

# 2020 Public Safety

## Opportunities for Reform

ALTERNATIVE VISION. DIVERSE PROBLEMS ARE A  
THE FUTURE PUBLIC SERVICES WORK IN  
SUCH AS FROM AN AGEING POPULATION  
VICES MATTER TO US ALL. AT THE ROOT, THEY  
THE ROOT, THEY  
LECTIVE CAPABILITIES. THIS ENCOURAGES SELF-RELIANCE,  
ING THIS VISION – CAPABLE, RESILIENT CITIZENS, MAKING CHOICES FOR OURSELVES,  
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## The 2020 Public Safety Working Group

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*Please note that the views expressed in this report are those of the author and do not represent those of the Working Group or of the Commission on 2020 Public Services.*

## About the 2020 Public Services Trust

The 2020 Public Services Trust is a registered charity (no. 1124095), based at the RSA. It is not aligned with any political party and operates with independence and impartiality. The Trust exists to stimulate deeper understanding of the challenges facing public services in the medium term. Through research, inquiry and discourse, it aims to develop rigorous and practical solutions, capable of sustaining support across all political parties.

In December 2008, the Trust launched a major Commission on 2020 Public Services, chaired by Sir Andrew Foster, to recommend the characteristics of a new public services settlement appropriate for the future needs and aspirations of citizens, and the best practical arrangements for its implementation.

For more information on the Trust and its Commission, please visit [www.2020pst.org](http://www.2020pst.org)

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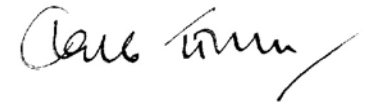
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## Foreword

When I was asked to chair the public safety strand of the 2020 Commission's work, a good friend of mine observed that only fools rush into this area of public policy, in her view one of the most densely contested that there is. She was right that it is busy territory – the views and opinions we heard were held very strongly – and finding consensus was often difficult. That this critical area is challenging and complex is not surprising. What we conclude, though, is that finding the right overarching narrative to provide the context for the discussion to take place is an absolute prerequisite to making progress and that this must be the imperative for those in leadership roles in public safety. This narrative must explain, honestly and simply, what the issues and tensions are, inviting those with an interest to join the debate and explore the contradictions and complexities, recognising that on the other side of this debate lie cost effective and just solutions. I believe that the Commission's approach and principles can clarify our public safety narrative, provide points of consensus through the debate, and help deliver the safer and fairer outcomes to which we all aspire.

A handwritten signature in black ink, appearing to read 'Clare Tickell', with a long, sweeping flourish extending to the right.

**Dame Clare Tickell**

# Introduction

Of all areas of public policy and provision, public safety is amongst the most atomised in terms of stakeholders, diversity of perspectives and the narrowness of these perspectives. There are too few incentives on stakeholders to step away from their particular interest points and see a wider perspective. Locally, regionally and nationally, accountabilities that should be clearly articulated to support strategic, as well as responsive, decision making are unclear or tangled. Quite simply, a narrative for public safety is not articulated clearly across the different stakeholder groups.

The Commission's analytic framework provides a space to stand back and ask where our actions support or mitigate against the search for outcomes we all value. A public safety narrative that takes us to these valued outcomes falters when services are too static, too focussed on symptoms, and too little focussed on the diversity of citizens' needs and capacities. In this most contested and emotive of areas, the three shifts that the Commission proposes for public services – reforming culture, power and finance – offer a new basis on which to construct a narrative that sustains consent over the long-term.

The picture of services we set out in this brief report draws on the views and experience of many stakeholders including senior departmental officials, service heads, academics, community leaders and citizens. Interviewees held different opinions about how well the public was being served. Some were very positive about the legacy or

potential of recent reform, while others had been left exasperated. Where there was unanimity was in the view that services are not yet good enough. Despite some expressions of reform-weariness, there was recognition that public safety is unfinished business.

There was a similar range of views among the eminent professionals who came around the table of our advisory group. We struggled to find a strong and unifying point of purchase on public safety as an area for reform, until it became clear that it was the very knottiness, sectionalism, obscurity and the push-me-pull-you nature of public safety services themselves that constituted our proper subject. As another wave of major reform begins, understanding and – more importantly – resolving these discords must be a priority. Effective leadership will be critical to achieving this. It will neither gloss over, nor become snared by the area's characteristic divisions. Instead, it will promote honest discussion and practice with a focus on integrated services and achieving our shared, valued ends.

# 1

## ‘Public Safety Services’ – a note on language

The Treasury uses the category ‘Public Order and Safety’ to signify expenditure on the police, the Crown Prosecution Service, the criminal courts, the prison and probation services, the fire services and immigration and citizenship functions. This report uses the term ‘Public Safety Services’ to indicate the broader range of services whose substantial impact on crime and anti-social behaviour has been increasingly recognised, especially at local level, and which often have a presence on planning and liaison bodies such as Community Safety Partnerships (formerly Crime and Disorder Reduction Partnerships).<sup>1</sup> The consequence of following this usage is a degree of imprecision – some fuzzy edges around what is or is not a public safety service, or when a service is or is not *providing* a public safety service. Fuzzy edges are an acceptable price to pay for reducing the hold of service silos.

Our choice of language also marks our concern for ends. The Commission’s starting point has always been to get above silos and services to understand the nature of the valued ends which we chose to meet collectively through public services. Our valued end as citizens is not to see more police, to see less prison places, or to see clearer

information on the costs of particular sentences. Quite simply, our valued end is to live in safety and security. To this we only need to add the condition that members of our citizen focus groups insisted on when we brought them together to reflect on the value of public services. Their message was indeed that they looked for protection, but just as importantly, they looked for fairness – what in the context of this report, we might best characterise as justice.<sup>2</sup>

# 2

## Public safety reform: activity or hyperactivity?

Why is it so hard to get public safety right? Our failures have not been caused by inattention. No area of public policy has been busier or more controversial in recent years. High-profile reform was a priority for New Labour; and the new coalition Government has already introduced substantial changes while signalling more fundamental reform to come, particularly for prisons and rehabilitation. Public safety services have seen massive changes to:

