

# Joint Inspection Report into Persistent and Prolific Offenders



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# 1 Foreword

In the Autumn of 2002, the government introduced the Narrowing the Justice Gap (NJG) programme in order to increase the overall number of offenders brought to justice. Recognising that a relatively small number of offenders were responsible for a disproportionate number of offences, a key element of this strategy was aimed at tackling those described as Persistent Offenders (POs). In support of the initiative, guidance was issued to ensure that an enhanced focus was put on POs by all agencies within the criminal justice system.

In April 2003, therefore, the *Persistent Offender Scheme* came into effect. The initiative and the logic of concentrating finite resources on a limited number of significant offenders were widely supported.

After the scheme became operational, however, concerns were raised by front line practitioners that the numbers and types of offenders identified by the scheme as defined were problematic. Those identified by the definition of PO did not always reflect the local experience of offending and associated priorities. These concerns were echoed in a review carried out on behalf of the NJG Task Force by the PA Consulting Group in August 2003.

In October 2003, the Criminal Justice Chief Inspectors Group commissioned a short and focused thematic inspection to examine the practical workings of local PO schemes together with other local initiatives directed at a slightly different set of offenders which had become known as Prolific Offenders.

The inspection was a collaborative effort by all five CJS inspectorates with representatives from the Audit Commission. Together, the inspection team responded quickly and professionally to a challenging inspection timetable. To assist the process, lessons learned from other collaborative work between inspectorates were adopted particularly those in relation to information collection and analysis. The CJ Joint Inspectorate Secretariat supported the inspection.

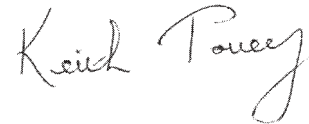
The inspection complemented work carried out on behalf of the Home Office Crime Reduction Delivery Board which was exploring further the benefits of more effectively targeting Prolific Offenders. The emerging findings from the thematic joint inspection and the HO review were made widely available and the recommendations informed the Prime Minister's recent announcement of a revised initiative which will target the most prolific offenders who pose a threat to local communities and undermine confidence in the Criminal Justice system through their repeated offending.

On behalf of the inspection team members, thanks are extended to all CJ agencies visited for responding so quickly and positively to requests for information and for accommodating the interviews undertaken. Interesting information was also obtained from interviews with offenders.

This report further illustrates how the Criminal Justice agencies used the national Persistent Offender Scheme as a catalyst for developing local strategies to improve their effectiveness, both individually and collectively, in tackling prolific offenders.



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## 2 Executive summary

### The Persistent Offender Scheme

**2.1** The Narrowing the Justice Gap Initiative sought to establish a core definition of a persistent offender to enable a consistent focus on this group both across England and Wales and between different agencies.

**2.2** The guidance on Tackling Persistent Offending defines a core persistent offender as: someone who is 18 years or over and has been convicted of 6 or more recordable offences in the last 12 months.

**2.3** The Persistent Offender Scheme aims to support the CJS in more effectively catching, bringing to justice and rehabilitating a core group of particularly prolific offenders who are responsible for a disproportionate amount of crime. A bespoke computerised case tracker, J Track, provides national and local management information on persistent offenders.

### Joint Inspection

**2.4** In October 2003, the Criminal Justice Chief Inspectors' Group commissioned a Joint Thematic Inspection into the Persistent Offender Scheme and work with prolific offenders.

### Main Findings

**2.5** All criminal justice partners supported the concept of prioritising work with a small number of offenders who cause significant harm within communities by virtue of the amount of offences they commit.

**2.6** There is some evidence that intensive interventions can have a positive crime reduction and rehabilitative effect, making a significant impact on communities and the lives of offenders.

**2.7** The definition of a persistent offender produces a large group of offenders who are significantly different to those identified as priority offenders by the Police National Intelligence Model, those thought worthy of prioritisation by practitioners and those of particular concern to CDRPs. The majority of those identified had been convicted of offences towards the lower end of the scale of seriousness, principally shoplifting.

**2.8** The Persistent Offender Scheme identifies an unmanageable number of offenders not able to be prioritised within existing resources. The costs of implementing the scheme are perceived by practitioners to outweigh any benefits gained.

**2.9** Police were able to identify those meeting the persistent offender definition when they were brought into custody. The persistent offender status of offenders was clearly identified in case papers

sent from the police to the CPS in most cases. There were examples of the CPS informing the police where there had been an oversight.

**2.10** The impact of the Persistent Offender Scheme on CPS work was minimal. The main additional activity was in connection with the maintenance of J Track. CPS continued to prioritise on the basis of professional judgement cases that they deemed serious, any persistent offender falling into this category was likely to receive a premium service.

**2.11** The operational impact of the Persistent Offender Scheme in Magistrates' and Crown courts was very limited. Due to the type of offences committed, most persistent offenders received sentences that did not lead to any form of post sentence intervention.

**2.12** The use of J Track as a monitoring tool was restricted by an inability to follow offenders throughout the criminal justice system. Only the police and CPS had direct access. J Track was, therefore, of limited use to some partners. All users believed the potential benefits from J Track were significantly outweighed by the costs of implementation. There were limited extra resources assigned to the police and CPS to maintain J Track.

## Local Criminal Justice Boards

**2.13** There was evidence of effective working by the LCJB partners towards the Narrowing the Justice Gap targets, although there were only limited links to other statutory authorities and partnerships.

**2.14** Although there were clear targets and monitoring systems, the baseline for targets was questioned by LCJBs. There were no joint performance indicators at an operational level and lack of access to J Track by all partners meant monitoring data was fragmented. There was a lack of joint performance monitoring and any meaningful cost benefit analysis.

## Intensive interventions for persistent and prolific offenders

**2.15** There was evidence in relation to intensive supervision interventions of good partnership working and information sharing, particularly between the police and probation. A limited number of persistent and prolific offenders were supervised on intensive interventions with promising outcomes.

**2.16** Intensive supervision interventions were perceived to produce a 'win-win' situation, in which offenders were either rehabilitated or returned to prison or the court at the onset of their re-offending or when they failed to comply with the conditions of their order or licence.

**2.17** Although there was little engagement from the Prison Service nationally with regard to the Persistent Offender Scheme, there were a limited number of prison based projects working intensively with prolific offenders showing positive results.

**2.18** The majority of intensive interventions were focused on offenders whose behaviour was thought by local communities to cause significant fear of crime. However, some persistent offenders initiatives were dealing with offenders who were not otherwise identified as a priority.



**2.19** The ethnicity profile of those identified as persistent offenders was broadly consistent with the profile of offenders in general. There was little analysis of diversity issues.

**2.20** There was evidence that persistent or prolific offender interventions needed to engage a range of partners, including non criminal justice agencies to be fully effective. There was evidence of high levels of partnership ownership of and commitment to intensive supervision interventions that were targeted at local needs.

## Funding

**2.21** Funding for persistent and prolific offender interventions came from a wide variety of sources, most of which were short term, leading to concerns over sustainability, retention of key staff, procurement and value for money. There appeared to be appropriate accounting mechanisms to ensure the probity of expenditure.

## The future

**2.22** The current persistent offender criteria should be re-defined to identify a more limited number of priority offenders

**2.23** A national performance management framework that reflects both national and local needs and priorities should be developed.

**2.24** Responsibility for the development of work with priority offenders should be located within Crime and Disorder Reduction Partnerships, which should include consulting with representatives from the courts and CPS. CDRPs are better placed than LCJBs to deliver the necessary range of rehabilitative services locally.



## 3 Recommendations

1. The current persistent offender criteria should be re-defined to identify a more limited number of priority offenders.
2. Responsibility for the development of work with priority offenders should be located within Crime and Disorder Reduction Partnerships, which should include consulting with representatives from the courts and CPS. CDRPs are better placed than LCJBs to deliver the necessary range of rehabilitative services locally.
  - Each CDRP should identify a minimum number of priority offenders it will work with intensively;
  - Each CDRP should agree and monitor adherence to local protocols with criminal justice agencies and providers of rehabilitative services for work with priority offenders;
  - Priority offender interventions should have the explicit twin aims of rehabilitation and crime reduction.
3. Funding streams for work with priority offenders should be easy to access via the national framework, available over the medium to long term with clear monitoring requirements.
4. A national performance management framework that reflects both national and local needs and priorities should be developed.
  - The performance management framework should include monitoring of diversity issues, value for money and the identification and dissemination of good practice, as well as the key aims of bringing priority offenders to justice, rehabilitation, and the prevention of further offending;
  - Minimum National Standards should allow for local discretion and flexibility in the identification of priority offenders;
  - The use of J Track to monitor a reduced number of priority offenders should be explored.



## 4 The habitual, persistent, prolific, recidivist or repeat offender

**4.1** However they may be defined, and exactly what they are called may be debated exhaustively, the fact is that relatively few offenders commit a large proportion of all crime.

**4.2** Research evidence<sup>1</sup> on the offending behaviour of males born in 1953 indicates that approximately a third of males were convicted of a standard list offence by the age of 46. Eight percent had at least four convictions and approximately 0.2% had 30 or more. The earlier the onset of offending, the greater the probability of it continuing into adulthood and middle age, with the familiar revolving door of repeated arrest, conviction and sentence.

**4.3** Analysis of the prison population shows that approximately one third of adult male prisoners have 11 or more previous convictions. Home Office reconviction studies of this group show that 58% were recommitted to custody within 2 years. For males under 20 with 11 offences, the proportion returned to prison is as high as 96%.

