payments to

individual companies: for instance, the £118.1m to Fazakerley Prison Services, which runs Altcourt prison. Second, it shows the links between the different companies. Fazakerley, for instance, is an associated company of G4S. Looking at the two full years for which we have data (at the time of writing, spending figures beyond October 2012 had not been released), we can see that G4S and its three associated companies (Onley and Fazakerley Prison Services, and Bridgend Custodial Services) was the largest recipient of NOMS expenditure: some £605.2m. Serco and its associated companies was the second largest recipient (£524.8m), followed by Sodexo in third place (£238.3m). The other two companies represented – Geo Amey Pecs and Reliance Secure Task Management – received £101.1m and £52.6m respectively.

Figure 13: Suppliers of selected contracted-out services to the National Offender Management Service, May 2010-October 2012

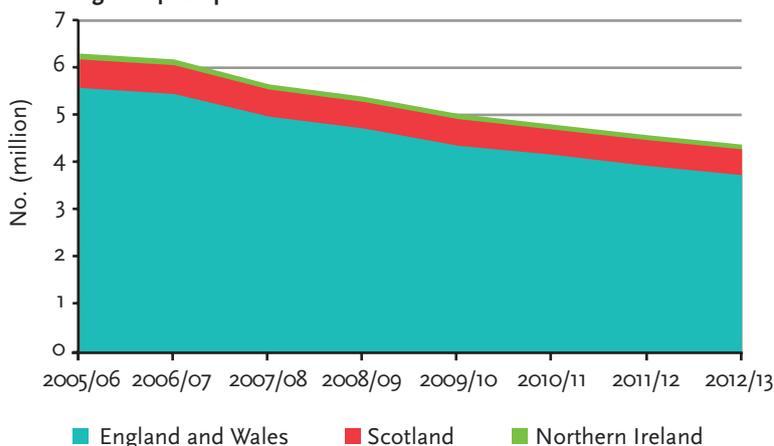


The figures relate to NOMS expenditure in England and Wales for suppliers for contracted-out operations of prisons and detention centres, escort services and electronic monitoring. Coloured lines represent companies related to the main company.

Criminal justice populations

The first figure in this section shows police-recorded crime: lawbreaking brought to the attention of the police and recorded as a crime incident. As a measure of 'crime' its limitations have been well rehearsed. It reflects changes in police recording practices and their targeting of particular lawbreaking activity, and fails to capture incidents not reported to the police. It does, however, provide the material on which the criminal justice system works and offers an insight into the majority of incidents that come to the attention of such a system. **Figure 14** shows that, compared with the previous year, police-recorded crime, measured across the UK, fell in 2012 by four per cent. Most of this decline is due to a fall of five per cent in England and Wales. This conforms to a longer-term trend of declining police-recorded crime. Over the last decade UK police-recorded crime has reduced by 38 per cent (Garside and Mills, 2012), a downwards trajectory that the other commonly cited indicators of lawbreaking, crime surveys, concur with. This is in keeping with a drop in police-recorded crime across many parts of the developed world.

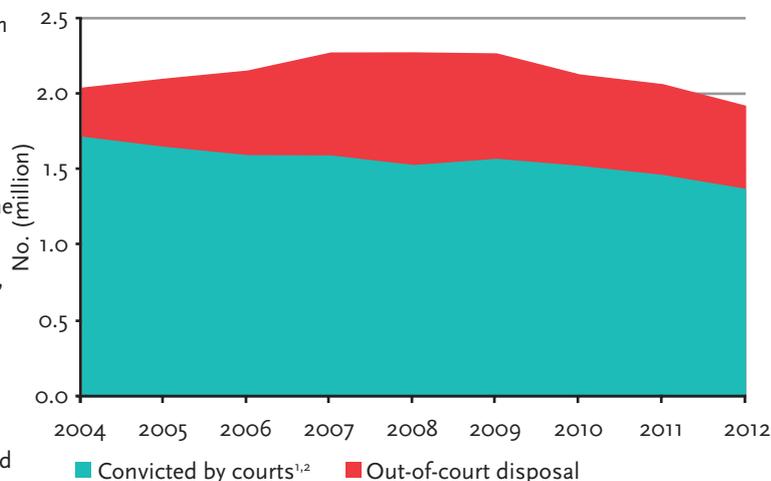
Figure 14: UK police-recorded crime¹



1) Variation in legislation in each of the UK jurisdictions needs to be considered when comparing crime statistics between the different nations. Northern Ireland's recording practices are the same as that of the Home Office for England and Wales. Due to different recording practices, Scotland's figures are not directly comparable to England and Wales and Northern Ireland. Figures are from most up to date sources and may differ from previous publications.

Yearly changes to the number of people subject to criminal justice sanctions by courts or by various out-of-court disposals from 2004 are shown in **figure 15**. In the UK, around two million people a year are convicted of an offence by courts or subjected to an out-of-court sanction such as a fixed penalty notice. The range and use of out-of-court disposals continues to evolve with, for example, Penalty Notices for Disorder introduced in Northern Ireland in 2012. Overall, in the UK, the number of out-of-court disposals has fallen since 2008, from more than 740,000 to fewer than 550,000 in 2012. There is also a decline in the numbers convicted by the courts, from 1.5m in 2008 to 1.4m in 2012. The last year saw the greatest annual decline in court convictions in this period, with a decrease of six per cent compared to the previous year and a consistent decline in all three UK jurisdictions.