- **Resources** – substantial investment as a result of both local and national decisions.
  - › Between 2000-01 and 2008-09, real terms spending on Public Order and Safety grew at an average annual rate of 4.6 per cent.
  - › Between 1998-99 and 2008-09, real terms spending on the police rose by 45 per cent: a 23 per cent increase in revenue from national sources, and a 150 per cent increase in revenue from local sources.
  - › Between 1998-99 and 2009-09, real terms spending on local probation areas rose by 63.4 per cent, and between
- 2003-04 – 2008-09, real terms expenditure on prisons increased by 38.9 per cent.<sup>3</sup>
- **Powers** – expanded powers alongside new areas of responsibility.
  - › The Crime and Disorder Act 1998 introduced the ASBO and began to draw antisocial behaviour decisively into the realm of criminal justice.
  - › From 1997 – 2009, 23 criminal justice acts were passed, and over 3,000 new criminal offences created.<sup>4</sup>
- **Competencies** – new services, types of services and personnel.
  - › New national specialist entities have included the Serious Organised Crime Agency.
  - › New para professionals have included Police Community Support Officers and accredited local wardens like Tower Hamlets’ THEOs (Tower Hamlets Enforcement Officers).<sup>5</sup>
- **Competition** – expanded use of private and third sector provision.
  - › Private prisons now hold 11.3 per cent of the total prison population.<sup>6</sup>
  - › Moves are underway to put 25 per cent of the Probation Service’s Unpaid Work and Victim Contact Services out to competition.<sup>7</sup>

- **Strategy** – major structural reform at local and national level with the aim of improving integration and co-ordination.
  - › The Home Office has split in two, leading to the creation of the Ministry of Justice, and Prison and Probation Services have become one, under the National Offender Management Service (NOMS).
  - › Interagency partnerships at local and regional level have been mandated by central government, leading to the establishment of Community Safety Partnerships and Local Criminal Justice Boards.

Suggesting a new way forward would be impossible without taking account of this dramatic wave of reform. In particular, we need to consider how it leaves public safety looking from the viewpoint of citizens in 2010. The purpose of this report is not to retell the story of these years or enter detailed debate about particular changes, but to offer an analysis of where our services, our systems, and our whole-system aspirations, struggle with diverse values, aims, drivers and levels of authority. It is in the tangles and breaks within these relationships – some of them resulting from bad policy solutions, some of them expressing the proper counter-balances of justice itself – that we get to the heart of the issues facing modern public safety services and how to resolve them.

The next section briefly describes the Commission's overall approach to public services, and explains the three shifts it wants to see.

## 3 The Commission's approach: *Beyond Beveridge*

*Beyond Beveridge* (March 2010) set out the views of the Commission on 2020 Public Services. It answered a fundamental and urgent need for a new approach to public service reform. While recognising the scale of immediate fiscal pressures, it looked beyond these to longer term pressures, aspirations and opportunities. It argued against a short term politics of 'what to cut' and 'when to cut it' and called for a broader perspective: a coherent, consensual approach, grounded in principle and applicable over the long-term.

The Commission's vision for public services and its recommendations for how this vision might be realised come out of a broad critique of the current settlement. It identifies system-wide problems and a set of institutional characteristics that constrain our ability to match public services to the needs, demands and abilities of citizens today, let alone in 2020. In brief:

- Our welfare culture is **passive**, ignores the resources and collective capacities of citizens, and has failed to inspire a civic culture of reciprocity and responsibility.

- Our welfare culture is **static**. Too often public services mitigate problems at a particular point-in-time but underplay the early intervention, preventative investment and ‘pathways of care’ that are needed to meet future challenges.
- Our welfare culture is **statist and narrow**, turning on the requirements of institutions and providers – not on the needs of citizens. Accountability is amassed at the political centre, leaving decision-making distant from service users and communities.
- Taken together, these failures have contributed to a system of public services that delivers **patchy outcomes** – at times doing worst for people that need the most.

Good public services are a fundamental building block of a good society. Yet our current public services are unsustainable – both in immediate spending terms, and in the face of changing demands and behaviours. Reform at the margins will not be enough. That is why the Commission has called for a new approach – that respects the consensus and deep commitment to Beveridge’s 1942 guiding principles, but is mindful of the need for a new mode for the twenty-first century. This approach starts by getting above the services; delineating ‘ends’ and ‘means’; and thinking from the citizen up. By thinking and building from the citizen up we can envisage a society of capable, resilient citizens, making choices for ourselves, accepting responsibility and being able to make a social contribution within a positive and reinforcing social environment. These are our ultimate ‘ends’. Our ‘means’ are the steps public service

reformers must take to get to this vision. Public services have always inspired innovation and creativity, but this has almost always run up against serious structural and cultural constraints. The question for the Commission has been: what shifts in thinking and practice would overcome these constraints and realise our positive and ambitious vision?

*Beyond Beveridge* proposes three mutually reinforcing systemic shifts that would re-define the purposes, funding, delivery and consumption of public services:

- A Shift in Culture: from social security to social productivity
- A Shift in Power: from the centre to citizens
- A Shift in Finance: reconnecting finance with purpose.

**Social productivity** signifies an approach in which citizens are actively involved in setting priorities for public services, and defining policy solutions. Social productivity demands active citizen engagement with services, because achieving better social outcomes is not only about the quality of services being delivered, but also about what citizens do with them and how they create ‘quality’ and ‘value’ together.<sup>8</sup> Social productivity is about encouraging active collaboration between citizens, and capturing the social benefit from it. Public services must engage better with the vast range of resources, capabilities and relationships that shape our lives – through education, engagement and discourse.

**Shifting power** is about empowering citizens through an intelligent transfer of political, administrative and financial power away from

the centre towards citizens and communities. We start with people and the places they live. From this perspective our political system would be re-balanced, with much more decision-making authority and spending discretion sitting with more local forms of government. Shifting power means thinking horizontally about public services – away from a siloed, hierarchical and departmental model, and towards a system where commissioning is further democratised, personalised, and reflects the needs of people.