**4.4** The Government white paper “Criminal Justice – The way ahead”<sup>2</sup> suggested that 100 000 offenders commit 50% of all crimes. Furthermore, this cohort tends to include those who commit the more serious offences within the volume of their overall offending.

**4.5** Efforts to catch, convict and rehabilitate this hard core of offenders are thought to offer an efficient way to gain significant reductions in the overall volume of crime.

**4.6** As a consequence, there has been considerable interest in this group of offenders in recent policy. Efforts to tackle persistent offenders through more focussed police activity, harsher sentencing and intensive supervision regimes have been developing over the past 30 years.

**4.7** In October 2003, the Criminal Justice Chief Inspectors’ Group commissioned a Joint Thematic Inspection into the Persistent Offender Initiative and work with prolific offenders (Appendix C). It was agreed that HMIC, working closely with HMI Probation, the other criminal justice Inspectorates and the Audit Commission would lead this. The Areas inspected were Avon and Somerset, Derbyshire, Northumbria, South Wales, South Yorkshire and Staffordshire.

**4.8** This report concerns the work that is currently being undertaken on the ground by criminal justice agencies and other partners in relation to these offenders.

**4.9** Inspectors would like to thank all agencies for their positive contributions to the inspection. This quick and focussed inspection was undertaken with short notice and with the swift co-operation of all services, without which this report could not have been produced.

1 Unpublished data from the Home Office Offenders Index. RDS

2 Criminal Justice: The way ahead. 2001. HMSO



## 5 The policy context of the Persistent Offender Initiative

**5.1** Work to improve public confidence in and the efficiency of the criminal justice system are at the heart of the Government's agenda. There was a specific pledge in the 2001 manifesto to double the chance of a persistent offender being caught and punished. PSA targets are in place to ensure a focus on the delivery of a variety of improvements to the criminal justice system.

**5.2** The white paper of July 2002 "Justice for All"<sup>3</sup> drew attention to the gap between the number of offences committed and the number of offences brought to justice. The overarching strategy to address this issue, the Narrowing the Justice Gap (NJG) initiative, was introduced in the autumn of 2002.

**5.3** The government has set a target to increase the number of offences brought to justice by 2005/6 to 1.2 million. The Criminal Policy Group (CPG) at the Home Office has identified three elements to be addressed, which would result in increased performance.

**5.4** The Initiative has three major inter linked strands:

- Tackling particular types of crime;
- Tackling weaknesses in the criminal justice system;
- Tackling persistent offenders.

**5.5** This Joint Inspection has focused on tackling persistent and prolific offenders at all stages of the criminal justice process.

**5.6** Guidance<sup>4</sup> (see appendix A) was issued to each agency to assist in meeting the overall aim of catching, bringing to justice and rehabilitating a core group of particularly prolific offenders who commit a disproportionate amount of crime. The guidance envisaged that a "premium service" should be delivered when dealing with appropriate persistent offenders.

**5.7** Whilst the guidance was not prescriptive, it aimed to ensure that each agency had an enhanced focus on persistent offenders at every stage of the criminal justice process. The guidance also allowed for the inclusion of locally defined persistent offenders where areas felt this was appropriate.

**5.8** Forty-two Local Criminal Justice boards, co-terminus with police, probation, Crown Prosecution Service (CPS) and Magistrates' court areas, consisting of Chief Officers of criminal justice agencies were established and required to produce a NJG Local Action plan to include:

- Action Plans to tackle persistent offenders;
- Targets;
- Individual agency involvement;
- Monitoring arrangements.

3 Justice For All. 2002 HMSO

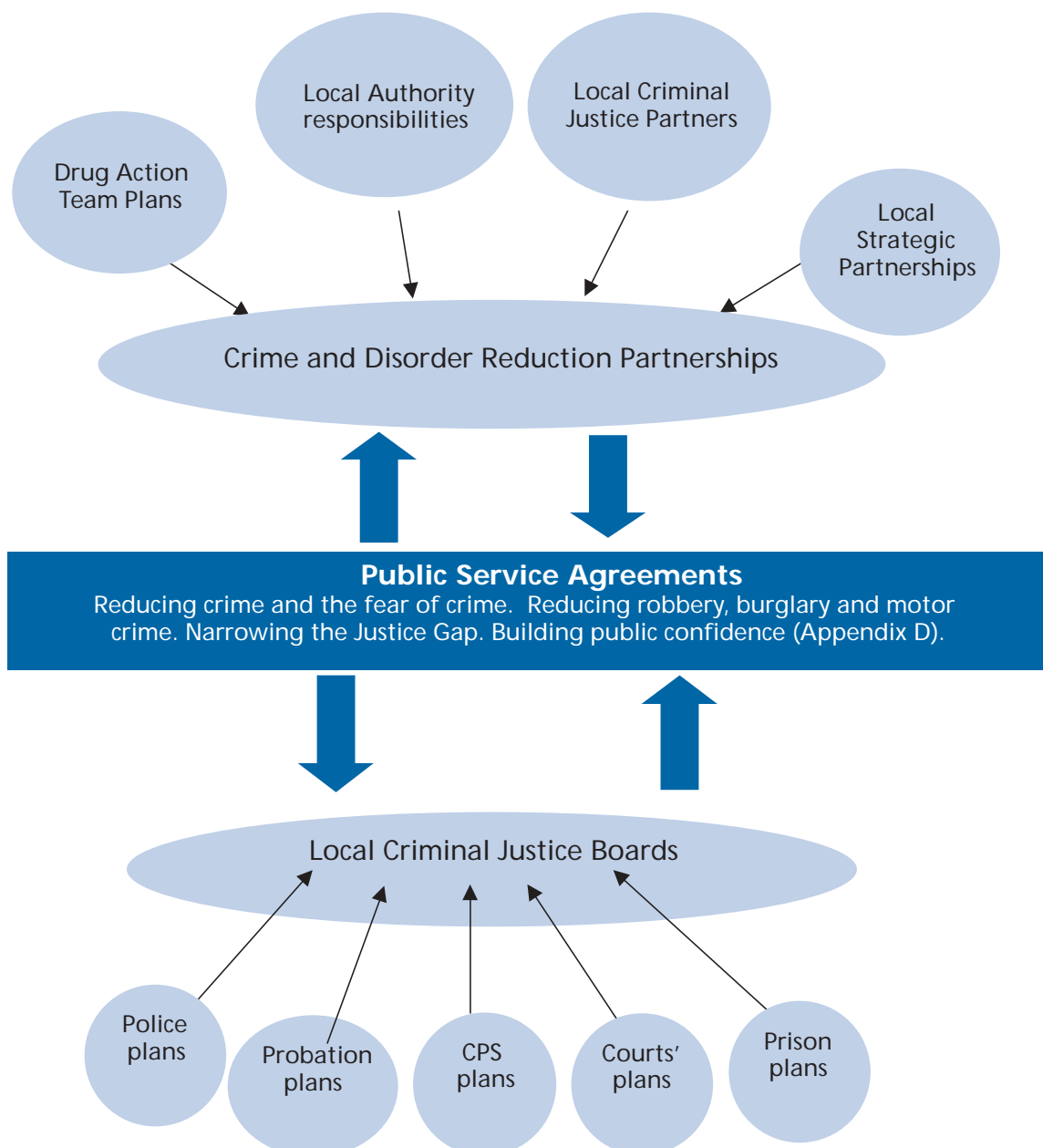
4 Narrowing the Justice Gap. Guidance on tackling Persistent Offending. 2002. Home Office Communication Directorate

**5.9** J Track, a web based system, was introduced to track persistent offenders from arrest to sentence and provide local management information for LCJBs.

**5.10** In addition to the target to increase the total number of offences brought to justice, LCJBs were asked to set a further target to increase the number of offences brought to justice committed by persistent offenders by a minimum of 5%.

**5.11** These LCJB plans were overlaid on the existing national and local plans and priorities of the individual agencies. The LCJBs built on the relationships that had been established between the criminal justice agencies following the Crime and Disorder Act 1998. There are few formal links between LCJBs and Crime and Disorder Reduction Partnerships.

**Figure 1. Local criminal justice and crime reduction structures**



**5.12** The white paper “A Blueprint for Reform”<sup>5</sup> identified the need for improvements in tackling crime. The Police Reform Act 2002 requires the Police Service to implement the National Intelligence Model (see appendix B) to focus resources more effectively. This model can assist in effectively generating a list of offenders to prioritise, based on the gravity of their offending and other local priorities. It is consistent with other PSA targets. The Criminal Justice Act 2003<sup>6</sup> establishes a framework for the more effective management of offenders.

**5.13** Crime and Disorder Reduction Partnerships had undertaken audits in 1999 and 2002 that had generated local priorities that areas were striving to achieve alongside national targets. Some areas had developed local interventions to work jointly with certain offenders identified as causing significant concerns to their local communities. These interventions sometimes took the form of prolific offender interventions bringing together a range of partners to reduce offending and offer an enhanced rehabilitative service.

**5.14** Prolific offender interventions often predated the Persistent Offender Scheme. In some cases, intensive interventions had adapted their criteria to make them compliant with the scheme. They operate in a variety of ways, each project growing to meet an identified need, using different partners to achieve their desired results.

**5.15** The Home Office established 15 pilot Intensive Supervision and Monitoring schemes (ISMs) under the Persistent Offender Scheme in 2002, to assist in the delivery of the Narrowing the Justice Gap targets and provide evaluation as to the effectiveness of the concept of intensive supervision. These 15 interventions vary in scale significantly. In some cases they form a small part of the response to existing prolific or persistent offender interventions, in others they represent the areas only specific response to work with persistent offenders.