Figure 15: No. of people convicted of an offence by courts and no. subject to an out-of-court disposal in the UK



1) Out-of-court disposals do not include those given for motoring offences. Only includes Scotland from 2008 when data are centrally collected.
2) The range of out-of-court disposals available in each jurisdiction varies. For a list of the out-of-court disposals included here see Excel spreadsheet of data.

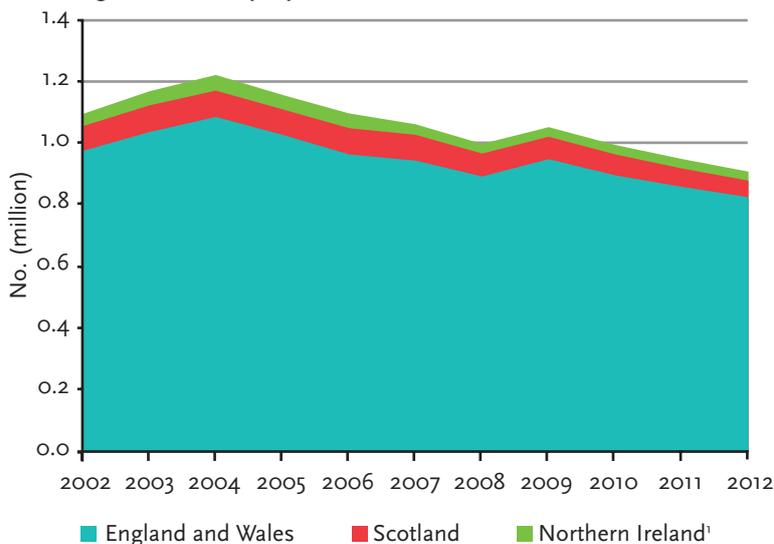
Figures 16-18 show the UK population subject to the three main court-imposed disposals: fines, community-based sentences and prison. They indicate the following broad trends:

- Fines remain the most common court-imposed sanction; however, their number in 2012 (905,837 compared with just over one million in 2002) confirms a decline (part of a long-term falling proportional use of the fine).
- The numbers of people subject to community-based sentences have continued to fall since 2007 (when it exceeded 150,000) in England and Wales, in contrast to Scotland and Northern Ireland where numbers have risen. At the highest point in this period, the number subject to a community-based sentence across the UK was just under 170,000 (in 2007).
- The UK prison population reached 95,836 in 2012, an increase of 22 per cent since 2002. Following successive years of steady annual growth, 2012 is the first year in the period considered here when prison numbers have not increased, with the prison population static compared to the previous year. These annual prison numbers are based on a 'snapshot' of the prison population at a specific point of the year. The actual number of people that go through the prison system each year would exceed these figures, particularly given the high proportion of prison sentences of 12 months or less in length.

Government departments in the three UK jurisdictions publish projections of their future prison populations based on a number of assumptions (see **figure 18**). A reasonably static UK prison population is a medium projected scenario over the next six years, with projections of a prison population of just under 97,000 by 2018, a population of around 1,000 more people greater than was

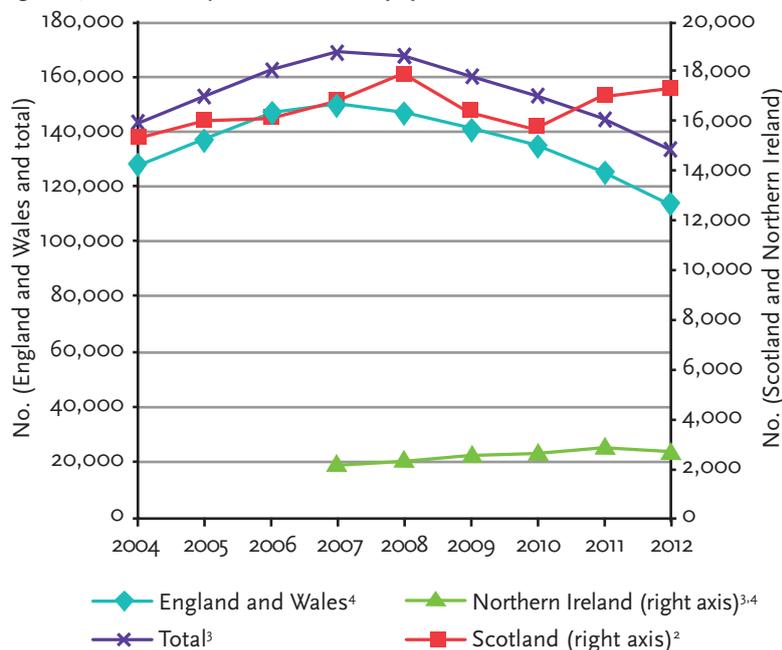
the case in 2012. This compares to an 11 per cent growth in the prison population in the six years prior to 2012 (or an increase of just over 9,000 people). Under these assumptions, the greatest proportional drop in population is projected to occur in 2013 in England and Wales. UK imprisonment is projected to continue to reduce in 2014, but then to rise again in the following years.

Figure 16: No. of people sentenced to a court-ordered fine in the UK



1) Northern Ireland figures are for number of people subject to a court-imposed fine from 2007. Prior to this, data are only available on the basis of the number of fines imposed. Figures for Northern Ireland also include recognisance, whereby a sum is forfeited if an act required by law does not take place.