**Reconnecting finance** with purpose is a radically different way of looking at the way money is raised and spent in public services. It means clearer lines of financial accountability and more tangible links between citizens' contributions and their benefits. It means using existing resources more effectively over the life cycle, and mobilising a broader resource base – including informal, private and virtual resources. All of this requires a much more sophisticated approach to digital technology, which can facilitate this 'reconnection' and provide ways of providing better information and identifying citizens' needs.

The Commission believes that these building blocks can form the basis of a new public services settlement. They are radical and, taken together, form a very different way of thinking about the way we experience, pay for, deliver and consume public services. They also have structural implications: a different kind of delivery model and supply side; a leaner, more supple and strategic central state; a new principle of 'partnership' more concerned with fairness of social outcomes rather than with the inputs and outputs of service delivery.

For all of us, this new model implies a different kind of citizenship – more predicated on responsibility and reciprocity. From all of us, this new model will require greater understanding, wider participation and time to learn and develop. We believe this should be our aim for 2020.

# 4

## Demand challenges facing public safety services

Public safety services make demands on each other. They do so directly, as individuals subject to investigation, prosecution, sentence and rehabilitation are moved through the system; and also indirectly through the collateral impact of service-based, rather than system-based, decision making. As Lord Carter stated in 2003, 'At its simplest, each part of the system has little regard for the consequences of its actions on the other parts.'<sup>9</sup>

But the demands that shape public services must ultimately be those of citizens, not the systems that have grown up around them. To build from the citizen up, as proposed by the Commission, means allowing greater weight to citizens' wishes, ideas and agency in determining what services do and how they go about doing it.

This section looks at demand pressures on public safety services primarily from a citizen viewpoint. What are we asking for? The question is important, not so that we can enumerate here the specific areas where the public would like to see change – more X, less Y, quicker Z – but to dig into what it means to make demands of public safety services. How might doing so introduce tensions that pose real

dilemmas for the supply side? The Commission has promoted the public value produced by citizens' active collaboration with services. It is therefore important to test how this might be qualified by its application in this sharply contested area.

Demand challenges are here broken down into the following dimensions:

- **Specification** – what is the nature of what we want? (This is the most problematic dimension, so we look at it in some detail.)
- **Quantity** – how much of it do we want?
- **Timing** – when, and for how long do we want the support?
- **Location** – where is the support demanded?

(i) Specification – A straightforward set of demands?

There has been a good deal of research into what citizens want from public safety services, locally and nationally.<sup>10</sup> Looking at current sources of popular satisfaction and dissatisfaction gives a clear picture of where changes are called for in terms of inputs, outputs and treatment. Louise Casey has summarised as follows:

“The public want three very straightforward things. They want to know that there are consequences, and not pleasant ones, for people who break the law... Second, they want to know very, very clearly that the organisations that they think are there to protect them are tackling the issues that matter to them... Third, they

want a set of entitlements. They want to understand the service that is on offer.”<sup>11</sup>

While it may be that none of these demands are entirely uncontroversial or clear-cut at the point of implementation, the challenges they present are similar to those encountered by most public services. Even the first demand – the reliable meting out of unpleasant consequences – sits with a common demand for equity as predictable treatment.<sup>12</sup> Ipsos MORI suggests that there are in fact five quality expectations which account for most of our satisfaction with public services across the board: delivery, timeliness, information, professionalism and staff attitude.<sup>13</sup> In addition, citizens look for reassurance that services share their values and take account of their concerns and priority outcomes.<sup>14</sup>

So how might citizens’ demands on public safety services be more difficult to specify, reconcile and meet than those on other public services? There are at least four major complications:

- Benefits or burdens?
- Where is the citizen-consumer?
- Whose values?
- Where does justice sit?

*Benefits or burdens? – Citizens’ demands apply not only to the distribution of benefits, but to the allocation to others of unwelcome dis-benefits.*

Citizens have diverse and sometimes divergent interests – a simple fact that confronts all public services, but is particularly significant for public safety. If one group of citizens chooses to refurbish a local play area instead of purchasing a mini-bus, for example, there may be questions of equitable and accountable resource allocation, but the decision does not have a strong and direct impact on those who take contrary views. It may involve deprivations, but not impositions. Public safety services, on the other hand – and in particular the Criminal Justice System services at their core – while they deliver a range of interventions in a variety of ways, are essentially regulatory and coercive services. A majority of citizens may wish to see more use of stop and search, while the minority against whom it is directed may resent this as a disproportionate interference with their liberty. A majority of black cab drivers may wish to see a clampdown on unlicensed cabs, but those targeted for checks will include legal operators who may resent the interruption of their trade. As Ben Bowling has pointed out, ‘the ‘goods’ offered by the police often require the imposition of ‘bads’ upon others. In other words, the *service* offered by the police *in practice* involves the distribution of ‘burdens’ (e.g. intrusion, coercion, detention) upon others.’<sup>15</sup>

Of course, other types of decision making – not just democratic decision making – can lead to the unjust distribution of ‘bads’. Recent years have seen a great deal of progress in involving communities more actively in setting neighbourhood policing and anti-social behaviour priorities; and where this has been carried out with skill and energy,

professionals believe that relations have improved not only between members of the community and public safety officials, but between different sections of the community.<sup>16</sup> An expanded role for citizens as shapers of their own public safety services is entirely consistent with Commission principles. Nevertheless, the risks of a socially unjust distribution of ‘burdens’ needs to be acknowledged and guarded against, rather than lost under calls for greater power to ‘the law abiding majority’. (Thirty per cent of the male population has at least one criminal conviction by the age of 40.)<sup>17</sup>

*Where is the citizen-consumer? – The space that should be filled by the value-creating citizen-consumer is under-populated, and there is disagreement over which citizens can or should be recognized as co-creators, with a voice in how they operate.*

Citizens benefit from public safety services through the order, security and confidence they enjoy. All of us are consumers, but for most of us our contacts with them as customers are infrequent. The trend has been for fewer contacts, rather than more. In 1981, 43 per cent of the public had contacted the police, but by 2005-06, public initiated contact had fallen to 27 per cent.<sup>18</sup> This distance is highly problematic in a number of ways, inhibiting the value that citizens can bring to the safety of their own communities. Policy on all sides has therefore been focused on trying to ‘reconnect’ with, or ‘engage’ citizens more fully. As part of this, important steps have been made towards affording victims and witnesses greater respect, and

neighbourhood policing has been prioritised, with a clear emphasis on customer satisfaction.<sup>19</sup>