**5.16** Offenders supervised under ISMs receive four or more contacts with the scheme or their representatives, who may come from a variety of professional backgrounds.

**5.17** In addition to the development of ISMs, the Probation Service has also embarked on a variety of other intensive supervision initiatives, such as the Intensive Control and Change Programmes (ICCP) and Drug Treatment and Testing Orders (DTTO). In parallel to this, the Government has also embarked on a major programme to introduce Intensive Supervision and Surveillance Programmes (ISSPs) for young offenders at risk of custody or as a condition of their release from custody.

**5.18** These programmes are beyond the scope of this inspection and have not been considered in detail.

5 Policing a New Century- A Blueprint for Reform. 2001 HMSO

6 Criminal Justice Act 2003. HMSO



## 6 Defining Persistent Offenders

- 6.1** The Narrowing the Justice Gap Initiative sought to establish a core definition of a persistent offender to enable a consistent focus both across England and Wales and between different agencies. The definition was also designed to give a baseline against which performance could be assessed.
- 6.2** The guidance on Tackling Persistent Offending defines a core persistent offender as: Someone who is 18 years or over and has been convicted of 6 or more recordable offences in the last 12 months.
- 6.3** There is also the flexibility for local areas to apply persistent offender strategies to others suspected of being prolific offenders.
- 6.4** The core persistent offender definition allows for a common baseline to be calculated by utilising data from the Police National Computer (PNC) on convictions that are an objective test of persistence. The guidance encourages areas to focus on the most prolific of persistent offenders. There is no common agreement on the definition of a prolific offender.
- 6.5** There is a separate definition of persistent young offenders (PYOs). A PYO is a young person who has been dealt with by the courts on three or more occasions, and commits another offence within three years of last appearing before a court.<sup>7</sup> The principal target for PYO performance is concerned with reducing the time from arrest to sentence.
- 6.6** For the purposes of this report, the term “persistent offender” is used to describe those offenders meeting the core definition. Other offenders prioritised or identified as requiring intensive or special treatment due to their offending patterns are referred to as “prolific offenders”. All interventions dealing with these offenders are referred to as intensive interventions whether targeting persistent or prolific offenders.

### The definition in practice

- 6.7** It was anticipated that the core definition would produce approximately 33 500 offenders at any one time who have been convicted of over 300 000 offences in the previous 12 months. As the criteria for becoming a persistent offender relies on dynamic data, it was thought that the cohort of offenders generated would change from month to month by as much as 18%<sup>4</sup>.
- 6.8** Information that was provided to the inspection team by PA consulting indicated that in February 04 there were 37 453 current core persistent offenders identified on J track, 10% more than predicted. Of the Areas inspected, Derbyshire had the fewest current core persistent offenders with 693, while Northumbria had the most with 1 640. The number of persistent offenders per police Basic

7 Youth Justice Board 2000 National Standards. Section 6.8.2

Command Unit varied between zero in North Northumberland and 375 in Stoke on Trent. The average in LCJB Areas varied between 109 and 237.

**6.9** The number of offences added to J Track by the police varied between Areas, with some forces adding a number of offences in excess of the original targets for offences brought to justice by the end of January, and others adding fewer than half the required original target.

**6.10** Similarly, of the offences added to J Track, the proportion of cases brought to justice at the end of January 04 is recorded as between a half and a fifth. Some of this discrepancy will be the result of the time it takes for offenders to progress from arrest to sentence. There may also be backlogs in finalising data on J Track.

**6.11** At the end of January 04, 36 934 offences committed by core persistent offenders had been brought to justice since the start of April 03.

**Figure 2: Core persistent offenders recorded on J track by LCJB Area inspected.**  
*Data collated at 08.02.04 on core persistent offenders only*

	POs (Feb 04)	Avg. per BCU	Total number of individual POs identified since 01/04/03	Offences added to J Track since 01/04/03	Offences BTJ April-Jan 31st 04	Original target for offences BTJ 01/04/03-31/03/04
A&S	1226	153	2 678	2 513	1252	5 460
S. Wales	1236	177	2 790	4 466	1316	3 542
Northumbria	1640	109	3 529	4 149	787	6 629
Derbyshire	693	173	1 644	1 661	962	1 621
Staffordshire	948	237	1 942	3 280	1424	2 230
S. Yorkshire	1386	231	2 959	3 617	1900	3 794
National Totals	37 453	137	84 530	93 248	36 934	103 314

## Offence type, criminogenic needs and court disposals

**6.12** A PA consulting report<sup>8</sup> analysed the August cohort of persistent offenders and provided details on the offence types, criminogenic needs and sentencing of persistent offenders.

**6.13** With regards to offence type, the report indicates that the most common offence committed by those identified as persistent offenders is shoplifting (36%). The other most prevalent offences are Burglary non-dwelling (6%), Bail Act offences (6%), miscellaneous Theft Act offences (5%) and Burglary dwelling (5%).

8 Persistent Offender Scheme – Consultation Paper on the Rehabilitation Strategy for Persistent Offenders May 2003. PA Consulting



**6.14** Analysis of persistent offenders' criminogenic needs suggested that they had a similar range of criminogenic needs to the general offending population, that is, they experience the same problems as other groups of offenders. Notably, they experience problems with thinking skills, drug misuse, employment training and education, accommodation, lifestyle, attitudes and finance. Although the range of needs was similar, individually they were likely to have a greater number of identified needs.

**6.15** Eighty-three percent of persistent offenders are male, with the peak age for offending between 18 and 23. On average they are convicted on two to three occasions per year of eight to nine offences.

**6.16** The ethnic profile of persistent offenders is broadly similar to the overall offending population as identified by the PNC. Eighty-nine percent of persistent offenders are white.

**6.17** Persistent offenders receive a range of sentences when convicted. The most common disposal is a custodial sentence. Approximately one third of disposals involving persistent offenders are committals to custody, however 87% of these sentences are for less than 12 months. Thirty-one percent are fined and eight percent receive community rehabilitation orders. The full details are contained in Figure 3 below.

**Figure 3. Sentences received by August cohort of persistent offenders.**

Disposal Group	Disposals	%
Custodial	72,411	33%
Fine/Compensation Order	67,838	31%
Absolute/Conditional Discharges	21,009	10%
Community Rehabilitation Order	17,462	8%
Other	16,117	7%
Community Punishment Order	8,255	4%
Supervision Order	8,239	4%
Attendance Centre Order	3,279	1%
Drug Treatment and Testing Order	2,343	1%
Curfew Order	1,257	1%
Action Plan Order	259	0%
Reparation Order	254	0%
Community Punishment and Rehabilitation Order	25	0%
Exclusion Order	1	0%
Total	218,839	

## 7 Partnership Findings

**7.1** The findings of the inspection are described in a sequential order, starting with an account of the strategies put in place by the LCJBs and other criminal justice partnerships. The report will then describe the effect of the strategies on offenders as they are dealt with through the criminal justice system.

### Strategic Partnerships

#### Local Criminal Justice Boards

**7.2** All areas had produced an Action Plan to address the requirements of the Narrowing the Justice Gap Initiative. In addition to the overall target of increasing the number of offences brought to justice to 1.2 million offences by 2005/6, each Area was required to set a target to increase the number of offences by persistent offenders being brought to justice by a minimum of 5%.

**7.3** There were no central joint targets within the LCJBs with regard to rehabilitation. The Narrowing the Justice Gap agenda was principally seen as a tool to assist in driving up the efficiency of the “catch and convict” parts of the criminal justice system to meet the overall target. This perception was given weight by the fact that the tool for measuring performance under the NJG did not give information past the point of sentence; where the main rehabilitative work occurred.

**7.4** Practitioners and managers saw an apparent conflict in the rehabilitative phase where significant success in achieving crime reduction by identified persistent offenders would hinder the achievement of both the overall NJG target and the specific target on increasing convictions of persistent offenders.

**7.5** Some senior managers felt that although the intensive rehabilitative interventions undertaken with persistent offenders were valuable, the target was inappropriately located in LCJBs, as the central thrust of intervention was crime reduction, rather than bringing more offenders to justice. As a consequence, there was little strategic priority placed on work with persistent offenders. This was reflected in LCJB plans.

*“The work done with persistent and prolific offenders is really important, it must however be de-coupled from the Narrowing the Justice Gap target. It is really about crime reduction”*

Police Chief Officer

**7.6** LCJBs had acted as a catalyst to improve working together to achieve improvements in communication, information sharing and problem solving. There was evidence of effective working by LCJB partners but there were only limited links to other statutory bodies such as CDRPs, LSPs and DATs that may be actively involved in working with persistent or prolific offenders.

**7.7** There was a good focus on achieving the overall aim of the NJG initiative of bringing more offenders to justice. All LCJBs visited supported the concept of the criminal justice system focusing on and prioritising a limited number of offenders who cause significant harm.

**7.8** There were significant concerns amongst the chairs of LCJBs that the core definition of persistent offenders generated a large number of offenders that would be impractical to treat as a priority. The Persistent Offender Scheme was not thought to provide a focus on a manageable number of offenders.

#### RECOMMENDATION 1

The current Persistent Offender criteria should be re-defined to identify a more limited number of priority offenders

**7.9** There was a tension between the offenders identified by the core persistent offender definition and other national priorities. Offenders identified by the Persistent Offender Scheme were not the ones identified by individual agency prioritisation processes, or other centrally driven priorities, as articulated by PSAs or the police National Intelligence Model.