Figure 17: Community-based sentence population in the UK¹

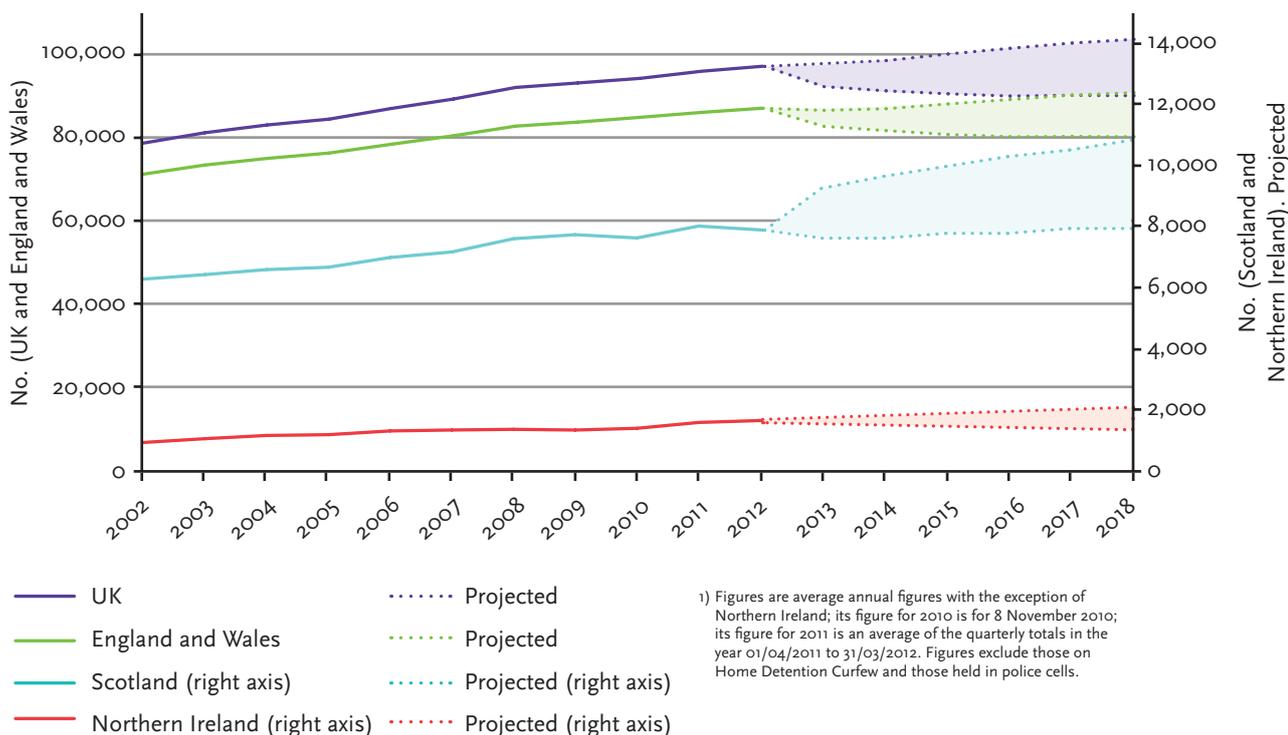


1) 'Community-based' refers to a range of sentences to be served in the community which varies across the UK, and includes suspended and deferred sentences in England and Wales.
 2) Scotland figures are for the financial years and are for the number of people sentenced to a community-based sentence.
 3) Data for Northern Ireland are only available from 2007.
 4) England and Wales and Northern Ireland figures are for the no. of people subject to a community-based sentence at a fixed point in time (31 December each year). The England and Wales figures refer to all people subject to court orders including suspended and deferred sentences.

References

Garside, R. and Mills, H. (2012), *UK Justice Policy Review: Volume 1*, London: Centre for Crime and Justice Studies.

Figure 18: Prison population and projected future prison population¹

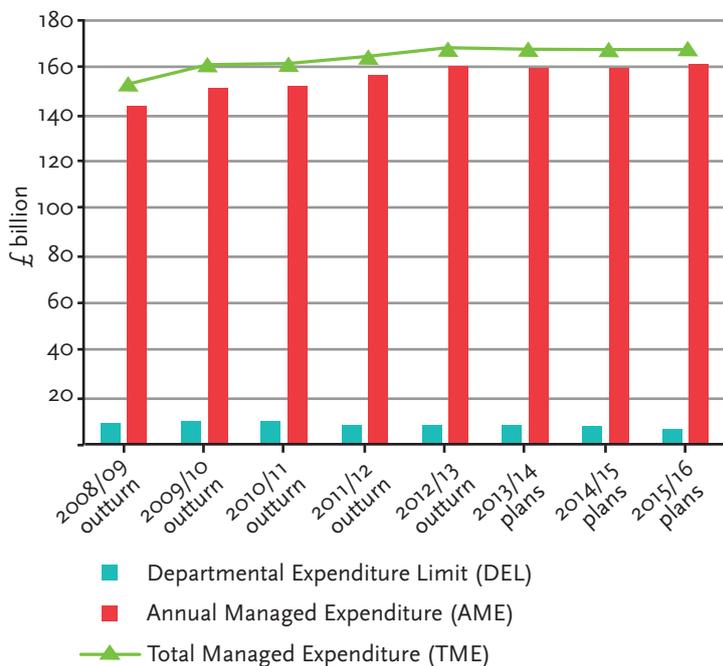


1) Figures are average annual figures with the exception of Northern Ireland; its figure for 2010 is for 8 November 2010; its figure for 2011 is an average of the quarterly totals in the year 01/04/2011 to 31/03/2012. Figures exclude those on Home Detention Curfew and those held in police cells.