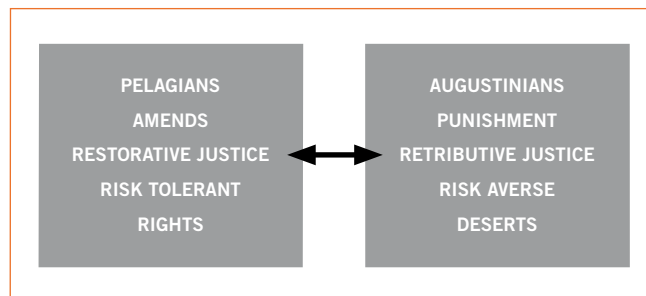
Yet the most intensive and substantial consumers of public safety services are those who are in conflict with the law. How, if at all, should the wishes of those subject to ‘obligation encounters’ influence services?<sup>20</sup> Is the system already too heavily oriented towards these ‘customers’, to the detriment of others? 79 per cent of the public agree that the Criminal Justice System respects the rights of offenders, whereas only 33 per cent are confident that it meets the needs of victims.<sup>21</sup>

Yet the idea that in some circumstances the wishes of offenders can and should be taken into account is not outlandish, particularly as they move through the system towards the end of their sentence.<sup>22</sup> For example, engagement between offender and sentencer to explore what interventions and requirements the offender believes will address his or her criminality is a key feature of problem solving justice – as practiced, for example, in Community Justice Courts or those using their approach.<sup>23</sup> Finding the appropriate level for such wishes to be heard is contentious. The last Justice Secretary introduced the Public Acceptability Test to prohibit prisons providing programmes that might be perceived as inappropriate by the public or victims, even if offenders would value and benefit from them.<sup>24</sup> Polling indicates that if strictly applied, the test might prove a high bar. When the public are asked where they would be most willing to see spending cuts in the Criminal Justice System, the most popular answer is prison education programmes.<sup>25</sup>

*Whose values? – Profoundly differing justice values lead us to demand and expect significantly different interventions and behaviours.*

There are likely to be several reasons behind the low priority afforded to prison rehabilitation. One is that it may seem to cut across the demands of justice – a case of ‘goodies for baddies’, reward rather than retribution. It is difficult to take many steps in public safety without coming up against conflicting demands that relate to different justice values. We ask that our ‘means’ – the system’s different inputs and outputs – are consistent with our overarching ‘ends’: protection and justice for ourselves and the society we live in.<sup>26</sup> But consistent agreement on what constitutes justice is elusive.

Even across service professionals, attitudes differ widely. Looking across the various agencies involved in delivering public safety, from police to probation services, a senior local authority official we interviewed as part of this project marked huge differences in professional culture – understandable in terms of differences in roles, but profound nevertheless. On one side he saw services like the police as Augustinians: believers in the fallen nature of humankind. For the Augustinians, bad people did bad things, and were very likely to continue doing them unless services restricted their actions. On the other side he saw services like probation as Pelagians: believers in people’s innate ability to do good.<sup>27</sup> For the Pelagians, people had made bad choices, but were capable of making better ones if services supported their development. Some of their attendant justice positions might be illustrated as follows:



Of course, these divisions are a simplification. Justice attitudes are considerably more mixed, flexible and context-specific than this sketch would suggest among professionals and public alike. Many organisations have been critical of attempts to align policy with public opinion where these have descended into a “comedy of errors” in which policy and practice is not based on a proper understanding of public opinion, and public opinion is not based on a proper understanding of policy and practice.<sup>28</sup> But the Pelagian / Augustinian division even within the Public Safety workforce serves to illustrate the range of attitudes and the extent to which they are often polarised. Other public services, for example education and welfare, confront their own divisions over values, yet it is in public safety where differences are sharpest, perhaps unsurprisingly when the consequences of crime and injustice can be so devastating. Our justice values fundamentally affect how we see each other and the types of services we look for.<sup>29</sup>

*Where does justice sit? – Public safety services are part of a Criminal Justice System that maintains its legitimacy by removing most decisions from our hands and insulating its officers from our demands.*

It is because our values are so different, and our interests so varied that the administration of justice is a State, not a citizen responsibility. The prosecution of criminal justice is not pursued by or in the name of the victim but is taken on by the Crown. The justice system offers fairness and protection to citizens by taking decision-making control out of their hands, and holding it safely above personal or public bias. In recent years, there have been moves to qualify this separation. For example, the last government introduced community prosecutors and community impact statements to bring knowledge of local experiences into judicial decision making. Rather more significantly, restorative justice and Youth Offender Panels, in which volunteers from the community draw up contracts with young offenders to repair the harm they have caused, give communities and victims a much stronger voice in deciding penalties following judgement. Nevertheless, the principles of judicial separation and the operational independence of Criminal Justice Services remain sacrosanct.

(ii) Quantity – do we ask too much?

Falling crime levels are a welcome achievement, but they do not necessarily imply that our demands on services are falling. Most crime goes unreported, and most crimes that are reported go unsolved: 43 per cent of crime comes to be known by the police; 28 per cent of recorded crime is cleared up by a sanction detection.<sup>30</sup> Levels of reporting for

acts of anti-social behaviour are even lower, at around 11 per cent.<sup>31</sup> The latent demand for public safety services is therefore greater than the current service supply by a considerable margin, and greater than any level of supply that could reasonably be envisaged, even in the most benign of fiscal climates.

The problem of excessive demand is compounded by the obligation on public safety services to tackle the fear of crime – not just keeping the public safe, but helping them feel safe. The expectation is neither new nor unreasonable, but in the context of ‘late modern anxiety’,<sup>32</sup> it leaves services running to stand still. Where they reach for high-profile security solutions, it is possible that they will inflame the very worries they seek to calm.

