Local criminal justice boards
Supporting change management
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Introduction

Why has this paper been written?

1 The criminal justice system (CJS) is undergoing significant reform and change. New partnership arrangements – local criminal justice boards (LCJBs) – have been established to join up local criminal justice agencies and create a system where they work together to achieve common aims and objectives. These new boards are potentially powerful tools that can tackle difficult strategic and operational problems within the local CJS. They can also be a productive way of achieving more efficient and effective use of resources.

2 LCJBs are very new and it is too early to assess how effective they are. However, the Audit Commission has assisted other partnerships and agencies in the public sector involved in similar changes in recent years, and has a track record of work in the CJS (Ref. 1). We believe that, by sharing learning and experience with the new boards at an early stage in their development, we can help LCJBs to manage more effectively the change they are involved in.

Who will find this paper useful?

3 The primary audience for the paper is members of the LCJBs, their governing bodies (for example, police authorities) and staff. The paper also aims to inform the debate among key stakeholders (such as government and criminal justice inspectorates) about the management of change within the local CJS. In addition the paper will be of interest to a wider group of stakeholders, including local authorities, crime and disorder reduction partnerships, local strategic partnerships, the NHS, and voluntary organisations, all of which need to know about the new arrangements.

Research methodology

4 The Commission carried out research with three LCJBs – Hampshire and the Isle of Wight, Thames Valley and Avon and Somerset. This involved:

- structured interviews with board members, staff in member agencies and other local stakeholders, such as the judiciary and magistrates;
- observations of meetings; and
- reviews of key partnership documents.
The Commission also conducted interviews with members of other LCJBs, as well as with key national stakeholders. An advisory group and commentators (Appendix 1) provided useful contributions, for which the Commission is grateful. Responsibility for this paper, however, rests solely with the Audit Commission.

The structure of this paper

As well as an introduction, the paper has five main chapters including a conclusion:

- Chapter 2 looks at the context in which the LCJBs operate and identifies the main challenges that they face;
- Chapter 3 considers the importance of securing the full co-operation and commitment of member agencies, as well as the support of a wider range of organisations and parties;
- Chapter 4 focuses on the need for sound governance arrangements;
- Chapter 5 identifies the performance management issues for LCJBs; and
- Chapter 6 sets out the main conclusions.
Background to the establishment of the LCJBs

This chapter outlines the context in which the new LCJBs operate. It covers:

- how LCJBs relate to wider criminal justice reforms;
- how LCJBs are organised, their purpose, their relation to government and other local stakeholders; and
- the challenges of partnership working.

How LCJBs relate to wider criminal justice reforms

Over the past two years the Government has developed the agenda for CJS reforms. It has undertaken reviews of key areas, including Lord Justice Auld’s review of the Criminal Courts (Ref. 2) and John Halliday’s review of the sentencing framework (Ref. 3). In light of this work, the Home Secretary, Lord Chancellor and Attorney General set out a wide-ranging programme of reform for the CJS in England and Wales in the White Paper Justice for All (Ref. 4). The programme is guided by the single priority to ‘rebalance the CJS in favour of the victim and the community so as to reduce crime and bring more offenders to justice’ (Ref. 4). It includes a wide range of reforms within individual agencies, as well as investment in new technology and co-ordinating mechanisms. LCJBs are a key element of the programme. They are the means by which local CJS agencies will be joined at strategic level to create a unified system that is focused on common aims and objectives.

At the national level a new Criminal Justice Board with responsibility for overall CJS delivery has been established. Its role is to make sure that central government departments, politicians and officials who are involved in delivering criminal justice act as one and drive and facilitate change. The National Criminal Justice Board (NCJB) includes CJS Ministers, heads of CJS agencies, permanent secretaries and senior policy officials, and supports a Cabinet Committee. The Government is also keen to make sure that it takes account of the views of others working in the CJS and has established a Criminal Justice Council to enable this. Membership includes representation from bodies such as the Commission for Racial Equality, the Law Commission, Victim Support, as well as members of the Bar, the magistracy and the judiciary.