Welfare and wider social circumstances

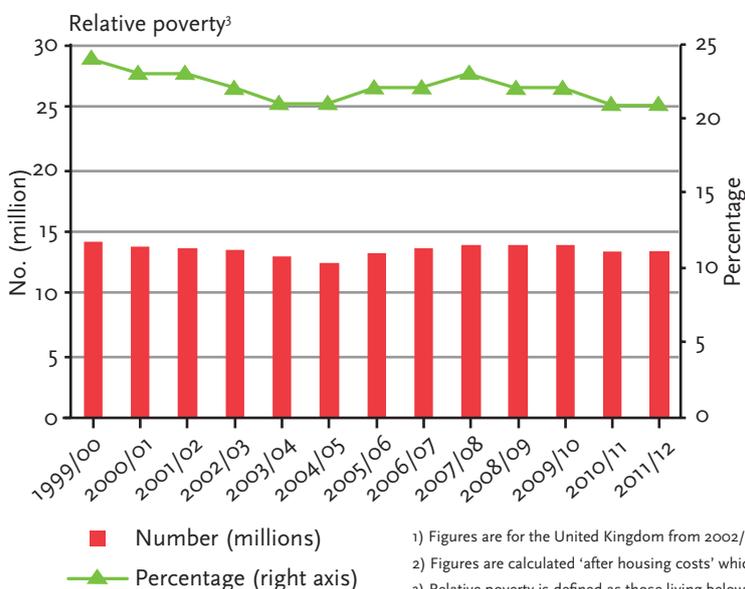
The financial context for the welfare reform programme outlined in this *Review* is made clear in **figure 19**: the most up-to-date figures for Department for Work and Pensions (DWP) budgets. The Departmental Expenditure Limit (DEL) budget - three-year spending limits agreed with the Treasury - accounts for only a small proportion of total expenditure. Most expenditure relates to pensions, social security payments and related income transfers, which can not be subject to firm multi year limits. This is managed year on year as Annually Managed Expenditure (AME). Taken together, DEL and AME make up the DWP's Total Managed

Figure 19: Department for Work and Pensions DEL, AME and TME in real terms¹



1) Real-terms figures are the cash figures adjusted to 2012-13 price levels using GDP deflators. The deflators are calculated from data released by the Office for National Statistics on 27 June 2013. The forecasts are consistent with the Financial Statement and Budget Report 2013.

Figure 20: Individuals falling below 60% of median income^{1,2}



1) Figures are for the United Kingdom from 2002/03 onwards. Estimates for Northern Ireland have been inputted for earlier years.

2) Figures are calculated 'after housing costs' which deducts housing costs from individuals' income. For 'before housing costs' figures see Excel spreadsheet.

3) Relative poverty is defined as those living below 60% of median income as it is defined each year.

4) Absolute poverty is defined as those living below 60% of median income when median income is held constant (at 2010/11).

Expenditure (TME). A further breakdown of resource and capital DEL and AME can be found in the datasheet on the CCJS website.

The DWP has set an ambitious target to reduce real-terms DEL expenditure, from around £8.7 billion in 2008/9 to just under £6 billion in 2015/16. This equates to a real-terms reduction of nearly one-third over the period. By contrast, the AME budget is forecast to grow in real terms: from £152.5 billion in 2008/09 to £167.6 billion in 2015/16; an increase of 12 percent. Nearly all this growth took place between 2008/09 and 2012/13. The DWP plans to put the brakes on real-terms growth in AME between 2012/13 and 2015/16, budgeting for a mere 0.5 percent increase across this period. Only time will tell whether this challenging target is a realistic. The figures help to explain the current ministerial focus on capping social security payments and withdrawing benefits from certain recipients.

The remaining figures in this section consider changes in poverty and inequality as measured by a number of key indicators. The trends shown in both **figures 20** and **21** must be interpreted in the context of a reduction in incomes across the board in recent years. For example, relative poverty saw a steady fall over this period, with the exception of a small rise between 2005/06 and 2007/08. However, when poverty is measured against a fixed measure (see 'Absolute poverty' in **figure 20**), then the numbers in poverty have increased since 2005/06. This suggests recent reductions in relative poverty have been achieved not because of increased real incomes for those in poverty but rather because a reduction in income for those in poverty has been outpaced by a reduction in income across the whole income distribution (DWP, 2013).

It is equally important to bear this in mind when considering the trends in income inequality shown in **figure 21**. Gini coefficient, the most commonly used measure of inequality, fell in 2010/11 and