Demands from increasingly assertive and risk averse citizens<sup>33</sup> have led services to invest resources into activities, the sustainability of which is now in question. It was acknowledged by the recent HMIC report, *Policing and Austerity* that:

“The police find it hard to say ‘no’ to compelling cases where more can be done to reduce risk to the public. A great premium is placed on anticipating risks through collecting information.”<sup>34</sup>

But as the HMIC report goes on to ask, what level of risk are we prepared to tolerate? If public safety is one of those areas of public services where demand will always outstrip supply, how do we decide what level of demand it is appropriate or possible for us to meet?

(iii) Timing – when do we want it?

We ask public safety services to be emergency services, intervening without delay to meet immediate need, while we also look to them to play a role in identifying and preventing problems that may build up over years. Talking to professionals and citizens in preparation for this report it was striking how often we heard frustration that too much was done too late. Too often, despite clear signs of need, strong and expensive intervention only comes when vulnerability finally tips into offending – a clear case of what the Commission refers to as public service’s besetting sin of point-in-time interventions. Understandably, money follows risk, but in doing so it can find itself behind events. The All Party Local Government Group have argued that acute demands will continue to pull services away from earlier and more potentially valuable work unless funding and services are re-configured locally to allow for ‘Primary Justice’ – robust, co-ordinated and sustained interventions to build individual and community capability.

(iv) Location – on what scale do we want it?

We expect the law to be applied consistently across the country, rather than tailored to local convenience or preference. At the same time, we ask public safety services to be highly local, understanding the areas they serve, adapting to their particular culture, challenges and resources. Neighbourhood Policing has been welcomed for providing a vehicle for achieving this close-up support, enabling citizens to set priorities and contribute valuable, problem-solving knowledge. Yet the

scale of the neighbourhood, the Basic Command Unit or even the constabulary may be inappropriate to some of the crime problems we face, that can only be tackled nationally or internationally. Community leaders consulted for this report were impressed by the culture of engagement brought by the best Safer Neighbourhood Teams, but felt that their authority was frequently at risk of being displaced by other tiers of policing, which could and did intervene over their heads with little obvious regard to local trust and discretion.

# 5

## Supply challenges facing public safety services

Services often struggle to meet and adapt to the demands described in the previous section. The constraints and challenges for the supply-side can be broken down into:

- **Competition** – which organisational resources are available to meet these demands?
- **Integration** – how can services work together efficiently?
- **Productivity and targets** – how can productivity be measured or targets be set?
- **Dependencies** – how can services deliver when key determinates of success are outside of their control?
- **Knowledge** – how much sound evidence of ‘what works’ can services access?

(i) Competition – varied supply for varied need?

In theory and in best practice, the range of organisations that work together under the umbrella of public safety is huge. There are organisations that specialise in mentoring, mediation, addiction, debt

counselling, domestic violence, parenting, employment, training, youth development, homelessness, communication skills, gang-exit, mental health and many others. Some are commissioned services, though many voluntary sector providers raise funding from other sources, and play *ad hoc* roles where they identify need. Some are very small organisations with a tight local focus and ethos, while others are large, national bodies providing extensive or holistic services.

Yet at the core of public safety are huge public monopoly suppliers who absorb – and keep – the great majority of public funding, skewing resources towards enforcement and away from prevention. More than half of the public order and safety budget goes on policing, and within the Ministry of Justice half of all spending is on prisons and probation.<sup>35</sup> 12.5 per cent of the prison spend is on privately run establishments.<sup>36</sup> Only an estimated two per cent of the Ministry of Justice’s budget goes directly to the voluntary and community sector.<sup>37</sup>

Significant changes to NOMS commissioning are underway that are likely to accelerate as a result of the Spending Review. For policing, on the other hand, the scope for supplier diversification appears to be limited to technical or back office functions. The experience of the last few years is that monopoly supply does not preclude significant changes to the way that these core agencies perform, but it does mean that change must come from professional and political leadership.

(ii) Integration – joined up or tied up?

Some of the work of public safety services can take place as stand-alone

projects or services that citizens self-access in order to meet their self-identified needs. These are around what we have described as the ‘fuzzy edges’ of community safety, contributing to personal resilience and civic health, while not being involved in the case management of individuals or families at high risk of offending. But for the most part, effective, safe and accountable practice requires a high level of integration between services, in particular across the Criminal Justice System through which suspects and offenders are moved and from which the witnesses and victims expect accurate and timely information.

Central government has prescribed much of the machinery through which this integrated approach operates, requiring multi-agency partnerships at local authority and police force level, each with required core memberships, wider discretionary memberships, duties to co-operate and statutory objectives. At neighbourhood level there may also be multi-agency action groups, and in some police areas non-statutory partnerships such as the Thames Valley Partnership have been established to promote cross sector liaison. The arrangements – relatively new and still evolving – have brought a new degree of focus to planning and decision making, but have also been criticised as confusing, fragmented, badly aligned with place and ill-suited to enabling clear leadership, clear accountability and straightforward customer access.<sup>38</sup> Some small voluntary sector organisations feel that their traditional strengths, including informality and holism, are often over-looked or under-valued within these new arrangements. Operationally, multi-agency arrangements to deal with

high risk individuals, such as MAPPA and MARACs have become well established and well regarded.

Good outcomes, efficiently achieved, depend on solid relationships between local, regional and national services. Preconditions will include shared objectives, compatible professional cultures and aligned capacity. Mechanisms will include ‘one-door’ customer access, information sharing, data compatibility, joint assessments or use of common assessment tools, and clear sequencing for customer journeys. We are still a long way from meeting these preconditions or making sufficient use of these mechanisms.

(iii) Productivity and targets – can we recognise success?

Defining productivity in public safety services is fraught with difficulty, yet without satisfactory measures it is extremely difficult to make judgements on value, and make decisions on return and investment.