The pace of change in the CJS is fast and unrelenting. It involves not only changes to policy, systems and procedures but also, crucially, changes to the attitudes and behaviour of institutions and individual members of staff at all levels. Change is not always viewed positively: it challenges vested interests: personal, professional and institutional. It is a complex and difficult enterprise; but it is unavoidable.
How LCJBs are organised, their purpose, their relation to government and other local stakeholders

11 LCJBs replace the previous area criminal justice strategy committees (including chief officers groups where these existed) and the operational level local trial issues groups. The White Paper Justice for All (Ref. 4) outlines the new arrangements and further detailed guidance and requirements have since been published (Ref. 5). LCJBs are not statutory organisations and they are not constituted as legal entities in their own right.

Membership of LCJBs

12 There are 42 LCJBs, one in each of the local criminal justice areas. Chief officers from the main local CJS agencies make up the core membership of the Board:

- police;
- Crown Prosecution Service (CPS);
- probation; and
- magistrates’ and crown courts

The Board also includes senior representatives from:

- the Prison Service; and
- youth offending teams (one representative per LCJB).

LCJBs also have the option to co-opt members from other agencies. Exhibit 1, overleaf, shows the core membership of LCJBs.
Exhibit 1
The core membership of LCJBs
LCJBs comprise the chief officers of local CJS agencies.

National accountability
LCJBs are accountable to the NCJB. Shared delivery plans set out how they will achieve all of their targets and identify lead officers for different objectives, as well as key actions and milestones. The relationship between the NCJB and LCJBs is key to a wider structure (Exhibit 2).
Exhibit 2
The relationship between the NCJB and LCJBs

LCJBs are a key element in a wider structure aimed at joining up the CJS.

In practice accountability is complex, as the chief officers and senior managers responsible for LCJBs are all employees of independent organisations and have to act as such. Most LCJB organisations have strong links to the NCJB through their chief executive officers; however, not all of them are national organisations – the police, magistrates’ courts and youth offending teams are all local services. To a large extent, the success of LCJBs, like many other partnerships, depends on independent, autonomous organisations committing themselves to shared objectives.

When it reviews how effective the new arrangements are the Government must consider accountability issues.
Priorities and outcomes

The main purpose of the LCJBs is to deliver the CJS Public Service Agreement (PSA) targets, improve the delivery of justice and the service provided to victims and witnesses and secure public confidence. These targets are set for all CJS agencies and are jointly owned by the Home Office, Lord Chancellor’s Department and Attorney General. (It is important to note that the judiciary are not an agency and cannot have targets for, for example, the number of convictions). Although the PSA targets are set nationally, subject to approval by the Government, LCJBs decide how they will achieve them and, in most cases, also agree the level of improvement they will achieve. Box A sets out the PSA targets for LCJBs.

Box A
PSA targets to improve the delivery of justice

LCJBs are charged with delivering the following PSA targets:

Narrowing the justice gap

- 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. This represents a total increase of 17 per cent. All CJS areas have been set a 5 per cent improvement target for 2003/04.

- This target also includes reducing the number of ‘ineffective trials’. These are trials that are unable to proceed on the day they are scheduled to start. The reasons for this vary, including the non-attendance of a prosecution or defence witness, the failure of a defendant to appear, either the prosecution or defence not being ready for trial, or a court room or judge not being available. LCJBs will set their own improvement targets for this.

Public confidence

- Specific targets have not yet been set; however the broad aim is to improve the level of public confidence in the CJS, including increasing that of ethnic minority communities, and increasing year on year the satisfaction of victims and witnesses, while respecting the rights of defendants.

Other essential non-PSA targets

- Persistent young offenders
  Ensure that the average time from arrest to sentence for persistent young offenders is maintained at 71 days or lower.

- Timeliness
  LCJBs will set their own targets to maintain (where appropriate) or reduce the time from an offender being charged with a crime to completion of a case.

- Reduce street crime
  This target applies to ten CJS areas only: Avon and Somerset, Greater Manchester, Lancashire, London, Merseyside, Nottingham, South Yorkshire, Thames Valley, West Midlands and West Yorkshire.
In addition to the national PSA targets, LCJBs can set additional priorities and targets in order to reflect local needs and concerns.

Support for LCJBs

To implement the change management programme at local level and assist LCJBs the Government has set up a new support function within the Criminal Justice Performance Directorate – the Local Performance and Delivery Support Unit. The Unit reports collectively to the Attorney General’s Office, the Home Office and the Lord Chancellor’s Department. It also provides the link between the LCJBs and the NCJB.