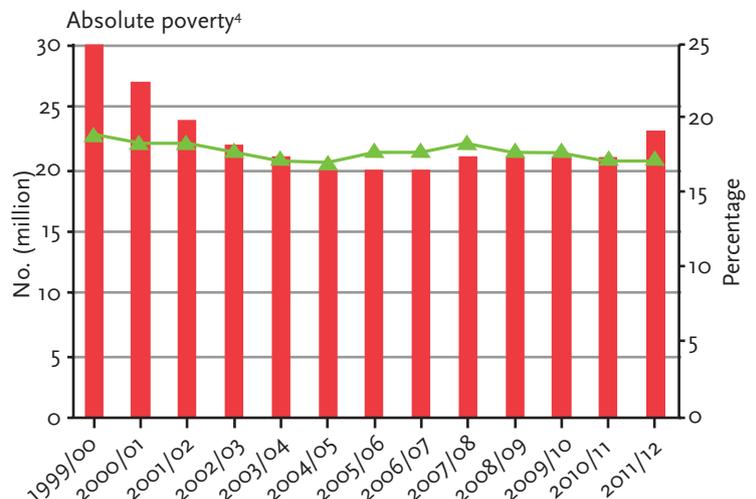
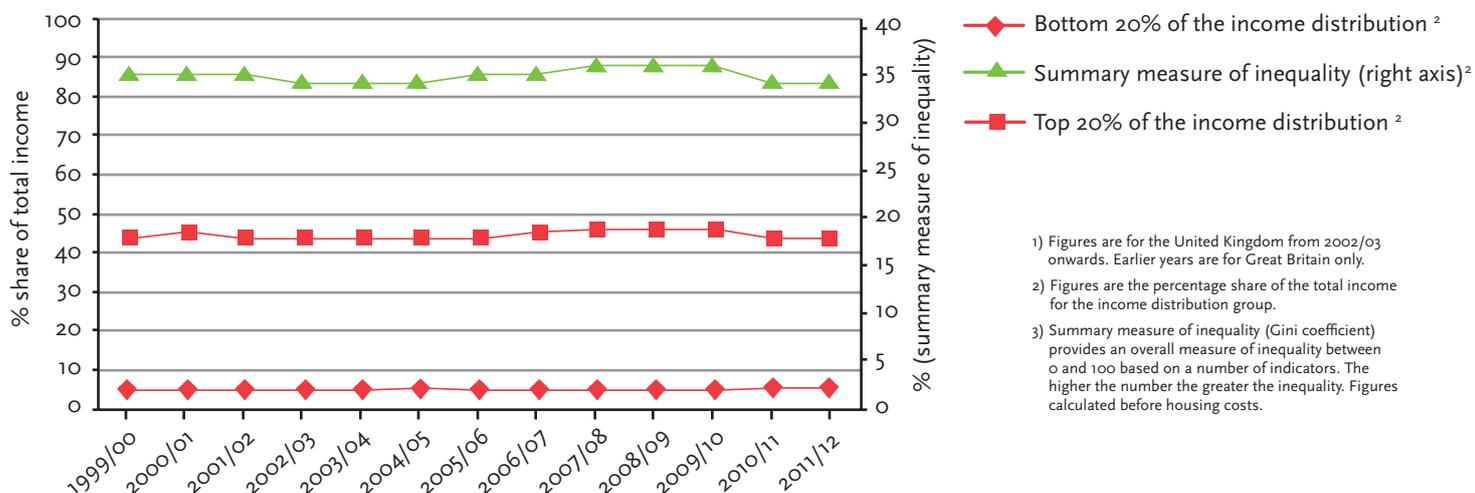


Figure 21: UK income inequality¹



1) Figures are for the United Kingdom from 2002/03 onwards. Earlier years are for Great Britain only.
 2) Figures are the percentage share of the total income for the income distribution group.
 3) Summary measure of inequality (Gini coefficient) provides an overall measure of inequality between 0 and 100 based on a number of indicators. The higher the number the greater the inequality. Figures calculated before housing costs.

remained static in 2011/12. However, as this has been achieved in a period when real incomes have fallen across the whole income distribution, this has been judged a temporary reduction, not liable to be sustained. Indeed, given the benefit and tax changes proposed, an increase in inequality is predicted in coming years (Cribbs et al., 2013).

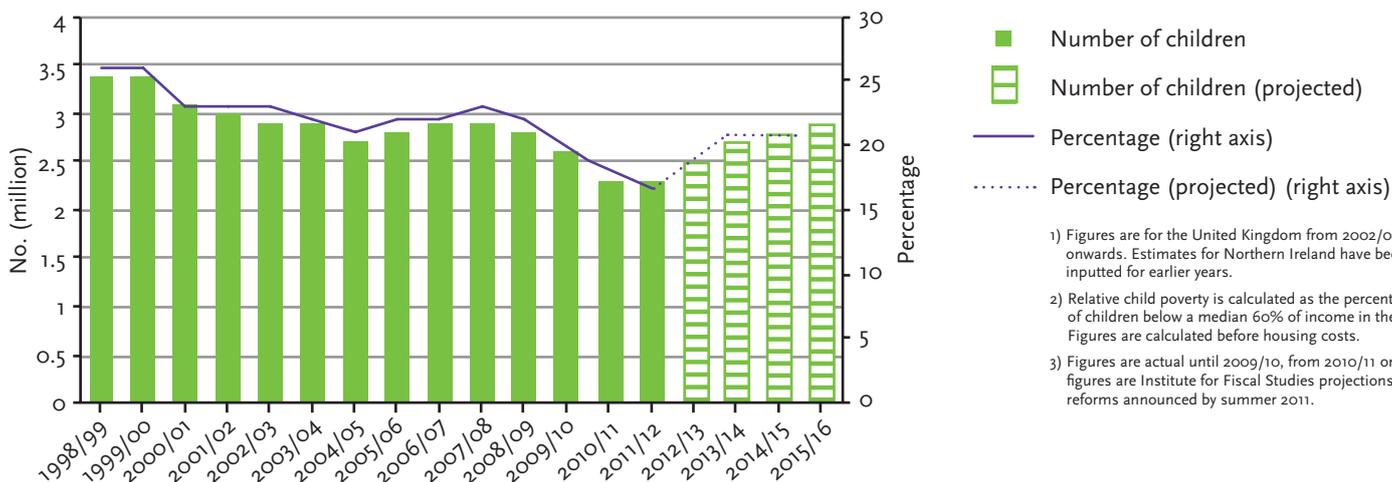
Reducing child poverty is an agenda for which there has been political support across the main parties. The *Children's Act 2010* set out plans to eradicate child poverty in the UK by 2020. **Figure 22** shows one of a number of indicators by which child poverty is assessed. According to the figures shown here, child poverty decreased significantly in the period since 1998/99, with the percentage of children living in poverty falling from 26 to 17 per cent from 1998/99 to 2011/12. However, this decrease was not to the extent hoped for. Interim targets agreed by the former government to halve child poverty in the period from 1998/99 to 2010/11 were missed. Projections suggest the trend of declining

child poverty will not continue. An Institute for Fiscal Studies' analysis forecasts the 2020 legally binding target of ten per cent relative child poverty will not only be missed, but child poverty will rise to its highest level since 1999/2000, undoing the reductions made from 2002/03 to 2011/12 (Browne et al., 2013). Perhaps in an acknowledgement that the 2020 ambitions for child poverty reduction will not be met by the government's current programme, the coalition began a consultation to introduce non-income measures of child poverty (HM Government, 2012).