*“We pay lip service to the Persistent Offender initiative, the real business is with a low volume of high impact offenders”*

Police Chief Officer

**7.10** Those defined as persistent offenders were not thought to be the most worthy of prioritisation by practitioners and were likely to be convicted of low level acquisitive crimes and driving offences. Concerns over the definitional issues for persistent offenders meant that there was limited commitment from some LCJB partners and their staff to prioritise them.

**7.11** The fact that there were different definitions of persistence for those above and below the age of 18 was said to be unhelpful.

**7.12** The Persistent Offender Scheme was seen as another initiative fighting for space on already crowded work agendas for all partners. Street crime, domestic violence, the PYO pledge, the criminal justice intervention programme and race and homophobic crime were cited as examples of initiatives identifying offenders requiring special treatment. In addition, the implementation of structural changes arising from the Glidewell report<sup>9</sup> added to concerns of “initiative overload” and a dilution of real priorities.

**7.13** These problems were compounded by a lack of joint performance indicators at an agency level.

**7.14** There was also widespread concern over the accuracy of the baseline data from which the targets for convictions of persistent offenders were derived leading to doubts about the validity of the targets.

**7.15** It was widely felt that the costs of implementing the Persistent Offender Scheme outweighed any benefits gained. There was further concern that, whilst accepting the pivotal role of the role of LCJBs, they lacked a statutory basis, had very limited funding and were an additional responsibility, particularly for the Chair.

## J Track

**7.16** As has been noted in earlier joint inspections,<sup>10</sup> the absence of a joint criminal justice IT system hinders the development of shared objectives and targets. The individual systems that do exist, such as the PNC, are not flexible enough to deliver information readily on new and emerging priorities.

**7.17** In the absence of a joint system, J Track was developed as a measurement tool to track cases from arrest to sentence and to provide national and local management information.

**7.18** The police entered offender and offence information onto J Track at the point of charge for those identified as persistent offenders by PNC. The CPS then updated this information at the commencement and end of the court process. When an offender met the core definition, this fact was flagged on the PNC. Inspectors saw evidence of lists of previous convictions that were clearly flagged in this way. There were also examples of the CPS informing the police that cases had not been appropriately marked and needed to be added.

**7.19** Although there were arrangements in most areas for the information on J Track to be shared with criminal justice partners, only the CPS and police had direct access.

**7.20** The system did not follow cases past the point of sentence to the rehabilitative phase, and was, therefore of limited use to prison or probation staff.

**7.21** Training had been provided on the use of the J Track for staff within the police and CPS. The inspection team found that a significant number of police and CPS staff with responsibility for J Track had not received this training. A number of staff described themselves as self-taught or recipients of in house training. There was some evidence of inconsistencies in the way that police entered information on to J Track and concerns over the reliability of the data.

**7.22** There was concern amongst practitioners and senior managers that as a stand-alone system, J Track was not integrated to other computer systems and required separate entries to be made. J Track required entries that were additional to those that were necessitated by the arrest and charge process.

*"I was given the manual on J Track by the Chief Inspector and told to get on with it"*

Constable from a Criminal Justice Unit

**7.23** J Track was regarded as a burden and not seen as a high priority leading to delays in data inputting. J Track was not viewed as providing any intelligence value to policing, because it was produced at least a month in arrears.

**7.24** Approximately 33 500 individuals were expected to be recorded on J Track at any one time, the average number has proven slightly higher at nearly 37 500. J Track did not specify the current status of an offender within the criminal justice system. As a consequence, much work was needed to identify individuals at large and meeting other policing priorities.

<sup>10</sup> Streets Ahead. A joint inspection of the street crime initiative. 2003

**7.25** There was a widespread concern among the police that the volume of offenders and the offences for which they were responsible would not have led to prioritisation under the police National Intelligence Model.

**7.26** J Track information was also described as containing little useful information to the CPS.

**7.27** Inspectors saw some examples of Areas adding locally defined persistent offenders to J Track, although the practice was limited as it was perceived by many to add little value.

## Police Authorities

**7.28** Police Authorities had differing levels of awareness of the Persistent Offender Scheme but generally had not been involved in determining the priority to be given to persistent offenders, nor were they involved in actively monitoring performance. The inspection found that Police Authorities would welcome the opportunity to increase their involvement with LCJBs.

## Crime and Disorder Reduction Partnerships

**7.29** There was evidence of high levels of partnership ownership of and commitment to prolific offender initiatives that were targeted at locally defined needs. CDRPs were often the sponsors of prolific offender interventions that focussed on offenders whose behaviour was thought by local communities to cause significant harm. CDRPs were well placed to identify the needs of offenders and establish links between the various service providers to address criminogenic needs.

**7.30** These initiatives usually took the form of interventions targeted at offenders who had committed particular offences such as burglary in specific geographical areas. There were often small scale local evaluations of these initiatives which local stakeholders found persuasive.

**7.31** Funding for prolific offender initiatives came from a wide variety of sources, most of which were short term, leading to concerns over sustainability, retention of key staff, procurement and value for money. The securing of funds for such intensive interventions was labour intensive and often failed.

**7.32** Uncertainties over the long term viability of these intensive interventions hindered their establishment and strategic planning and made it difficult to build them into mainstream activities.

*“Only about 1 in 3 bids for funding are successful. I dedicate a lot of time and energy to making bids that will ultimately not produce the goods”*

Police Chief Officer

**7.33** There appeared to be appropriate accounting mechanisms within Local Authorities, police services and other accountable bodies to ensure the probity of expenditure to funders.

**7.34** Crime and Disorder Reduction Partnerships were aware of LCJBs but there was limited engagement with them or detailed knowledge of their work. This applied specifically to the Persistent Offender Scheme. The pattern of offences, mainly minor acquisitive crime, did not match priorities generated through community consultation or crime audits.

**7.35** Crime and Disorder Reduction Partnerships' crime audits and interviews with senior police officers indicated that communities were also concerned as to quality of life issues such as anti social behaviour, disorder and youth nuisance that were not generally addressed by either prolific or persistent offender interventions.

#### RECOMMENDATION 2

Responsibility for the development of work with priority offenders should be located within Crime and Disorder Reduction Partnerships, which should include consulting with representatives from the courts and CPS. CDRPs are better placed than LCJBs to deliver the necessary range of rehabilitative services locally:

- Each CDRP should identify a minimum number of priority offenders it will work with intensively;
- Each CDRP should agree and monitor adherence to local protocols with criminal justice agencies and providers of rehabilitative services for work with priority offenders;
- Priority offender interventions should have the explicit twin aims of rehabilitation and crime reduction.

## Drug Action Teams

**7.36** Drug Action Teams were generally well engaged with prolific offender interventions through their involvement in CDRPs. The levels of service provided to persistent or prolific offenders varied significantly both between and within LCJB areas.

**7.37** In one Area a Doctor was part of the intensive supervision project, in others services were provided by a Community Psychiatric Nurse or counsellors. The degree of service that could be provided by these medical staff, particularly in the area of treatment for drugs problems, varied considerably.

**7.38** Having staff from different agencies as part of the same team assisted in overcoming information sharing difficulties. Generally, there was an awareness of the need to provide priority access to drugs services for offenders on intensive interventions. This had been achieved in some of the longer established interventions, while establishing priority for these offenders was a medium term aim in some of the newer intensive interventions.

**7.39** There was little information as to the degree of overlap between those identified as being in treatment through the DAT and those who were identified as persistent offenders.

*"We are starting to exchange information more readily, what we don't yet know is if those identified as Persistent Offenders are already in treatment and known to us, or if they are a group we do not yet reach"*

DAT Co-ordinator

## 8 Findings from arrest to sentence

### Intelligence and proactive policing

**8.1** There was concern in all Areas among the police that those identified as persistent offenders by the core definition were largely not those that would be prioritised by the use of the National Intelligence Model. There was little evidence found of any proactive policing being undertaken in relation to persistent offenders. Proactive policing was unlikely to be used on cases not prioritised by the National Intelligence Model.

*“The definition of Persistent Offenders is the most critical issue. If you concentrate on Persistent Offenders you are setting yourself up to fail on other targets”*

Detective Chief Inspector

**8.2** The worth of the intelligence generated through the J Track was minimal. This was compounded by the fact that the list of persistent offenders was generated monthly in arrears.

**8.3** Senior police officers and intelligence analysts reported that it was very resource intensive to extract a meaningful subset of persistent offenders to prioritise for proactive policing. Significant additional information would be needed to enable prioritisation as information from J track was not current and contained insufficient detail.

**8.4** There were examples of forces utilising the offenders identified by J Track as a base to select the most prolific offenders for prioritisation. This sub group was identified by use of various matrices that prioritised offenders by the gravity of offences and local priorities. However, as the initial group was generated by J Track from those with six previous convictions, this group was mainly populated with offenders convicted of low level acquisitive crime, who would not otherwise be prioritised. There were very few examples of these offenders being subject to focused proactive policing.

**8.5** Where offenders were prioritised for rehabilitative interventions under prolific offender initiatives there were good examples of intelligence sharing and pro-active policing. Intelligence was shared effectively to enhance proactive policing on the small number of offenders targeted.

**8.6** Police officers were concerned that targeting offenders on any other basis than the core definition or other transparent process could be subject to a legal challenge. Others felt that the National Intelligence Model provided sufficient transparency.

### The process of Arrest and Charge

**8.7** There was clear evidence in most Areas that the persistent offender status of offenders was apparent through checks made in the custody suite via PNC and local intelligence systems.