As well as overseeing the change management programme the Local Performance and Delivery Support Unit has provided performance officers for each LCJB; these posts are managed by regional performance advisors. The role of local performance officers is to support LCJBs in their efforts to improve performance and provide a conduit between the centre and local areas. When reviewing how effective the LCJBs are it will be important to consider any issues that might arise from these management arrangements.

One of the keys to integrated working is a modern IT infrastructure and systems. To achieve this the Government has provided a total £1.158 billion investment over three years (2003/05) and established the Criminal Justice Information Technology unit to improve IT across the CJS.

To facilitate performance management at the local level the Criminal Justice Information Technology Unit, in partnership with the Local Performance and Delivery Support Unit, has developed a management information system (the Joint Performance Information Tool) for LCJBs. This aims to provide locally based management information and allow LCJBs to compare their performance with that of other boards; it has been designed in consultation with a working group of representatives from LCJB agencies to ensure that it meets their requirements. Other new IT products for LCJBs include secure email and information exchange facilities, which should enable the sharing of electronic case information across agencies by the end of 2005.

It is too early to comment on how effective these new arrangements are; however, the joint inspection approach being developed for CJS areas will need to cover IT issues.

Involving local stakeholders

Improving public confidence in the CJS involves tackling those issues in communities that lead to a lack of confidence in the first place. For example, how successful, or otherwise, a local council is in dealing with anti-social behaviour is likely to affect public confidence not only in council services but also in the local CJS agencies. LCJBs need to work with other stakeholders to identify these issues and to decide how to address them.
To help LCJBs to engage with other stakeholders and understand local concerns and the impact of their work on the wider criminal justice community, they must establish advisory and consultative arrangements. Consultees should include, for example, the judiciary, magistrates and Victim Support, and other organisations, such as local authorities and voluntary organisations (Ref. 6). Many local organisations and partnerships already have consultative mechanisms and LCJBs will be more effective and efficient if they can work through these rather than duplicate them. For example, police authorities have local consultative committees, as do many councils. Most councils conduct regular, large-scale residents’ surveys and many have citizens’ panels that they consult on an ongoing basis; crime and disorder reduction partnerships and local strategic partnerships also have consultative arrangements (see Chapter 3).

Key challenges

LCJB partners all have experience of working in strategic partnerships and are aware of the difficulties and challenges that they present. Organisational, political and cultural barriers often need to be overcome. Commitment from members can be difficult to maintain if the achievements of the partnership do not outweigh the costs. Partnerships can lead to organisations feeling pulled in several directions and LCJBs are no exception to this. Member agencies are likely to feel overwhelmed at times when trying to balance their own priorities with those of the LCJB and other existing partnership arrangements. The LCJB as a whole may also experience tensions that result from being part of a nationally driven delivery system and improvement programme, while still meeting individual agency objectives and targets and needing to respond to local issues.

However, partnerships also bring significant rewards. By acting together more can be achieved than by any single agency; better value for money can be gained through joint activities and there are opportunities for learning from one another and for mutual encouragement.

LCJBs are at different stages of development. In areas where the previous area criminal justice strategy committees functioned well, the new boards have been able to build on their achievements. In other areas where they were less effective, LCJBs are starting from much lower bases; and, for the first time in many areas the chief officers of all the CJS agencies are meeting exclusively to focus on improvement within the CJS. The Avon and Somerset Area Criminal Justice Strategy Committee changed and developed over time creating a good foundation for the new LCJB (Case study 1).
Case Study 1
Avon and Somerset – early experience of CJS agencies working together

From 2001 Avon and Somerset Area Criminal Justice Strategy Committee initiated changes to the way that the agencies work in partnership, which foreshadowed the new arrangements for LCJBs.

As the Committee was too large to drive service improvements, a Chief Officers’ Strategy Group (COSG) was formed. This Group met more frequently and focused on setting a clear direction for change, using the Area Criminal Justice Strategy Committee as a consultative forum. The operational level Trial Issues Group was restructured and its membership reduced from over 30 members to a core of eight, with subgroups involving a wider range of agencies.

This smaller Trial Issues Group took operational responsibility for delivery, reporting to the COSG, and supported by a new CJS co-ordination unit (see case Study 8). The pattern of subgroups has been adapted over time and forms the basis of the support structure for the new LCJB.

With clear leadership by chief officers, there was an open and collaborative process for designing the new structures so that they had widespread support. A culture of learning from experience, and being open to new ideas has been encouraged.