References

Browne, J., Hood, A. and Joyce, R. (2013), *Child and working-age poverty in Northern Ireland from 2010 to 2020*, London: Institute for Fiscal Studies.
 Cribbs, J., Hood, A., Joyce, R. and Phillips, D. (2013), *Living standards, poverty and inequality in the UK: 2013*, London: Institute for Fiscal Studies.
 Department for Work and Pensions (2013), *Households Below Average Income: An analysis of the income distribution 1994/95 – 2011/12*, London: Department for Work and Pensions.
 HM Government (2012), *Measuring child poverty: A consultation on better measures of child poverty*, London: The Stationery Office.

Figure 22: Children in relative poverty, and projected child poverty^{1,2,3}



1) Figures are for the United Kingdom from 2002/03 onwards. Estimates for Northern Ireland have been inputted for earlier years.
 2) Relative child poverty is calculated as the percentage of children below a median 60% of income in the year. Figures are calculated before housing costs.
 3) Figures are actual until 2009/10, from 2010/11 onwards figures are Institute for Fiscal Studies projections based on reforms announced by summer 2011.

6 May 2012 to 5 May 2013

Austerity, outsourcing and access to justice

In this third year under review, the spending cuts, reshaping of criminal justice structures and outsourcing processes observed in the first two years of coalition government continued, but, as previously, there were some notable policy divergences in the different jurisdictions within the UK.

Earnings and household incomes continued to fall in real terms. The financial downturn since 2008, described by the Institute for Fiscal Studies (IFS) as the 'longest and deepest slump in a century', saw workers experience 'unprecedented pay cuts' (IFS, 2013). While people seemed to accept these in order to keep their jobs in an insecure and increasingly 'flexibilised' employment market (Allen, 2013), welfare benefits were being further squeezed and the longstanding promise to cut child poverty remained far from attainable.

The austerity climate continued to affect criminal justice, with further budget reductions in public order central government spending. Savings were expected mainly through workforce restructuring, privatisation of services and establishments, and through prison estate reconfigurations (by closing smaller, older prisons and increasing the size and number of very large establishments) (HM Chief Inspector of Prisons, 2013a).

Staffing numbers in the police, prisons and probation continued to decline, with the notable exception of Scotland where numbers rose. Also falling overall in 2012 were the numbers of police-recorded crimes, out-of-court disposals, court convictions and (again with the exception of Scotland) the numbers of people on community-based sentences. Prison numbers stabilised, albeit at record-high levels of nearly 96,000.

In the meantime, the criminal justice landscape kept changing, as Police and Crime Commissioners, elected for the first time in November 2012, took over the responsibility of police authorities. In March 2013 came the announcement that the Border Agency would be abolished and its functions passed back to the Home Office. The state of almost permanent revolution in the Probation Service also carried on, seemingly unabated. Justice Secretary Chris Grayling's *Transforming Rehabilitation* agenda meant further sweeping changes, with the planned transferring out of responsibility for the supervision of low-and medium risk offenders to contracted-out providers.

As we have argued in this *Review*, the *Transforming Rehabilitation* agenda is to be contextualised within the coalition government's vision of widening the private sector provision of public services. As we considered, there are various problems with trying to create these new 'markets' of delivery, which supposedly are to include the third sector. In this volume, we have seen that this involvement is still limited, and it is not hard to see why. For example, the government's move to large-scale payment by results contracts in public employment programmes (such as the Work Programme) has been criticised for being untenable for both medium (see e.g. Tarring, 2012) and small sized charities, which can often only

participate as subcontractors of large private companies.

From what we have observed, there appear to be variations in third sector criminal justice outsourcing in the different jurisdictions. In Scotland and Northern Ireland contracts gravitate around care and support functions; in England and Wales some bigger charities are beginning to enter the criminal justice system in more custodial guises. On the other hand, this *Review* confirmed the hold that big outsourcing firms, like G4S and Serco, retain on central government criminal justice contracts. Issues around their accountability and service quality continue to give rise to public debate. In 2013, G4S and Serco became subject to allegations about the mishandling of some of these contracts; the two firms accepted they had overcharged on their electronic monitoring provision. Serco also admitted responsibility with regards to its prisoner escort services contract and agreed to make repayments on both contracts (£68.5m for electronic tagging and £2m for prisoner escorting) (Travis, 2013).

Serco also came to public attention for its running of a 'flagship' prison. In January 2013, a report by the Prisons Inspectorate found that HMP Thameside, the newly built prison run by the company, had 60 per cent of all its inmates locked for up to 23 hours a day, mainly as an attempt to establish order. Inmates had little to do and hardly any vocational training was available. The prison also experienced high levels of violence between inmates; staff were inexperienced and often resorted to physical force as a means of containment. Despite enforcing one of the most restricted regimes ever seen by inspectors, they found that this large prison was 'out of control' (HM Chief Inspector of Prisons, 2013b).