ONS calculations of changes to Public Order and Safety productivity from 1997-2007, excluding police services, indicate some of the largest productivity falls in the public sector (16.6 per cent). However, they warn that these measures are not quality adjusted and ‘leave much to be desired’.<sup>39</sup> Work to devise better output measures for policing as well as for other parts of the Criminal Justice System are in hand, and will require the development of individual measures for the different CJS agencies, a clearer account of their interdependencies, and agreement of better econometric models of crime.<sup>40</sup> The task is complex and much still needs to be done. Today,

the fiscal clarity that would allow end-to-end costing and provide a basis for credible productivity calculations is simply not available. The recent report by the Independent Commission on Youth Crime and Anti-Social Behaviour (2010) criticised the inability of government to account conclusively for the total public monies directed towards youth crime.<sup>41</sup>

There is common agreement that some of the performance targets set for public safety services by the last government had unexpected and unwelcome consequences. The offences brought to justice target was probably guilty of bringing into the youth justice system many who could more economically and beneficially have been diverted from it. Outcome targets avoid some of these problems, though describing the outcome and any necessary proxy measures is still far from straightforward. In reoffending, for example, how much weight should be given to the seriousness or frequency of offending, rather than its occurrence?

#### (iv) Dependencies – responsibility without power?

Highly integrated public safety services are by definition mutually interdependent. In addition, they are highly dependent on the actions of services beyond even the blurred edges of the public safety umbrella. The actions of mainstream education, health, employment and housing services, for example, have a strong and direct impact on the demands placed on public safety services and their ability to meet them. As a senior official in the Ministry of Justice has put it: 'MoJ is the department

that picks up the pieces when other departments have let people fall through the cracks".<sup>42</sup> What is true in central government, is equally true at the local level, where there are sometimes indirect incentives on services to act in ways that increase public safety burdens. If permanent exclusions can improve a school's learning atmosphere, its inspections and its attractiveness to parents, this may weigh more heavily with the head teacher than a difficult child's increased risk of offending.

#### (v) Knowledge – what really works?

From accumulated professional experience, from academic research, and from the lived experience of communities and individuals we know a great deal about what puts people at risk of offending or being a victim of crime, and what can help repair lives. Nevertheless, there remain wide areas of disagreement on the most fundamental questions, such as why crime has been falling, how effective prison-based rehabilitation programmes really are, and how useful (i.e. replicable) even the strongest of empirical studies can be.<sup>43</sup> Policy and practice cannot, of course, withdraw and await final agreement, even supposing it would be forthcoming. Services, policy makers and citizens need to foster a reflective learning culture, supported by better knowledge sharing processes, nationally and internationally.

# 6

## Public safety policy shifts towards 2020

Given the demand difficulties and supply side constraints described in the previous section, how do citizens' experiences in 2010 measure up against our three reform principles? Do public safety services support us to be socially productive, or expect our passivity? Do they move power towards us, or hold it away from us in the centre? And do the ways that we finance them reinforce our purposes or frustrate our aspirations? The following section addresses these questions of culture, power and finance in turn, asking where we are today, and suggesting where reform could take us in 2020. Its 'now and then' snapshots make no claims to be exhaustive or comprehensive. Instead of a finished programme of reform, the Commission offers a set of critical tools with which to build sustainable change and the consensus for that change. Though for clarity's sake, the examples are arranged by the three shift principles, each is in practice mutually reinforcing.

### (i) Social Productivity 2010

#### *Informed and consulted citizens*

In 2010 the importance of providing regular information to

citizens about the activity and availability of their local public safety services has become widely accepted, particularly with the roll out of neighbourhood policing and the expansion of council services to tackle anti-social behaviour. This development represents a logical evolution of policing by consent, and a practical recognition that good community safety outcomes are co-produced between citizens and services. Posters, leaflets, surgeries, meetings, street surveys, roadshows, websites, text or email update groups are now the regular tools of community reassurance and intelligence gathering. They support the work of neighbourhood and area level panels and engagement groups, standing and *ad hoc*, which influence priority setting, particularly at neighbourhood level. Even the less outward facing public safety services, such as court, probation and prosecution services have become more proactive in publicly communicating what they do. Small voluntary and community sector organisations play an invaluable bridging role in bringing citizens into these processes. However, citizens' roles are limited. Though they can influence priority setting, citizens have little direct influence over the resources necessary to meet them. Moreover, the information gap between the public and its services remains large. 58 per cent of people have little or no knowledge about where and when police neighbourhood meetings are held, and 66 per cent have little or no knowledge of how to find out about local police priorities.<sup>44</sup>

#### *Offenders pay back and communities benefit*

In 2010 the most common non-custodial sentence is a community

order; and the most commonly applied element of this sentence is unpaid work – now carried out as Community Payback.<sup>45</sup> Through nominating the projects that offenders should work on, or by voting from a short list, the public has a voice in how labour that was last year worth £48M is used for public benefit – though currently, only two per cent of nominations are obtained directly from individual members of the public. In most cases, offenders carry out their Payback in branded, high visibility clothing, and projects where Payback has been used are invited to display a branded plaque to raise awareness of the scheme. Approximately two thirds of placements are carried out in groups, and involve environmental works, repairing or improving community amenities. Individual placements account for 36 per cent of placements.<sup>46</sup>

## (ii) Social Productivity 2020

### *Informed, engaged and powerful citizens*

In 2020 citizens have been entrusted with more power to direct resources towards identified public safety goals. This has been supported through an extension of participatory budgeting, which is specifically related to a proportion of the sums put aside through justice reinvestment (see below). Because police and local authorities have achieved a greater integration of neighbourhood policing with neighbourhood management, it is now possible to specify more clearly the total service offer available to neighbourhoods, including its costs. A proportion

of the neighbourhood's resource is set aside as a notional budget over which citizens have control, and from which they make costed choices, rather than simply assigning priorities. For example, they may decide to buy additional Play Ranger hours or devote more time to problem parking. In return for this power, communities are asked to identify matching citizen contributions towards solving the problems identified. These may involve encouraging volunteer Play Rangers or reporting illegally parked vehicles to a lead individual. 'Community contracts' of this kind impose no obligations on citizens, but help to move discourse and practice away from an information model towards participative problem solving. Voluntary and community organisations are now encouraged and resourced to play a more active role as researchers and mobilisers of their communities. Action research projects, community audits or ethnographic studies, commissioned jointly by community safety services and other relevant services provide critical information on how local citizens use services, access information, experience risk and devise problem-solving strategies at an individual, family and peer group level.

