

# The coalition years

Criminal justice in the United Kingdom: 2010 to 2015

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Executive summary

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CENTRE FOR CRIME  
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# Executive summary

## Context

*The Coalition Years* seeks to explain criminal justice developments across the United Kingdom over the five years between 2010 and 2015. It also considers the challenges facing an incoming United Kingdom government after the May 2015 General Election. All three United Kingdom criminal justice jurisdictions are covered: England and Wales, Scotland and Northern Ireland.

Many different factors influenced the shape and progress of policy. This report focuses on the distinctive underlying drivers in each jurisdiction. It eschews detail for brevity and clarity, picking out certain developments to illustrate how criminal justice was reconfigured according to different underlying logics. It does not offer a comprehensive account of everything that happened during this period.

In each jurisdiction, there were significant changes to policing, punishment and legal aid. The shape these changes took differed in line with the underlying priorities of each administration. Developing markets in the operation and delivery of criminal justice services was central to policy in England and Wales. In Scotland the state, rather than the market, took precedence. Activities in Northern Ireland were guided by an ambition to build an inclusive society free from sectarian strife. Overlaying these local drivers of change, a United Kingdom-wide austerity agenda formed the common context within which distinctive criminal justice policies developed across the three jurisdictions.

## Events

The United Kingdom coalition government's programme of public spending cuts, shored up by the political stability afforded by the *Fixed-Term*

*Parliaments Act*, set the context for criminal justice developments across the separate jurisdictions. Marketisation in England and Wales proceeded in contrasting ways and at different speeds. A range of local and central commissioning models were deployed. Some approaches were tried and tested, others were entirely new. The overarching aims were to introduce price-competitive tendering for criminal legal aid and to consolidate the market of providers; payment-by-results in prison- and probation-related work; and local Police and Crime Commissioners responsible for budget decisions and the procurement of a range of police- and crime-related services.

A new wave of centrally orchestrated prison privatisations failed. They were superseded by the selective outsourcing of estate management. The new national contract to deliver electronic monitoring was finally awarded after a protracted period of negotiation. The original plans for localised commissioning of probation work through the 35 Probation Trusts were rethought during 2013. The Trusts were abolished and contracts to supervise people convicted of breaking the law were awarded to 21 new Community Rehabilitation Companies. These contracts went live in early 2015.

In May 2011, the Scottish National Party became the majority party in Holyrood, enhancing its authority to deliver major reforms. The state would be in control of service operation and delivery, but the balance between localism and centralism varied. The eight regional police forces were merged into a national force, Police Scotland. The new arrangements faced criticism as loss of local control over policing did not seem to be matched by effective oversight from the Scottish Police Authority.

During 2014, plans were made to abolish the

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eight regional Community Justice Authorities. Their responsibilities for coordinating local agencies involved in community supervision would be devolved to the 32 Community Planning Partnerships. Community Justice Scotland, accountable to the Scottish Government, would steer the overall direction of local arrangements through strategy and outcome setting. The centralised nature of the Scottish Prison Service created distinct barriers to local legitimacy and collaborative working.

Criminal justice powers, devolved in 2010 under the Hillsborough Castle Agreement, allowed the Northern Ireland Executive to begin the process of reforming policing and punishment, distinct from its past role in containing political violence. Central to the process of reform was an inclusive style of criminal justice decision-making, based on dialogue, collaboration and a consensus-building approach. However, the history of civil conflict frequently seeped into the present to influence developments.

Early on, the Executive consulted on the long-term policing objectives of the Police Service of Northern Ireland. Policing and Community Safety Partnerships, responsible for consulting with local communities and coordinating policing activity, were established in 2012. A review of prisons resulted in a major reform programme and plans to redevelop the prison estate. The ongoing challenge of confronting the past, and accounting for deaths during the years of civil conflict, continued to cast a shadow over the whole system, particularly the police.

In criminal legal aid there was a significant degree of convergence between the three jurisdictions. Every administration moved to reduce fees, limit eligibility, require defendants to contribute to their legal costs, and to introduce price-competitive

tendering. Cutting payments to lawyers proved much easier than complex reorganisations of public services.

## Implications

With another parliament of austerity likely, whichever party or parties form the United Kingdom government following the May 2015 General Election, the role of the dull compulsion to cut and trim will continue to make itself felt across the three jurisdictions. The pattern of convergence and divergence in approaches to austerity, and to criminal justice more generally, is likely to continue.

Whether such convergences and divergences are a good or bad thing is not a judgement we seek to make in this report. There are certainly lessons, for all three jurisdictions, from the paths taken in each. But transfer of policy solutions from one jurisdiction to another – for instance, the adoption of a Police Scotland model in England and Wales, or the application of market processes to probation in Scotland or Northern Ireland – will always tend towards modification and adaptation at most. The distinctive approaches to criminal justice pursued in England and Wales, Scotland and Northern Ireland are a response to specific challenges in those jurisdictions. They also reflect underlying governing priorities, philosophies, ideologies and imperatives. Such specificities are not replicable across, what remain, very different jurisdictions.

The process of criminal justice reform is, at heart, a political project, shaped by, and shaping in its turn, a complex array of economic, cultural, historical and ideological influences. It is this articulation of the political and the criminal justice, during the period 2010 to 2015, that this report seeks to draw out.

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## UK Justice Policy Review

*The Coalition Years* forms part of the *UK Justice Policy Review* programme of activities. It supplements the annual reports. These reports are required reading for anyone looking for an accessible overview of criminal justice developments across England, Scotland, Wales and Northern Ireland.

Now in its fourth year, *UK Justice Policy Review* combines analysis of the main developments in policing, courts, prisons, probation and welfare with detailed data sections covering the main facts, figures and trends.

The *UK Justice Policy Review* team at the Centre for Crime and Justice Studies have been tracking year on year developments in criminal justice and social welfare

since the election of the coalition government in 2010. Each *Review* includes:

- Analysis of notable criminal justice policy developments, including key debates, major initiatives and legislative changes.
- Data about the criminal justice system in the UK for the year under review and the preceding period.
- A breakdown of the year in numbers.
- A timeline of the key events.

*UK Justice Policy Review* brings much of this UK-related data together in one place for the first time.

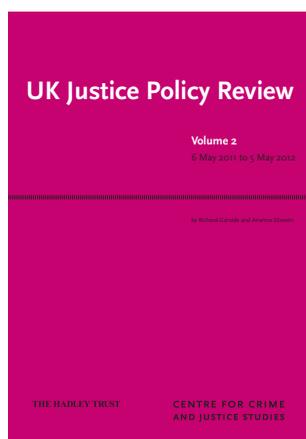
### Publications in the series

*UK Justice Policy Review 1*  
May 2010 – May 2011

*UK Justice Policy Review 2*  
May 2011 – May 2012

*UK Justice Policy Review 3*  
May 2012 – May 2013

*UK Justice Policy Review 4*  
May 2013 – May 2014



*UK Justice Policy Review 5*, covering May 2014 – May 2015, is due out in March 2016.