Another significant focus of concern was access to justice. This was spurred by cuts to the legal aid budget, with plans to reduce it by £220m a year until 2018. Changes included judicial review restrictions and taking (with limited exceptions) prison law out of legal aid entitlement. The expected impact on both civil cases (like family law and immigration) and criminal cases worry many. Commentators have pointed to how the loss of redress routes would disproportionately affect the already most disadvantaged in society – like the unemployed, young people in care, the homeless, migrants – who would be effectively prevented from challenging judicial decisions. Together with developments in other policy areas (like welfare retrenchment or heightened insecurity in employment), it is feared that such moves will lead to more entrenched social divisions and deepening inequality.

References

- Allen, K. (2013), 'Wage cuts for British workers deepest since records began, IFS shows', *The Guardian*, 12 June.
- HM Chief Inspector of Prisons for England and Wales (2013a), *Annual Report 2012-13*, London: The Stationery Office.
- HM Chief Inspector of Prisons for England and Wales (2013b), *Report on an unannounced inspection of HMP Thameside 14–17 January 2013*, London: The Stationery Office.
- Institute for Fiscal Studies (IFS) (2013), *Living Standards, Poverty and Inequality in the UK*, London: IFS, June.
- Tarring, B. (2012), *Red Kite Learning to close after 25 years of helping London's unemployed*, web only.
- Travis, A. (2013), 'Serco to repay £68m for overcharging on tagging', *The Guardian*, 20 December.