The LCJBs that participated in this project demonstrated real commitment to making the new arrangements work. There is a desire for change, confidence that the targets can be delivered, and determination. Achieving tangible change on the ground takes time, however, and it is vital that LCJBs are allowed to consolidate without being overloaded with too many priorities or too much bureaucracy. There is no magic formula for change management and while impetus and drive from the centre are critical, it is equally important that LCJBs are given the opportunity to deliver improvement locally.

During this study, three key challenges facing LCJBs were encountered.

- Engagement – securing the commitment of all member agencies in the partnership, as well as engaging wider CJS stakeholders and other local organisations so that improvements are achieved and the LCJB fulfils its potential.

- Governance – having robust and transparent arrangements for managing the business of the partnership, including managing multiple accountabilities and ensuring that members fully appreciate their roles and responsibilities within the LCJB.
Performance – being clear about what the LCJB needs to do and how it will achieve its objectives, as well as having robust arrangements for measuring progress and making sure that action is taken early when things are going wrong or if progress is too slow.

Chapters 3, 4 and 5 explore each of these challenges in more detail and suggest what can be done to tackle them.

A picture of success

Drawing on the national aims for LCJBs (Ref. 5), recent inspection reports and the Commission’s knowledge of managing change (Ref. 7) it is possible to envisage what success for a LCJB might look like (Box B).

Box B
What will success look like for a LCJB?

- Greater overall public confidence in the CJS’s ability to address what matters to local communities.
- Improved confidence of minority ethnic communities in the CJS.
- Improved services for victims and witnesses.
- More offenders brought to justice.
- All members agree how well it is performing.
- Improved performance by individual LCJB members against national standards and measures.
- Effective management of diversity and equality issues across criminal justice agencies.
- Good decisions that are based on accurate and timely information.
- Strategic use of resources across agencies to achieve shared priorities.
- Radical improvement of ICT across agencies.
- Good communications, externally and within member agencies, throughout the change process and as the LCJB establishes itself.
- Integration of LCJB priorities with those of individual CJS agencies, crime and disorder reduction partnerships and local strategic partnerships.
The PSA targets for LCJBs include narrowing the justice gap by bringing more offences to justice and improving public confidence. To do this they need the full co-operation and commitment of their members, as well as the support of a wider range of organisations and parties.

This chapter sets out some of the main issues for LCJBs in engaging with all of their stakeholders including:

- LCJB member agencies;
- other CJS stakeholders, for example, judges, magistrates and the Criminal Defence Service and voluntary organisations such as Victim Support;
- other partnerships and local agencies;
- service users; and
- the public.

It also highlights the importance of good communications.

Creating an equal partnership can be challenging for LCJBs, given the variation in the size of CJS agencies and the range of functions that they are responsible for. For example, in 2001 the police accounted for 56 per cent of the total CJS workforce and its functions ranged from crime prevention to traffic policing, compared with the Crown Court Service, which accounted for 1 per cent and had a more limited range of functions. Exhibit 3, overleaf, illustrates the composition of the CJS workforce and shows the size of the different sectors.
Political and organisational structures and cultures also vary between LCJB members, as do the different pressures and pace of change that they experience. At both operational and strategic levels LCJB members need to understand each other’s:

- statutory responsibilities;
- chains of command;
- management structures;
- funding regimes;
- organisational cultures; and
- operational priorities and decision-making processes.

The previous area criminal justice strategy committee arrangements did not consistently engage the right agencies at the right level to make a real difference. The creation of LCJBs intends to remedy this. Feedback from members has been very positive about the new requirement for small, chief officer level groups, which, with the support of their governing bodies, collectively command the majority of resources involved in delivering local CJS services.

However, if some partners are marginalised, or if others are left to carry the main burden of work, the LCJB will not thrive. To prevent this LCJBs need to integrate individual agency and LCJB objectives and develop a collaborative culture that encourages long-term commitment from all agencies and their staff. They can do this in a number of ways including:
● developing partnership protocols (further information is provided in Chapter 4);
● good planning; and
● joint training.

Strategic level planning

To achieve the PSA targets and make real and sustainable improvements in public confidence LCJBs need to address the things that matter most to local people. To assist in this they need to develop a strategic approach that links with other partnerships, such as crime and disorder reduction partnerships and local strategic partnerships (see ‘Other partnerships and local agencies’). In the longer term this should lead to co-ordinated plans that ensure a joined-up vision for the community.