**8.8** The guidance on the Persistent Offender Scheme did not require mandatory actions for all persistent offenders. There was little evidence of a premium service being delivered simply on the basis of meeting the definition. This was consistent with earlier investigations<sup>11</sup> into the Persistent Offender Initiative. Despite this, there was widespread recognition that the premium service represented best practice.

**8.9** Some Areas had adopted the Premium Service as a tool to assist in the training of probationary constables and a re-skilling of existing staff. In some Areas, the growth in the number of police officers meant that there was a relatively high percentage of probationary constables in need of training.

**8.10** There was evidence in Charge Pilot<sup>12</sup> areas that CPS were involved in the charge process for persistent (and indeed all) offenders.

**8.11** In all Areas, on most occasions persistent offender charge sheets were marked, although there was no single system, with each Area using different methods.

**8.12** Custody Sergeants were aware of the guidelines for dealing with persistent offenders but these guidelines had little or no effect on their decisions with regard to the granting of bail which was based on their powers and responsibilities under the Police and Criminal Evidence Act. There was little evidence of any significantly different treatment being applied to persistent offenders while in custody.

**8.13** Police saw the premium service as a level of service that should be applied to any professionally undertaken investigation. Resource and training issues hindered the delivery in the majority of cases, and this was compounded by the view that persistent offenders needed no special treatment.

*“Most Persistent Offenders virtually surrender themselves into custody, or are passed to us by store detectives”*  
Detective Chief Inspector

**8.14** Inspectors saw no systems in place to monitor adherence to the premium service protocol.

## The prosecution of persistent offenders

**8.15** Within the CPS there was support for the concept of working in partnership to prioritise offenders who cause significant harm to the community.

**8.16** There were good levels of understanding of the Persistent Offender Initiative, although serious concerns that the definition of persistent offenders produced too many offenders to allow for effective prioritisation.

**8.17** There was evidence that the CPS were being informed of the persistent offender status of offenders at an early stage. There was however little evidence of a premium service for persistent offenders from the CPS, except where there were serious offences, which in the view of the prosecutors warranted the premium service. Evidence from J track suggested that insufficient resource and priority was given to the finalisation of court results on J track.

11 Review of the Persistent Offender Scheme. PA Consulting Oct 03.

12 Review of the Criminal Courts in England and Wales. Lord Justice Auld 2001



**8.18** There were examples of consultation between the police and CPS to ensure that the appropriate charges were brought to improve other Narrowing the Justice Gap targets in the event of serious charges.

## Magistrates' and Crown Courts

**8.19** There was evidence that court staff were committed to working in partnership with other agencies towards the achievement of NJG targets. Many court staff had a high degree of awareness of the Persistent Offender Scheme and were frustrated by the fact that they were not able to access J Track data directly. Consequently any performance measurements within the courts required additional flagging of persistent offenders on internal systems.

**8.20** There were concerns that the definition of persistent offenders did not assist the court in focusing their resources in an appropriate way. Sentencers and staff were aware of the Persistent Offender Initiative. Courts had systems in place to flag persistent offenders once they were identified to them. The Persistent Offender Scheme had had little operational impact thus far, as courts reported that few persistent offenders had been identified to them by the CPS, but where they had, they were receiving appropriate case management.

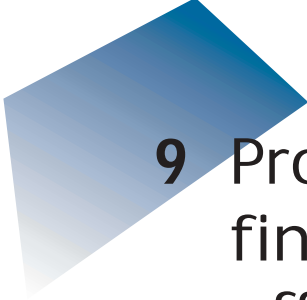
**8.21** Court staff felt that the best way to improve performance of LCJB objectives on persistent offenders was for the courts to aim to achieve timely and efficient progression of all cases.

**8.22** There was some evidence that, where intensive supervision interventions were in operation, the courts were aware of these and viewed themselves as active partners.

**8.23** There was concern that there was little overlap between various initiatives and requirements, such as the Street Crime Initiative.

## Sentencing

**8.24** Current sentencing patterns result in many persistent offenders receiving custodial sentences of less than 12 months or fines (see the table at paragraph 6.17). These disposals do not lead to any form of post sentence supervision. This may be addressed by new sentencing powers such as custody plus and custody minus.



## 9 Probation and prison intervention findings for persistent and prolific offenders

**9.1** There was a variety of responses to the Persistent Offender Scheme in the six Areas visited. Each had an intervention to target persistent or prolific offenders; however, there were very few factors that could be said to apply all of the interventions. There was widespread interchangeable use of the terms persistent and prolific offenders and the majority of offenders meeting the core definition and identifiable through J Track did not receive any form of additional service.

**9.2** In some Areas, the additional work with those identified was confined to a small geographical area, whilst, in others, interventions covered large areas. Some Areas used the core definition of a persistent offender as a pre-requisite for inclusion in the intervention and others did not. Some interventions worked intensively with offenders on licence whilst others only dealt with community penalties. One included offenders not currently subject to any form of statutory supervision.

**9.3** In most cases there were high degrees of contact by staff involved in the intensive intervention. In certain circumstances, such as where an offender had been placed in residential rehabilitation, there was very little.

**9.4** The planned length of interventions also varied significantly. Where offenders on licence were targeted, contact could be for as little as 3 months. Some interventions stipulated that they would only work with offenders serving two years or longer to allow for a six month licence period. This was thought to be the minimum period likely to be effective in achieving rehabilitation. Where community penalties were included in schemes the norm was for a one or two year community rehabilitation order.

**9.5** Funding for intensive interventions came from a variety of sources, often accessed through CDRPs, such as Neighbourhood Renewal Funds (NRF) or Recovered Assets Funds (RAF). Some Areas had well-established interventions that had grown to tackle particular local problems. In some cases these interventions had not sought to change or adapt in the light of the Persistent Offender Scheme. Other Areas had established interventions as a direct result of funds being made available for ISMs.

**9.6** Not all Areas received Home Office funding for an ISM which led to confusion as to the priority that should be accorded the initiative. Some senior managers reported concern that the Persistent Offender Scheme was not reflected in any performance targets that were monitored by the National Probation Directorate or a required component of their business plans.

**9.7** One Area reported that it was reluctant to promote a persistent offender intervention as part of a community penalty for fears over the short-term nature of the funding available. It was thought too risky to invest in winning over the local magistracy to intensive supervision unless or until senior managers could be confident of the medium term security of the interventions.

**9.8** The interventions inspected had a number of different objectives depending on their histories. Some viewed their prime goal as crime reduction against specific CDRP targets for the area and others were more focused on rehabilitation. In some areas there was thought to be a tension between working to rehabilitate offenders and the LCJB target of increasing convictions of persistent offenders.

**9.9** All interventions acknowledged the opportunities presented by increased levels of contact to truncate any emerging pattern of offending swiftly. All interventions had, to a greater or lesser extent, adopted what was described as a “win-win” philosophy, whereby rehabilitation or swift enforcement was seen as an indicator of success.

**9.10** Where offenders were supervised on licences, there were good examples of the Prison Service’s sentence enforcement unit (SEU) working in partnership to ensure swift recall to prison for further offending or breach of the requirements of the licence.

**9.11** There were also good links to courts in areas where community penalties were used to ensure prompt listing of breach hearings, although some Areas reported problems with the prioritisation of warrants for breach of community penalties.

## Identifying offenders for intensive supervision

**9.12** The police, with access to J Track and other intelligence based information were key to the process of identification of offenders suitable for intensive supervision in all Areas visited. Nevertheless, the process was usually managed collaboratively, using information from other stakeholders.

**9.13** Once identified, work with the offender was usually initiated while the offender was in custody, most typically after sentence. This usually took the form of an interview with two core members of the team, usually a police officer and probation service employee who explained the reason the offender had been identified and what the requirements were. This was often followed up by visits from other team members or partners to prepare the offender for release.

**9.14** In most interventions, when an offender was identified as a suitable case for inclusion in the project, they were not given a choice to opt out. It was made clear that there would be additional help to meet the rehabilitation needs of the offender, but that there would be intensive reporting and surveillance, usually including a regular home visit, by the police. A condition was usually added into the offenders’ licence regardless of any objections.

**9.15** Although this information was not always well received by offenders, project staff usually maintained contact with the offender during the custodial part of the sentence, building a relationship and planning the release package to meet the offenders’ needs. This sometimes involved specialist drug workers who liaised with CARAT staff to ensure treatment commenced in custody was followed up in the community.

## Intervention components

**9.16** A dedicated small team usually managed interventions with representatives from a variety of partners. In all interventions inspected the core members of the team included probation employees, although not always probation officers. Interventions were based in a variety of different locations including probation offices, courts, police stations and satellite offices near high crime areas.

**9.17** A police officer was seconded to the project and participated in the day to day supervision of offenders in all of the Home Office funded ISMs and to most of the interventions inspected. In most cases the police officer undertook weekly visits to the offender's home. This practice was thought to be beneficial in two ways. Firstly, it allowed for information to be gathered on the behaviour of the targeted offender and their associates that could be used to enhance police intelligence. Secondly, it was thought that the constant reminder that a police officer was actively involved in the case acted as a strong incentive for the offender to remain crime free.

**9.18** It was common for the information exchange between the police and probation partners to be frequent and detailed. Information was passed both from the intensive intervention to the police and vice versa. Where those subject to the intensive interventions had been arrested, questioned, or even simply seen by police, this was relayed back to the relevant staff. This gave the offenders the (correct) impression that they were being targeted and that police and probation were truly working in partnership.