References for *Key developments* sections

- Adam, S. and Phillips, D. (2013), *An ex-ante analysis of the effects of the UK Government's welfare reforms on labour supply in Wales*, London: Institute for Fiscal Studies.
- Arden, A. and others (2013), 'Proposals to limit legal aid for judicial review will undermine the rule of law', letter to *The Daily Telegraph*, 29 May.
- Barrett, D. (2013), 'G4S pulls out of race for new electronic tagging contract amid fraud inquiry', *The Daily Telegraph*, 6 August.
- Cowley, P. and Stuart, M. (2013), *Cambo Chained: Dissension amongst the Coalition's Parliamentary Parties, 2012 – 2013*, Nottingham: The University of Nottingham.
- Crown Prosecution Service (2013), 'Nine charged over A4e fraud', *Press Release*, 27 September, London: Crown Prosecution Service.
- Department of Justice for Northern Ireland (2013), *Consultation Document: Proposals for the Reform of Financial Eligibility for Civil and Criminal Legal Aid*, Belfast: Department of Justice.
- Department for Work and Pensions (2010), *Universal Credit: Welfare that Works*, Cm 7957, London: The Stationery Office.
- Department for Work and Pensions (2011), 'Universal Credit Policy Briefing Note 15', 1 November, London: Department for Work and Pensions.
- Department for Work and Pensions (2012a), 'Universal Credit will go live in the Greater Manchester and Cheshire region in April 2013 - six months before the national roll-out', *Press Release*, 24 May, London: Department for Work and Pensions.
- Department for Work and Pensions (2012b), 'Employment Minister makes statement on A4e', *Press Release*, 15 May, London: Department for Work and Pensions.
- Department for Work and Pensions (2012c), *DWP Work Programme Statistical Release*, 27 November, London: Department for Work and Pensions.
- Duncan Smith, I. (2012), 'Welfare to Work conference', Speech by Iain Duncan Smith, 19 September, London: Department for Work and Pensions.
- Electoral Commission (2013), *Police and Crime Commissioner elections in England and Wales: Report on the administration of the elections held on 15 November 2012*, London: Electoral Commission.
- Ford, D. (2013), *Statement to the Assembly, March 19, Northern Ireland Prison Service Estate Strategy*, Belfast: Department of Justice.
- Garside, R. and Mills, H. (2012), *UK Justice Policy Review: Volume 1. 6 May 2010 to 5 May 2011*, London: Centre for Crime and Justice Studies.
- Garside, R. and Silvestri, A. (2013), *UK Justice Policy Review: Volume 2. 6 May 2011 to 5 May 2012*, London: Centre for Crime and Justice Studies.
- Geoghegan, R. (2012), *Future of Corrections: Exploring the use of electronic monitoring*, London: Policy Exchange.
- HM Government (2013), *The Coalition: together in the national interest*, London: Cabinet Office.
- HM Inspectorate of Constabulary (2012), *Protecting the public: Police coordination in the new landscape*, London: HMIC.
- Home Office (2012), *The Strategic Policing Requirement*, London: Home Office.
- House of Commons (2012a), 'Uncorrected transcript of oral evidence taken before the Justice Committee. The Work of the Secretary of State', 28 November, Rt Hon Chris Grayling MP.
- House of Commons (2012b), *Appointment of Her Majesty's Chief Inspector of Constabulary: Third Report of the Select Committee on Home Affairs*, HC 183-I, London: The Stationery Office.
- House of Commons (2012c), *The Ministry of Justice's language service contract: Twenty-first Report of the Select Committee of Public Accounts*, HC 620, London: The Stationery Office.
- House of Commons (2012d), *The budget and structure of the Ministry of Justice. Second Report of the Select Committee on Justice*, HC 97-I, London: The Stationery Office.
- House of Commons (2012e), *Olympics security. Seventh Report of the Select Committee on Home Affairs*, HC 531-I, London: The Stationery Office.
- House of Commons (2012f), *Universal Credit implementation: meeting the needs of vulnerable claimants, Third Report of the Select Committee on Work and Pensions*, HC 576, London: The Stationery Office.
- House of Commons (2012g), *Preventing fraud in contracted employment programmes, Fifteenth Report of the Select Committee on Public Accounts*, HC 103, London: The Stationery Office.
- House of Commons (2013a), *Police and Crime Commissioners: Register of Interests: First Report of the Select Committee on Home Affairs*, HC 69, London: The Stationery Office.
- House of Commons (2013b), *Interpreting and translation service and the Applied Language Solutions contract: Sixth Report of the Select Committee on Justice*, HC 645, London: The Stationery Office.
- House of Commons (2013c), *Restructuring of the National Offender Management Service. Thirty-fifth Report of the Select Committee on Public Accounts*, HC 717, London: The Stationery Office.
- House of Commons (2013d), *Department for Work and Pensions: Work Programme outcome statistics, Thirty-third Report of the Select Committee on Public Accounts*, HC 814, London: The Stationery Office.
- Liberty and Reprieve (2012), *Liberty and Reprieve Second Reading briefing on the Justice and Security Bill in the House of Lords*, London: Liberty and Reprieve.
- MacAskill, K. (2012), *Commission on Women Offenders*, Report to the Justice Committee, Edinburgh: Scottish Parliament.
- Ministry of Justice (2010), *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*, Cm 7972, London: Ministry of Justice.
- Ministry of Justice (2012a), *Crown Court means testing: the design of the scheme on implementation of the Legal Aid, Sentencing and Punishment of Offenders Act 2012*, Consultation Paper CP21/2012, London: Ministry of Justice.
- Ministry of Justice (2012b), 'Government clamps down on legal aid dodgers', *Press Release*, 30 October, London: Ministry of Justice.
- Ministry of Justice (2012c), 'New work in prisons enterprise launched', *Press Release*, 24 May, London: Ministry of Justice.
- Ministry of Justice (2012d), *Punishment and Reform: Effective Probation Services*, Consultation CP7/2012, London: The Stationery Office.
- Ministry of Justice (2012e), *Punishment and Reform: Effective Community Sentences*, Consultation CP8/2012, London: The Stationery Office.
- Ministry of Justice (2012f), *Punishment and Reform: Effective Community Sentences*, Government Response CP(R)20/2012, London: The Stationery Office.
- Ministry of Justice (2012g), 'Next steps for prison competition', *Press Release*, 8 November, London: Ministry of Justice.
- Ministry of Justice (2013a), *Crown Court means testing: the design of the scheme on implementation of the Legal Aid, Sentencing and Punishment of Offenders Act 2012*, Response to Consultation CP(R) 7/2013, London: Ministry of Justice.
- Ministry of Justice (2013b), *Transforming legal aid: delivering a more credible and efficient system*, Consultation Paper CP14/2013, London: Ministry of Justice.
- Ministry of Justice (2013c), *Transforming Legal Aid: Next Steps*, London: Ministry of Justice.
- Ministry of Justice (2013d), 'Changes to the prison estate', *Press Release*, 10 January, London: Ministry of Justice.
- Ministry of Justice (2013e), *Transforming Rehabilitation: A revolution in the way we manage offenders*, Consultation CP1/2013, London: The Stationery Office.
- Ministry of Justice (2013f), *Transforming Rehabilitation: A Strategy for Reform*, Response to Consultation CP(R)16/2013, London: The Stationery Office.
- National Audit Office (2012a), *The Ministry of Justice's language services contract, Memorandum by the National Audit Office*, 10 September, London: National Audit Office.
- National Audit Office (2012b), *Restructuring of the National Offender Management Service*, HC 593, London: The Stationery Office.
- National Audit Office (2012c), *Preventing fraud in contracted employment programmes*, HC 90, London: The Stationery Office.
- National Audit Office (2012d), *A commentary for the Committee of Public Accounts on the Work Programme outcome statistics*, HC 832, London: The Stationery Office.
- National Audit Office (2013), *Universal Credit: early progress*, HC 621, London: The Stationery Office.
- Neyroud, P. (2011), *Review of Police Leadership and Training: Volume One*, London: Home Office.
- Northern Ireland Prison Service (2012), *Northern Ireland Prison Service Outline Estate Strategy 2012-2022*, Belfast: Department of Justice.
- Office for Budget Responsibility (2013), *Economic and fiscal outlook, March 2013*, Cm 8573, London: The Stationery Office.
- Probation Chiefs Association and Probation Association (2013), 'Transforming Rehabilitation: A joint response from the Probation Chiefs Association and the Probation Association', 23 February.
- Scottish Legal Aid Board (2013), 'Timetable for development of options for contracting', 24 May.
- Scottish Parliament Information Centre (2013), *Scottish Civil Justice Council and Criminal Legal Assistance Bill*, Edinburgh: The Scottish Parliament.
- Scottish Prison Service (2012), *Women in Custody: A Consultation*, Edinburgh: Scottish Prison Service.
- The Scottish Government (2012a), *The Scottish Government Response to the Commission on Women Offenders*, Edinburgh: The Scottish Government.
- The Scottish Government (2012b), *Redesigning the Community Justice System: A Consultation on Proposals*, Edinburgh: The Scottish Government.
- The Scottish Government (2012c), 'Satellite tracking of offenders', *Press Release*, 21 September, Edinburgh: The Scottish Government.
- The Scottish Parliament (2012), *Welfare Reform (Further Provisions) (Scotland) Act 2012: Explanatory Notes*, Edinburgh: The Scottish Parliament.
- Winsor, T. (2013), 'Policing in the new dynamic environment', Speech by Thomas P Winsor, 29 April, Her Majesty's Chief Inspector of Constabulary.

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