LCJBs given as case studies in this report intended to produce strategic plans to map out the steps involved in building their capability to achieve PSA targets, even though the Government’s change programme does not require them to do this.

Operational level planning

The first priority for LCJBs has been to develop local delivery plans for all targets, setting out key actions and the milestones to be achieved. These plans concentrate on process improvements and much of the emphasis has been on pre-court issues; this could risk marginalising organisations whose main focuses are post-court – youth offending teams, the Prison Service and probation. Any such risk may be reduced once the public confidence targets are introduced later in 2003, increasing the potential for contributions from all partners. In the meantime, LCJBs need to develop ways of working that encourage all organisations to be involved fully.

The Avon and Somerset LCJB has encouraged the full participation of all its members by highlighting the importance of different stages of the criminal justice process, and the roles that they each play in achieving its priorities. To do this it has allocated members to champion the three main stages of:

● pre-charge – covering all areas up to and including charge;
● charge to sentence – covering all areas from charge to sentence; and
● post sentence and rehabilitation – covering all areas post sentence to final release from the system.

These champions work closely with the lead members for each of the strategic themes (street crime, narrowing the justice gap, domestic violence and victims and witnesses) to plan what needs to be done at each stage of the criminal justice process and by which agency.
Individual agency planning and action

42 Achieving PSA targets depends on improving mainstream services within existing resources and requires embedding LCJB objectives in agencies’ core activities and processes, such as staff appraisals and service plans. Chief officers need to consult and inform their staff about the LCJB and about why it is important and relevant to their work. They must identify exactly what resources they will invest in delivering LCJB work and how this will be planned and implemented. For example, the police may invest more resources in the execution of warrants for arrests in order to help bring more offences to justice; the CPS may invest more resources in providing advice to the police prior to a suspect being charged with an offence.

43 To assist with mainstreaming, some agencies are appointing lead officers to co-ordinate, develop and implement policy on LCJB objectives, such as persistent offenders and victims and witnesses, and to help join-up planning arrangements with other CJS agencies.

Joint training

44 Bringing people together from different agencies for training to improve joint working helps to build rapport and trust. It provides opportunities to identify areas for further improvement and galvanises people around shared aims and objectives. For example, Hampshire and Isle of Wight LCJB has commissioned a training programme that will involve staff from all of the member agencies working together to agree how they can improve co-ordination and outcomes for service users (victims, witnesses and the general public). Avon and Somerset has benefited from various joint training initiatives and recently brought together the training officers from each agency to review how their main training programmes can be better integrated, and economies gained by sharing facilities and expertise.

Empowering people

45 The Commission’s work across the public sector has consistently demonstrated that people want to perform well. Giving individuals specific responsibilities and empowering them to get on with things can be an effective way to engage them (Ref. 8). However, partner agencies have different cultures, some may emphasise central control, others devolution and delegation and LCJBs may not be able to develop a unified culture if this does not fit with those of individual agencies. Nonetheless, they can usefully invest in understanding how their cultures differ and work to overcome any cultural issues that create barriers to partnership and improvement.
46 Avon and Somerset Area Criminal Justice Strategy Committee benefited from a clear mandate from the chief officers’ group empowering multi-agency task groups to agree and implement solutions to problems. This has encouraged a culture where people of different professional backgrounds and seniority work together effectively. Under the new LCJB arrangements task group leaders are able to chase progress, holding officers of other agencies to account as necessary. Any difficulties can be brought back to the chief officers for resolution.

Other CJS stakeholders

47 LCJB agencies do not have exclusive control over the CJS and so they need to engage with other stakeholders, including magistrates, judges and independent legal practitioners. Hampshire and Isle of Wight LCJB has made arrangements to build and maintain an effective and regular dialogue with the judiciary and practitioners whose business regularly takes them to the courtroom (Case Study 2).

Case Study 2
Hants and Isle of Wight Legal Group
The Legal Group is designed to assist the LCJB with the whole range of its work. It does this by providing a forum for exchanging information with other parties involved in the local CJS and discussing the concerns of practitioners, as well as how the CJS agencies are considering implementing the changes to the CJS.

The Chief Crown Prosecutor provides the link between this Group and the LCJB.