**9.19** Where a police officer was not directly part of the team there were strong links to the police service. These links often took the form of regular briefings for CID officers. In one area, beat officers from the offender's home area worked with the project to undertake home visits.

**9.20** On release, nearly all of the interventions inspected demonstrated intensive levels of contact with identified offenders. The most common contact level worked towards was four contacts per week including a home visit. This was the expectation of the Home Office part funded ISM schemes. Some interventions also used electronic monitoring and drug testing as part of the regime of supervision.

**9.21** In addition to drug testing, some interventions had medical staff as an integral part of the team. One project employed a doctor who was able to provide quick access to prescribing services, another employed a prescribing nurse whilst others employed drug counsellors with limited access to prescribing.

**9.22** Some interventions had good relations with local housing providers and were able to assist offenders to meet their needs. The range and level of participation of partners varied considerably from project to project, even within the same Area. Levels of engagement varied depending on the history of the project, funding availability, the particular problems faced in an area and the willingness of potential partners to engage.

**9.23** There was a clear view amongst staff that, as well as offering enhanced levels of contact and enforcement, it was necessary to ensure that services were available to assist in meeting the identified needs of the offenders. The provision of these services was a matter for local negotiation, most likely to be achieved through Crime and Disorder Reduction Partnerships.

**9.24** In one intensive intervention inspected there was a particularly strong emphasis on tackling drug misuse through the use of residential rehabilitation, paid for from a budget managed by the intervention. In this instance there were not always high levels of contact by the project staff, as the offender may have spent the entire supervision period in residential treatment in a different area.

**9.25** The extent to which interventions actively pursued offenders, to ensure the required levels of contact, varied. Some practitioners took the view that to achieve the rehabilitative effect that they saw as the ultimate aim of the project it was necessary from time to time to take an outreach approach to contacting offenders. If an offender failed to report, officers would go out and find them to re-establish contact. Generally, once a pattern of non-compliance was established breach proceedings followed swiftly.

**Figure 4: Range of partnership involvement in intensive interventions**

<b>Probation</b>	Probation officers	Probation service officers	Administrative staff
<b>Police</b>	Police or Detective Constables	Police analyst	
<b>Health</b>	Doctor	Community psychiatric Nurse	Counsellor
<b>Employment</b>	Advisor		
<b>Accommodation</b>	Advisor		
<b>Prisons</b>	Prison officer	Police Liaison Officer	Carat teams
<b>Electronic monitoring</b>	Contracted provider		

## Intervention typologies

**9.26** Although there is a clear definition for persistent offenders, not every intensive project inspected focused on this group. Interventions inspected could be broadly classified in three groups, with the group of offenders worked with intensively marked in dark blue.

### 9.27 Type one

- Small, ISM interventions with no history of joint intensive work

These tended to focus on those defined as persistent offenders and were driven by attempts to meet commencement targets for funding and research purposes. There was a high likelihood that interventions operating in this way would engage with offenders who would not otherwise have been prioritised for intensive involvement.

Figure 5



Persistent Offenders  
In small geographical area

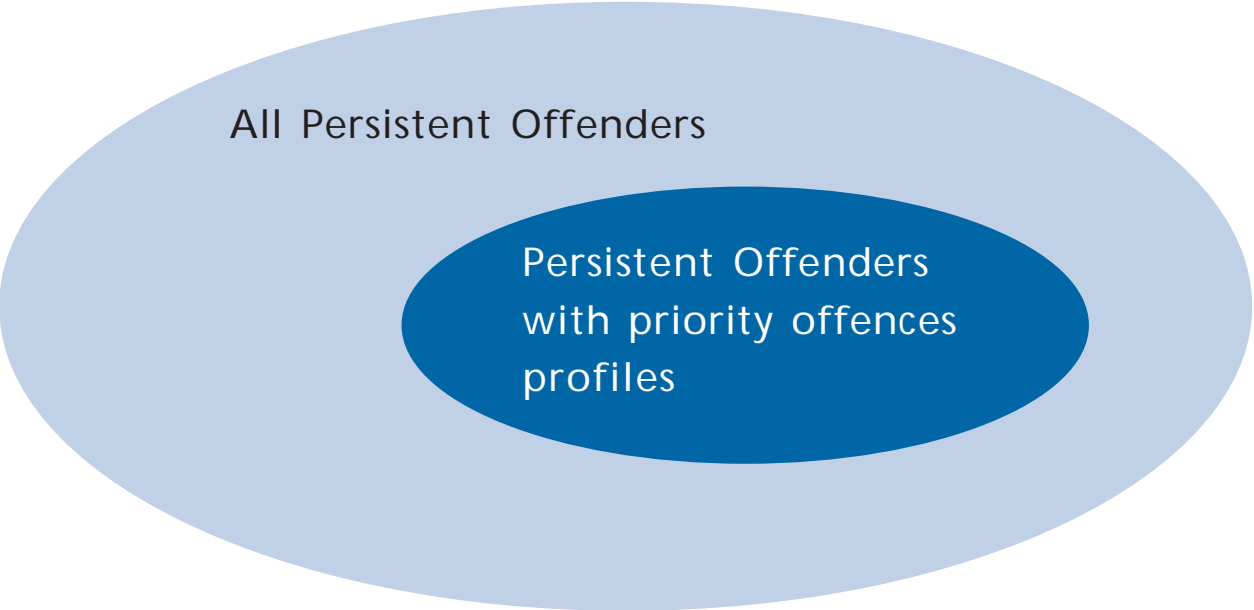
Faced with limited resources, these interventions focussed their attention on a small part of the LCJB Area, sometimes as small as a deprived ward within an area. As a consequence, these interventions did not have access to the full range of offenders who may have benefited from intensive interventions. Inspectors found such interventions may have had fewer than 10 offenders under supervision in the community at any one time.

### 9.28 Type two

- Prolific offender interventions and ISMs where there was a history of joint work

These interventions often used the opportunity presented by the advent of ISMs to grow and adapt existing interventions, amending priorities in the light of the persistent offender definition. Many areas developed matrices to overlay on the offenders identified through J Track to ensure that the offenders subject to enhanced supervision had been convicted of offences that met other crime reduction priorities. The matrices used were often weighted to meet local concerns.

Figure 6



All Persistent Offenders

Persistent Offenders  
with priority offences  
profiles

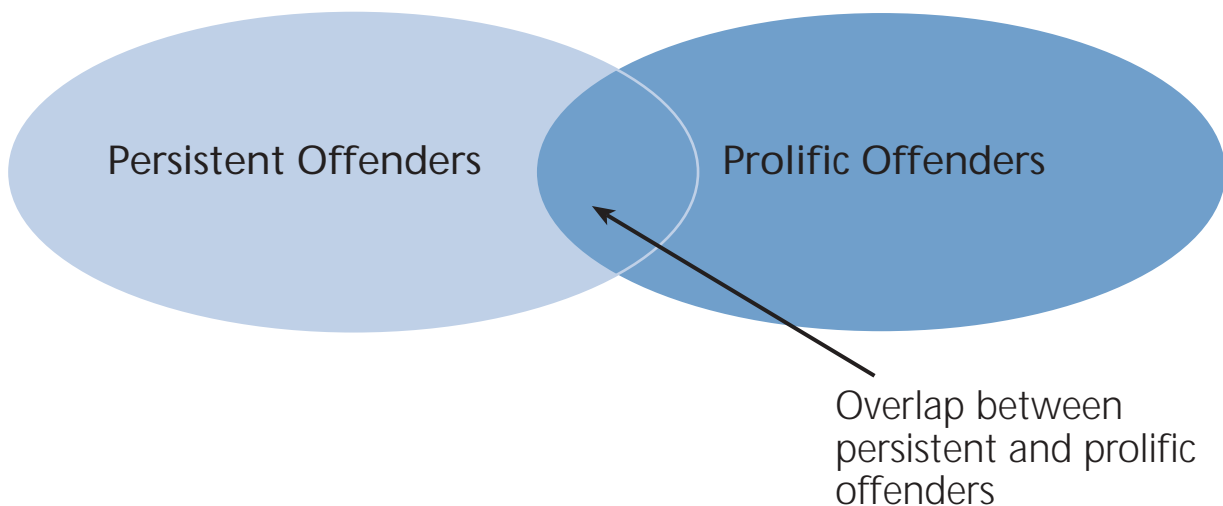
Some LCJB Areas had organised intensive interventions across the whole Area. There were a number of separate interventions within the Area, often with different funding arrangements and different levels of commitment from local partners. Typically, each individual project in the area would aim to work with between 10-20 offenders in the community at any one time.

### 9.29 Type three

- Existing prolific offender interventions

Some intensive interventions were largely unaffected by the Persistent Offender Scheme, as they continued to prioritise the offenders they were established to deal with. In one project, this included those with offending histories, although no current offence. There was no conclusive evidence as to the size of the overlap between the persistent and prolific offenders in these interventions.

Figure 7



These types of interventions often covered the whole or most of the LCJB Area with localised interventions with varied degrees of partnership support. Once again, the norm was for each of the interventions to work with between 10-20 offenders in the community at any one time.

**9.30** As a result of the diverse range of interventions and limited geographical coverage in some areas, the services provided to those in need of intensive interventions were inevitably inconsistent. An offender with a suitable profile may not live in an Area covered by a project, or the project may not address their particular needs. Because of the way prisons are populated with offenders from many different LCJB and CDRP Areas, offenders with identical needs will receive different treatment depending on where they come from.