### *Offenders pay back, communities benefit and sentencing improves*

In 2020 Community Payback can impose a wider range of tasks and can match these more productively to offender and locality. Self-nominations by local public and voluntary services are still encouraged. Information continues to be made available through neighbourhood policing teams, but is also distributed to users of other

local services as a matter of course, packaged with key local crime and sentencing information. Views are now sought most intensively from areas known from crime mapping and other data to have experienced the highest levels of crime. This ensures that payback brings greatest practical benefit and visible reassurance to those who have faced most difficulties. A well managed process increases citizens' confidence in the value of community sentences. Because a single organisation has now been commissioned to provide several different elements of community orders – rehabilitative as well as punitive – sentencers feel confident in tailoring their sentences more closely to the individual's needs and the need to reduce reoffending.

#### *Citizens help decide 'what works' in prevention and rehabilitation*

In 2020 an independent body has been established with responsibility for assessing national and international evidence of the effectiveness (including cost-effectiveness) of interventions to prevent offending and reoffending. It operates similarly to the National Institute for Clinical Evidence (NICE), the guiding principles of which are: to use the best available evidence; be transparent in its decision making processes; and to be inclusive, so that all stakeholders likely to be affected by its guidance have an opportunity to have their views taken into account. The new body follows NICE's application of this final principle in having lay members on its specialist working groups and a citizens' council which reviews its decisions.<sup>47</sup> Though the citizens' council's views are not binding, the Board must set out its reasons

for any disagreements. The new body has contributed significantly to a reduction in public suspicion and political tension around rehabilitation and sentencing.

#### *Offenders move on by giving back*

In 2020 citizens who have offended have the opportunity to reduce the rehabilitation period attached to their sentence, bringing forward the point at which their criminal record will be spent. They do this by volunteering at a recognised charity or social service, where their contribution counts towards the reduction. Both the community and the ex-offender benefit from this voluntary arrangement. The community benefits from the ex-offender's unpaid contribution; while the ex-offender benefits from social reintegration, increased employability, and the protection that this brings against re-offending. Those who have committed the most serious offences are exempt from this scheme, because of the risk of damaging public confidence. Police records are not affected.

#### (iii) Finance to Purpose 2010

#### *Multiple agencies and multiple costs*

In 2010 work with offenders, ex-offenders and those at risk of offending can include a multiplicity of supervisory and support interventions for a group that includes individuals and families with very complex needs. This can lead to overlap and outright duplication,

with individuals accessing several different services to address the same issue. Assessment processes are not standardised across services. In the case of those leaving prison, individuals with complex needs may undergo over 10 separate assessments to access the support they require – pumping up costs while discouraging service users’ engagement or compliance.<sup>48</sup> Local partnerships bring some coherence to this complexity, but funding comes from different sources, leaving accountabilities facing in different directions. The pull towards silo working is strong, further reinforced by the use of process based targets in many services, quite distant from the type of outcomes measures that could be agreed across agencies.

### *Reactive provision*

In 2010, many of our most expensive interventions follow after harm has been caused or attach to areas of greatest or most immediate risk. While this allocation of resources is entirely rational, it has some unwelcome consequences: it pulls investment away from early intervention, and in some cases it focuses investment where it can deliver least value. The corollary is that resources accumulate in the statutory services with the necessary enforcement and control powers to intervene where harm has occurred or risk is acute. Services are aware of the opportunities to achieve more over the long term if investment could be rebalanced. Though partnerships have taken some steps towards achieving this by widening the ‘family’ of services involved in supporting public safety, it can be difficult to demonstrate

the savings that these deliver to frontline, reactive services. This leaves them vulnerable to cuts at a time of shrinking budgets.

### *Cost-blind sentencing*

Sentencing drives costs, yet exactly how it does so is not well understood. In 2010, the relationship between overall sentencing policy and value for money is underdeveloped. In looking at this issue, the Sentencing Advisory Panel has had to conclude that there is not sufficient reliable information about costs (direct and indirect) to be factored into sentencing guidelines, though it does suggest that it would be possible to identify costs for each type of sentence by its basic component, and weigh these when assessing the relative probable effectiveness of two or more sentences.<sup>49</sup> It appears that in practice the punitiveness of sentencing, and therefore its *likely* costliness, is strongly affected by the relationships between courts, probation services, YOTs and others involved in delivering non-custodial sentences.<sup>50</sup> National variation in sentencing practice is more strongly related to the strength or weakness of these links, than to local crime levels.

(iv) Finance to purpose 2020

### *‘End to End’ cohort commissioning*

In 2020, local partnerships commission ‘end to end’ provision for citizens who have offended, or are at risk of offending. The new services take responsibility for delivering a wide range of services to specified

cohorts, who are offered a seamless ‘care pathway’. Such services may range from housing support to parenting skills, to education and training. Although providers have the power to require co-operation from statutory mainstream services in some circumstances, duplication is radically reduced, as they become the one-stop for their client group. This single point commissioning model has attracted new and specialist providers into the local market, as well as creating space for existing local providers to expand their support offer. The outcomes to which the services work, and against which they are paid, have been agreed across the partnership. There are few stipulations over how services’ achieve these outcomes, accountability is straightforward, and so pressures to dissipate value through bureaucratically onerous process reporting are reduced.

### *Justice reinvestment incentivises performance*

In 2020, many local partnerships have demonstrated the capacity to reduce serious offending that leads to the use of custody. They have enjoyed some cost savings as a result, but so too has central government, not least through falling prison costs. On the basis that they can deliver reductions below the national trends, some local partnerships negotiate with central government to receive a share in the decarceration benefit. Local partners are strongly incentivised to focus on crime reduction, the reduction of re-offending and ensuring that locally available non-custodial sentencing options are sufficiently robust and transparent to enjoy the confidence of sentencers and communities. The justice

reinvestment funding received by successful local partnerships is used for community-nominated crime reduction measures (see above) and to support innovation.

### *Accurate open data supports sentencing and public confidence*

In 2020, government has a comprehensive econometric model for public safety, which it uses as a cornerstone of policy development, including the development of sentencing policy. The model incorporates findings from the independent body set up to examine the efficacy of offending and re-offending interventions (see above). Establishing the model has required – and continues to support – clearer and more comprehensive accounting across government departments for the costs of public safety. These expenditure flows are made available to the public in the most accessible online formats possible in order to build public confidence and allow costs to be challenged where necessary. It is now possible for approximate costs to be assigned to the different sentencing options that are available to judges and magistrates. Information about sentences handed down at particular courts is therefore made available alongside the costs incurred by these sentences.