Membership includes:
- the Chief Crown Prosecutor;
- a representative of the Circuit Judges in the area;
- two representatives of the area’s Lay Bench (Magistrates),
- a representative of the area’s District Judges (Magistrates’ Courts);
- the Clerk to the Justices;
- a representative of the Legal Services Commission;
- a representative of the local Bar; and
- a representative from each of the local Law Societies.
The Criminal Defence Service (CDS) is a key partner in the CJS. LCJBs need to consider how best to involve it in their work. Established in April 2001 as part of the Government’s fundamental reform of the legal aid system, its purpose is to ensure access to legal advice and assistance and representation for individuals who are involved in criminal investigations. CDS objectives include:

- standard setting and quality control in relation to the services provided on its behalf – whether by contracted private practice suppliers or public defenders;
- ensuring that effective control exists over CDS expenditure, and progressively improving the value for money of the criminal defence services that it provides and purchases; and
- ensuring that the CDS contributes fully to achieving the overall CJS strategic plan, including by working with the other CJS agencies (Ref. 9).

In Avon and Somerset the CDS was actively involved in the previous Area Criminal Justice Strategy Committee with its regional manager participating in the Trial Issues Group, and representative criminal law solicitors involved in, for example, the task group on persistent young offenders. Under the new LCJB arrangements both the CDS and practising solicitors will continue to be involved in relevant task groups reporting to the Board. This helps to build a common purpose in making the justice system more effective for all those concerned, including defendants.

Other partnerships and local agencies

Many previous area criminal justice strategy committees made good progress with involving other local statutory and voluntary agencies that can help to deliver improvements in the CJS. It is important that LCJBs build on this and engage with other local agencies, including voluntary organisations and partnerships, that can help with:

- understanding local issues that affect public confidence in the CJS;
- undertaking shared consultation; and
- developing new services, such as community-based initiatives to improve public confidence.

Crime and disorder reduction partnerships and local strategic partnerships

The CJS does not operate in a vacuum and other local agencies and partnerships are working on related issues. For example, crime and disorder reduction partnerships, as well as many local strategic partnerships, focus on reducing the fear of crime and improving safety. These issues are related closely to improving public confidence; for example, the likelihood of a person reporting a crime (the first step in bringing an offender to justice) may depend on how safe they feel in their community. To have the maximum impact, LCJBs need to collaborate with other partnerships that are
involved in tackling these issues. They must ensure that their approaches are complementary and avoid difficulties that could arise from giving different messages to the public about crime and safety issues. **Box C** includes further information on the key partnerships that LCJBs need to engage with and **Exhibit 4** shows how partnerships operate at different levels and have different boundaries.

### Box C

**Key partnerships for LCJBs**

- Crime and disorder reduction partnerships – these are statutory partnerships with a remit to reduce crime and the fear of crime and achieve related PSA targets. They operate at a district or unitary council level.
- Local strategic partnerships – these aim to rationalise local partnership working and develop shared community plans that focus local organisations on priorities concerning, for example, health, education, crime, employment and the physical environment. They operate at a district or unitary council level and often at county council level too.
- Drug action teams (Drug and Alcohol Action Teams in Wales) – these are statutory partnerships that aim to tackle drug misuse. Their boundaries are coterminous with county/unitary local authorities. It is likely that in many areas drug action teams will merge with crime and disorder reduction partnerships over the next few years.

### Exhibit 4

**The complex picture of local partnerships**

Local partnerships operate at different levels and with different boundaries. LCJBs need to identify which they need to engage with to help achieve their objectives.

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<td>Unitary/county councils</td>
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<td>District councils</td>
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<tr>
<td>Strategic health authorities</td>
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<tr>
<td>Primary care trusts</td>
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<tr>
<td>Population</td>
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</tbody>
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- Youth offending teams
- Drug action teams
- Crime and disorder reduction partnerships
- Local strategic partnerships
- NHS local delivery plans

**Source:** Audit Commission

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**Box D**, overleaf illustrates the priorities shared by Hampshire and Isle of Wight LCJB, crime and disorder reduction partnerships in the region, the local strategic partnerships and the Police Authority. This is not a full list of each organisation’s priorities – each has other priorities that are not shared.
Discussions with crime and disorder reduction partnerships revealed a lack of understanding of LCJBs, as well as some concerns about duplication of effort. To make sure that the criminal justice and crime reduction agendas are joined up at a local level, LCJBs need to forge early links both with the crime and disorder reduction partnerships and with the regional Government Office Crime Reduction Director, who will be working with all of the crime and disorder reduction partnerships in their region to support performance improvement and deliver the Government’s Crime Reduction Strategy (Ref. 10).