**9.31** In the South West, only prolific offenders from Bristol received a premium service when they were located out of area. In Wellingborough, only prolific offenders from East Northamptonshire and Nottinghamshire were accepted, although this excluded Nottingham itself.



**RECOMMENDATION 3**

Funding streams for work with priority offenders should be easy to access via the national framework, available over the medium to long term with clear monitoring requirements

## Interviews with offenders subject to intensive interventions

**9.32** During the course of the inspection structured interviews were carried out in each area with a total of 30 offenders. Offenders themselves were often enthusiastic about the interventions.

*"I've had 18 prison sentences and 150 convictions, but if I committed an offence now, I would feel embarrassed that I had let the team down"*

48 year old offender with no convictions in 8 months

**9.33** In most Areas inspected, nearly all offenders subject to persistent or prolific offender interventions had been convicted of offences that would meet other criminal justice priorities, as the offending pattern included offences such as burglary.

**9.34** All of the offenders interviewed were subject to supervision in the community at the time of the inspection. There was a high degree of awareness as to why they were subject to intensive interventions and clarity over the objectives of the supervision and the consequences of failure to comply.

**9.35** Approximately 75% of the offenders interviewed were subject to licence. Several of these offenders had been subject to recall previously and had been released onto the project for a second time. For some of these offenders, there was recognition that the recall had been necessary and ultimately a positive outcome for them.

*"I was recalled because my head was \*\*\*\*\* with drugs. Getting back inside quickly let me sort myself out again. I could have been at it again for a long time"*

23 year old prolific offender

**9.36** The main criminogenic need expressed by offenders was that of drug misuse. In the sample of offenders interviewed, almost all stated that drug misuse was the reason they were persistent or prolific offenders and that this was the main problem they required services and help to overcome.

**9.37** The speedy provision of drugs services following release was reported by offenders to be a critical factor in maintaining a crime free lifestyle. Consequently, areas with long waiting lists for drug services or where no special arrangements were in place were more likely to witness reoffending.

## Interviews with project staff and findings

**9.38** All staff involved in running intensive interventions interviewed as part of the inspection were enthused and energetic, they believed the interventions to be worthwhile and delivered reductions in offending in the local community. Although they strove towards rehabilitation, they placed equal weight on enforcement and did not generally view recall as a complete failure, rather a different kind of success.



**9.39** There was a belief that, once an offender relapsed, there would be a spree of offences which might go on for a considerable time prior to arrest and reconviction. Where there had been a swift recall, the offender could be stabilised more quickly in custody and returned to the project to recommence rehabilitation. Most staff were realistic that achieving change with offenders with such entrenched patterns of behaviour would be fraught with setbacks.

**9.40** Provision of a wide range of services to meet criminogenic need, such as drug misuse, was thought by staff to be a major component if a project were to be a success. Staff believed these links needed to be made at a local level.

**9.41** In some Areas, the strength of partnerships varied from project to project, where different Local Authorities and DATs were involved. Interventions for offenders worked with intensively appeared to be promising. There was, however, limited evaluation as to effectiveness or cost benefit analysis.

## Work in Prisons

**9.42** The Prison Service was a theoretical partner to the Persistent Offender Initiative but had not produced any mandatory instructions to Governors. In advance of this, Governors and Directors were advised to appoint a suitably qualified and experienced member of staff to act as co-ordinator with other agencies.

**9.43** It was envisaged that the main role for prisons would be one of information sharing with the Police and Probation Services concerning who was in custody and when they were due for release. Prisons were also invited to co-operate with the addition of licence conditions prior to release, and Area Managers were invited to consider how best they could contribute to the development of persistent offender plans within LCJBs. Although Police Liaison Officers (PLOs) in prisons were identified as significant players in the Persistent Offender Scheme guidance, they were not consulted about their role nor given the resources to carry it out. In practice there was little evidence of any PLO involvement in work with persistent offenders.

**9.44** There was little evidence of engagement with the Persistent Offender Initiative from the prison service. Prisons, with a regional structure, did not match LCJB structures. Prison regions may cover many LCJB areas, as a consequence, prisons often did not consider themselves as full partners to any single LCJB. In three of the Areas visited prisons featured in the LCJB plan, but only in one was there full involvement. Where there were commitments contained in the LCJB plans, there were few examples of monitoring to ensure these commitments were delivered.

**9.45** In the absence of mandatory instructions or any performance targets in this area of work, the involvement of prisons was confined to a small number of prolific offender interventions that pre-dated the Persistent Offender Scheme.

**9.46** Despite this overall picture, HMP Bristol, a male local prison, was a full player in the Avon and Somerset prolific offender project that targeted locally identified offenders during their time in custody as well as after release. In prison, prolific offenders were prioritised for work on their drug misuse, offending behaviour and education. They signed a contract to submit to voluntary drug testing and were supported by a network of liaison officers and via a twice-monthly newsletter. Personal officers oversaw casework and completed monthly reviews on progress. By virtue of this out-reach model

female offenders were also able to take part in the project from Eastwood Park Prison and at the time of the inspection, of the 85 offenders on the project 6 were women.

**9.47** The project operated 'assertive management' such that those prisoners failing to reach their targets were closely supported to bring them back in line. Because of the difficulty retaining prisoners in the local prisons the project continued to support them when they moved to other establishments across the South West area through local liaison officers who completed a monthly electronic record of their progress. Prison population pressures meant that offenders on the project usually could not return to their local prison prior to release, which was thought to be best practice, but all were however linked to intensive supervision after release from the prolific offender unit in Bristol. At the time of the inspection thirty-one offenders were in the community under supervision.

**9.48** Wellingborough, a Category C prison was involved in a police led project funded from CDRP monies, focusing on adult offenders with drug misuse problems who were from the CDRP home area only and serving a sentence of more than 12 months. Those targeted received additional support and drug testing during their sentences and enhanced supervision and support on release. They were also given the opportunity to clear any outstanding matters to reduce the likelihood of a gate arrest for an earlier offence. Prior to release, a drug which blocks the take up of heroin was offered in suitable cases. Offenders who had agreed to participate in the project were subject to enhanced supervision and had access to a mobile telephone number to access a project member of staff at any time.

**9.49** Those targeted received additional support and drug testing during their sentences and enhanced supervision and support on release.

**9.50** They were also given the opportunity to clear any outstanding matters to reduce the likelihood of a gate arrest for an earlier offence.



## 10 Initial outcomes for persistent and prolific offenders

**10.1** The research evidence on the effect of intensive interventions is not extensive. Studies that have been undertaken have been on individual projects with small sample sizes. As each of the projects may have had different funding streams, partners, objectives and histories, great care must be taken when drawing general conclusions. The Home Office Research Development and Statistics Directorate (RDS) is currently undertaking research in to the 15 Home Office funded ISMs. The findings of the research are to be published later this year.

**10.2** All of the interventions inspected, whether originating in communities or prison, had established some research and evaluation into their project. They were, however, attempting to satisfy a diverse range of stakeholders with different objectives, working with offenders with different patterns of offending and delivering interventions at differing levels of intensity. Although these evaluations may prove useful locally, they do not constitute a robust set of research findings.

**10.3** One area of research that could usefully be pursued is that of cost benefit analysis. A study by the University of York<sup>13</sup> indicated that, although relatively expensive, interventions could be cost effective if they targeted offenders with high volume and high cost offence histories. RDS will publish some brief findings on cost effectiveness as part of their findings later this year.

**10.4** Despite the absence of conclusive evidence, all of the interventions inspected, regardless of the method of selection of offenders, showed promising results with regard to rehabilitation and crime reduction which local stakeholders found convincing.

**10.5** If there were more resources, there would be a case for attempting to work intensively with all offenders meeting the core definition. While resources are scarce, it is necessary to prioritise. The most effective method of prioritising is unlikely to start with the core definition of a persistent offender.

*“This is the best tool at my disposal to tackle Persistent Offenders”*

Detective Chief Inspector

**10.6** There were various examples cited as indicators of positive outcomes. These included:

- reductions of burglary in a basic command unit that had prioritised prolific burglars;
- increased rates of detection;
- changes in drug misusing patterns of offenders on interventions;
- offending rates of participants during supervision;
- changes in attitudes and improvements in social skills;
- swift enforcement;

13 Intensive resettlement programmes. A review of the York POP pilot scheme. Centre for Criminal Justice. University of York 2003

- a reduction in the percentage of offenders returning to prison;
- cost savings through offences prevented.

**10.7** There is some evidence that intensive interventions can have a positive rehabilitative and crime reduction effect.

**10.8** The Wellingborough project reported that after two years 34 offenders had been released, 9 of whom had been recalled to prison, with 23 remaining successfully in the community.

**10.9** South Yorkshire Probation Area had undertaken an in house survey of the 359 offenders dealt with through the four prolific offender initiatives in the Area since their start. This survey indicated that approximately one third of offenders on the project completed their period on licence successfully, one third breached their licence through further offending and one third were breached because of failure to comply with the conditions of their licence.

**10.10** Given the profile of offenders worked with, these results for the duration of interventions appear to be positive, however there is clearly the need for more research.

#### RECOMMENDATION 4

A national performance management framework that reflects both national and local needs and priorities should be developed.

The performance management framework should include monitoring of diversity issues, value for money and the identification and dissemination of good practice, as well as the key aims of bringing priority offenders to justice, rehabilitating them, and preventing further offending.

Minimum National Standards should allow for local discretion and flexibility in the identification of priority offenders.