(v) Power away from the centre 2010

### *Impersonal justice*

In 2010, the needs of victims of crime are given greater weight than ever by the criminal justice system, but too many still feel confused

and sidelined by its processes.<sup>51</sup> There is no set of basic victims' rights. Much of the support that they receive is therefore discretionary, dependent on the needs of the service, not the needs of the victim, taking little account of his or her vulnerability or the seriousness of the crime they have experienced. No-one is assigned to victims to provide dedicated, end-to-end support throughout the criminal justice process. Ironically, despite the weight of prosecutorial attention to which they are subjected, offenders may also feel that the treatment they receive is impersonal and that their needs are insufficiently addressed – crucial among them, the need to accept personal responsibility for the harm they have caused. They are likely to see different judges or magistrates from hearing to hearing, which mitigates against the possibility of developing a stronger sense of accountability.

### *Centralisation, bureaucracy and relational services*

In 2010, public safety services use sophisticated, evidence based tools for assessing those who have offended (such as OASys) or who may be at risk of offending (such as ONSET). Practitioners are required to use these centrally devised systems in order to raise the standards of practice, ensure national consistency and manage risk accountably. For many of those who work within this tightly prescribed environment, the 'case manager/ interventions' model is felt to be process-heavy and relationship light.<sup>52</sup> In the Probation Service, an officer can expect to spend twice as much time on computer activity as s/he spends in direct contact with offenders.<sup>53</sup> Similarly, many police officers complain

of time-consuming procedures and a stream of top-down directions getting in the way of relating to the public. Two thousand six hundred pages of guidance were issued to police officers in 2009 telling them how they should do their job, while only 11 per cent of total police strength was visible and available to the public at any one time.<sup>54</sup>

### *Local public services as national delivery agents*

In 2010, central government has required local services to be increasingly ambitious and joined-up in their approach to public safety problems. Many areas have responded innovatively, raising standards, but activity is to a large extent shaped by central programmes, standards and strategies, and the funding conditions that relate to them. The result has been described by one local authority as a 'dizzying array of overlapping and duplicate plans and strategies' that exact a high cost in terms of 'plan compliance'.<sup>55</sup> At the same time, even the most well developed local partnerships confront the reality that critical services such as prisons and Job Centre Plus are directed and accountable regionally or nationally, so their incentives to integrate locally are muted.<sup>56</sup>

(vi) Power away from the centre 2020

### *Mutualised services improve quality and fit*

In 2020, many public safety services have become employee mutuals. This includes, for example, some alcohol misuse services, approved premises (formerly probation and bail hostels), offender employment

services, offender health services, witness support services and probation services. Their adoption of participative management styles means that they offer greater levels of responsiveness to service users, as well as maintaining higher levels of collective responsibility and peer pressure than equivalent non-mutualised organisations.<sup>57</sup> For mutualised local probation services, the transition has enabled practitioners to bring more professional judgement and discretion to their casework, so that, for example, actions for breaching community sentences or release licenses are taken on the grounds of substantive risk rather than technical infringement. For commissioners, the proliferation of mutualised services has broadened the supply side enabling better market segmentation – a closer fit between citizens’ needs and the type of support available to support them.

### *Sentencers extend their oversight*

In 2020, sentencers regularly use their power under section 178 of the Criminal Justice Act 2003 to review how offenders are progressing in completing the requirements of their community sentences or suspended sentence orders, particularly where the sentence was agreed through a problem solving approach. The offender is required to return to court to explain their progress to the judge or magistrate who passed their sentence. At this point the requirements of the order can be changed, though not extended or made more onerous. The process is one that encourages personal engagement and accountability, and is designed to supplement rather than replace the work of a skilled

probation officer. This approach has now been extended to custodial sentencing. Judges have the power to specify programmes that the offender should undertake while in custody. Progress is reviewed either in person or by video link, and if any of the requirements have not been completed because resources have not been made available by the prison, the service is required to provide a statement to the court describing how this will be rectified. As well as encouraging the offender’s sense of accountability and agency, this extension of judicial oversight to prison service performance is a powerful incentive for organisational improvement, and a good basis for a clearer understanding between the two services.

### *Integrated justice areas*

In 2020, local authorities have formed sub regional partnerships to negotiate ‘more for less’ agreements with central government that provide greater budget freedoms and lighter touch accountability in return for reductions in total funding. These arrangements remove most ring-fencing from departmental and programme funding making it possible for leaders in the partnership area to pool budgets efficiently and rationalise services through single-point commissioning, which in turn makes it easier to design ‘one door’ citizen-access to public safety services. The freedoms make it easier for partnership areas to mould local spend to local strategies and opportunities. For example, they may move funding from CCTV to peer support schemes for young victims of violent crime. The partnerships have been allowed

these freedoms on the condition that they put in place strong citizen engagement mechanisms, and establish visible, democratically accountable leadership mechanisms.

# Endnotes

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- 7 Commission on English Prisons Today (2009), op cit.; National Offender Management Service (2010), 'Working with the Third Sector to reduce re-offending: securing effective partnerships 2008-2011, annual progress review'. London: Ministry of Justice. Note that although the Government signalled its intention to put out Unpaid Work services to competition in April 2009, progress has proved slower than intended. The National Framework to enable the policy's implementation went live in August 2010.
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- 53 The figures are from a NOMS snapshot survey in December 2008. NOMS has responded to the findings with 'a national programme of specifying probation work, and benchmarking performance'; Maria Eagle, Secretary of State for Justice, written answers, 19th January 2010: <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100119/text/100119w0013.htm>.
- 54 HMIC (2010), *op cit.*
- 55 Lewisham Strategic Partnership (2010), *op cit.*, p.26.
- 56 Pleave, N. and Minton, J. (2009), *Delivering Better Housing and Employment Outcomes for Offenders on Probation*. London: Department for Work and Pensions.
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