The use of J Track to monitor a reduced number of priority offenders should be explored



# 11 Learning the lessons of the street crime initiative

**11.1** The recent joint inspection findings from the Street Crime Initiative were similar in many respects to the findings from the persistent offender joint inspection. Both the street crime and persistent offender initiatives identified a group of offenders of critical importance to the Government who local partners were required to treat as a priority. Both reports identified key issues that are essential for the success of any initiative.

**11.2** Some of these issues, such as the need for a more joined up criminal justice IT system capable of following offenders from arrest to resettlement are acknowledged as long term projects requiring significant investment and time to achieve.

**11.3** Both the street crime tracker and J Track (which evolved from it) were attempts to fill the void created by this lack of a single system by “flagging” certain offenders. The evidence of both inspections is that this system of flagging cannot be relied upon to deliver information within and between all criminal justice partners.

**11.4** Both of the trackers stopped at the point of sentence and were not available to all partners. These partners were then reliant on others for information and need to establish their own systems for capturing data and providing relevant information on their own performance.

**11.5** Other national issues, which may be more easily tackled, such as the complexities of funding arrangements, lack of synergy between national and local priorities and the lack of cross agency performance measures remain unresolved, with little evidence of the lessons of the street crime initiative having been learned. There were exceptions, however, most notably in the development of cross-agency interventions with the twin aims of rehabilitation and crime reduction albeit in overall small numbers.

**11.6** There was also some evidence of the emerging engagement by DATs with CDRPs to provide priority access to services for a small number of prolific offenders identified by local communities as causing significant problems.



## 12 The way forward

**12.1** The inspection found widespread support for the concept of working intensively with a small group of priority offenders across the criminal justice system

**12.2** Intensive interventions with the twin aims of rehabilitation and crime reduction appeared promising, although there is the need for further research and evaluation.

**12.3** In order to further this concept, the current persistent offender criteria should be re-defined to identify a more limited number of priority offenders

**12.4** A national performance management framework that reflects both national and local needs and priorities should be developed. The performance management framework should include monitoring of diversity issues, value for money and the identification and dissemination of good practice, as well as the key aims of bringing priority offenders to justice, rehabilitating them, and preventing further offending.


**12.5** Minimum National Standards should be developed that allow for local discretion and flexibility in the identification of priority offenders. The use of J Track to monitor a reduced number of priority offenders should be explored.

**12.6** Funding streams for work with priority offenders should be easy to access via a national framework, available over the medium to long term with clear monitoring requirements

**12.7** Responsibility for the development of work with priority offenders should be located within Crime and Disorder Reduction Partnerships, which should include consultation with representatives from the courts and CPS.

**12.8** Each CDRP should identify a minimum number of priority offenders to work with intensively. Each CDRP should agree and monitor adherence to local protocols with criminal justice agencies and providers of rehabilitative services for work with priority offenders.

**12.9** Priority offender interventions should have the explicit twin aims of rehabilitation and crime reduction.



# Appendix A Key elements of the persistent offender guidance

## **Proactive policing**

- Intelligence gathering and targeting
- Maximising intelligence opportunities from patrol activities
- Information sharing between agencies

## **Investigation and arrest**

- Checklist of tactical options for investigation and prosecution
- Fast track procedures to expedite forensic evidence

## **Charge and case preparation**

- Joint police/CPS premium service for the prosecution of offenders, where appropriate
- Early advice from CPS in persistent offender cases
- Common police/CPS approach to police bail
- CPS to be consulted before no further action taken on persistent offender arrests
- Discontinuance to require unit head approval
- Robust approach by CPS to persistent offender court bail
- Probation to assess the need for bail supervision in all persistent offender cases

## **Court processes**

- Persistent offenders listed for trial at first available slot in Magistrate's Courts and judge to be informed of persistent offender status at Plea and Direction Hearing
- Persistent offender trial cases monitored to ensure trial readiness
- Persistent offender warrant enforcement prioritised and expedited enforcement action

## **Sentence and rehabilitation**

- Persistent offenders to be prioritised for suitable probation programmes
- Use of ISMs where available
- Intelligence sharing



## Appendix B The National Intelligence Model (NIM)

The NIM provides a Model for Policing. It ensures that information is fully researched, developed and analysed to provide intelligence that senior managers can use to:

- Provide strategic direction;
- Make tactical resourcing decisions about operational policing; and
- Manage risk.

The NIM is a model that can be adapted to suit most areas of policing. Launched by the National Criminal Intelligence Service (NCIS) and adopted by the Association of Chief Police Officers (ACPO) in 2000, the government placed the NIM at the centre of the Police Reform Agenda.

The National Policing Plan stipulates that “the NIM should be adopted by all forces to commonly accepted minimum standards by April 2004” and “arrangements for implementation should be set out in local policing plans”.

The NIM can be applied to:

- Crime at all levels;
- Non crime, including anti social behaviour and community cohesion;
- Offenders;
- Reassurance agendas, including working with partners.

The NIM:

- Provides for greater consistency of policing across the UK;
- Allows operational strategies to focus on solving priority problems and targeting the most active offenders;
- Achieves greater compliance with Human Rights legislation and the Regulation of Investigative Powers Act (RIPA);
- Informs the management of risk;
- Provides more informed business planning and a greater link to operational policing issues;
- Improves direction and briefing of patrols;
- Reduces rates of persistent offenders through targeting the most prolific;
- Improves integration with partner agencies.





# Appendix C Terms of reference and methodology

**NB: In practice, the terms *persistent offender* and *prolific offender* are frequently used interchangeably. For purposes of simplicity, the inspection will embrace both terms.**

## Aim:

The aim of the joint inspection is to provide an early assessment of the effectiveness and efficiency of criminal justice persistent offender initiatives.

The inspection will pay particular attention to:

- the identification of persistent and prolific offenders;
- the processes leading to conviction;
- interventions designed to tackle the behaviour of persistent offenders;
- funding streams and value for money.

The inspection will add value to work with both persistent and prolific offenders by making recommendations to improve and develop their handling within the criminal justice system.

## Objectives

The main objectives of the inspection will be to identify and evaluate:

- the efficiency and effectiveness of interagency working including services provided outside of the criminal justice service;
- strategies put in place to deliver the objectives of the persistent offender initiatives;
- the processes used to identify persistent and locally identified prolific offenders;
- the additional services and processes used by agencies to deal with persistent and prolific offenders;
- the different models of working with persistent and prolific offenders using a voluntary or coercive ethos;
- the definitions of success used in the management of persistent offenders;
- the application of the Narrowing the Justice Gap guidance on Tackling Persistent Offending;
- the initial outcomes of work with persistent and prolific offenders;
- options for improvement;
- good practice.



## Methodology

The inspection will be carried out by representatives of each of the Criminal Justice Inspectorates – HM Inspectorate of Constabulary (lead Inspectorate), HM Crown Prosecution Service Inspectorate, HM Magistrates’ Courts Service Inspectorate, HMI Probation, HMI Prisons and working collaboratively with the Audit Commission. The inspection will:

- Undertake initial policy/document examination and research;
- Carry out site visits to six Criminal Justice areas;
- Examine the working of the local prison/police initiative in Northampton;
- Interview key personnel in each agency;
- Develop a set of standards and criteria to test compliance of Criminal Justice agencies against the guidance contained in the *Narrowing the Justice Gap Guidance on Tackling Persistent Offending*.

## Time-scales

During October/November 2003, lead staff officers HMIC/HMIP to request and collate key documentation and plan fieldwork inspection programme.

By 30th October 2003, to have brought the inspection team together for briefing and to plan and develop the inspection strategy. Research documentation submitted by forces and agencies.

November 2003 undertake site visits

December 2003 writing of a draft report

February 2004 publication of joint report



# Appendix D Summary of relevant PSA Targets

## PSA target 1

Reduce crime and the fear of crime; improve performance overall, including by reducing the gap between the highest crime Crime and Disorder Reduction Partnership areas and the best comparable areas; and reduce:

- vehicle crime by 30 % from 1998-99 to 2004;
- domestic burglary by 25 % from 1998-99 to 2005;
- robbery in the ten Street Crime Initiative areas by 14% from 1999-2000 to 2005; and maintain that level.

## PSA Target 2

Improve the performance of all police forces, and significantly reduce the performance gap between the best and worst performing forces; and significantly increase the proportion of time spent on frontline duties.

## PSA Target 3

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.2 million by 2005-06; with an improvement in all CJS areas, a greater increase in the worst performing areas and a reduction in the proportion of ineffective trials.

## PSA Target 4

Improve the level of public confidence in the Criminal Justice System, including increasing that of minority ethnic communities, and increasing year on year the satisfaction of victims and witnesses, whilst respecting the rights of defendants.

## PSA Target 5

Protect the public and reduce reoffending by 5%:

- for young offenders;
- for both adults sentenced to imprisonment and adults sentenced to community sentences

## PSA Target 6

Reduce the harm caused by drugs by:

- reducing the use of Class A drugs and the frequent use of any illicit drug among all young people under the age of 25, especially by the most vulnerable young people; and
- reduce drug related crime, including as measured by the proportion of offenders testing positive at arrest



# 14 Glossary

BTJ	Bought To Justice
CARAT	Counselling Assessment Referral Advice and Throughcare
ISM	Intensive Supervision and Monitoring
NIM	National Intelligence Model
NPD	National Probation Department
NRF	Neighbourhood Renewal Fund
PNC	Police National Computer
PLO	Prison Liaison Officer
PSA	Public Service Agreement
RDS	Research Development and Statistics Directorate
RIPA	Regulation of Investigative Powers Act
SEU	Sentence Enforcement Unit



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