While local strategic partnerships have been established to bring together agencies from all sectors at district and unitary council levels to co-ordinate action on shared priorities, no equivalent standard mechanisms exist at regional level. However, many regions have established fora or similar arrangements for this purpose. For example, Hampshire and Isle of Wight LCJB participates in a Chief Officers Group facilitated by the Association of Hampshire and Isle of Wight Local Authorities (Case study 3).

| Box D  |
| Shared priorities – Hampshire and Isle of Wight |

<table>
<thead>
<tr>
<th>Hants and IoW LCJB priorities</th>
<th>Priorities in Hants and IoW Crime and Disorder Reduction Partnerships</th>
<th>Hampshire Police Authority Strategic Plan priorities 2003</th>
<th>Key issues emerging in Local Strategic Partnership Community Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improving public confidence</td>
<td>Reduce crime and the fear of crime (Overall priorities of all crime and disorder reduction partnerships)</td>
<td>Reducing fear of crime Making public places safer</td>
<td>Community safety Community development Poverty/social inclusion</td>
</tr>
<tr>
<td>Narrowing the justice gap by increasing the number of crimes which result in the perpetrator being brought to justice</td>
<td>Detecting major crime</td>
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<td>Persistent young offenders</td>
<td>Vulnerability of young people to crime</td>
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<td></td>
<td>Domestic violence Alcohol related crime Violence/assault</td>
<td>Reducing the level of violent crime</td>
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Case study 3
Hampshire and Isle of Wight Chief Officers Group

This group brings together the Hampshire and Isle of Wight LCJB agencies with representatives from local authorities, fire and rescue, health, Connexions, the Drug Action Team, community safety officers, the south east region Government Office and the voluntary sector.

Its purpose is to improve regional joint working on crime and safety and criminal justice issues. It has four strategic objectives:

● to achieve reductions in youth crime in line with national targets;
● to achieve reductions in domestic and street violence, which most affect public confidence;
● to promote strong and sustainable communities that support families, vulnerable people and ethnic and minority groups; and
● to analyse relevant information to inform joint action and priorities.

Originally established to provide a strategic forum for chief officers, the Group is now adapting its approach to make sure that it complements the LCJB rather than duplicates it by ensuring that there is cohesion between the LCJB and community safety agendas.

To find out more visit www.hiow.gov.uk (officer networks).

Health

Health is an important sector for LCJBs to engage with. Work on persistent offenders for example, will require health service involvement to address substance misuse and mental health problems and improving services for victims and witnesses will also need health input. The health service too has targets that cannot be met without help from criminal justice agencies. The health sector is large and complex; and partnerships such as crime and disorder reduction partnerships have often struggled to engage services at a strategic level; although they have made links successfully at an operational level on specific issues, such as substance misuse. Operational groups can, however, make limited progress without a means of agreeing change at a strategic level. Health service reorganisation means that even where an NHS representative was active in the former Area Criminal Justice Strategy Committee, they may not now be in a position to influence health services across the area covered by the LCJB. Box E, overleaf, provides further information on how LCJBs could engage with health services.
Box E
Engaging with health services

Strategic health authorities (SHAs) are the NHS body nearest in geographical area and remit to LCJBs, although the boundaries do not always match. They have a performance management role with primary care trusts (PCTs), which commission services from the NHS and other providers. PCTs set out their priorities through local delivery plans, shaped by the planning and priorities guidance set by the Department of Health. Given the many other pressures on NHS resources, LCJBs will need timely, sensitive and informed negotiation with PCTs and SHAs to agree any changes to local health provision. This is most likely to be achieved through regular engagement at director level with the relevant SHA(s), so that mutually agreed priorities can be taken through performance management systems on both sides, and the recommendations from any operational working groups can be endorsed. Where LSPs are sufficiently well developed they could provide an alternative forum for aligning the CJS and health agendas. A general invitation to NHS chief executives or interested clinicians to attend a broad CJS consultative forum is unlikely to have the desired effect.

Consulting with other local agencies

The Local Performance and Delivery Support Unit guidance on consulting stakeholders identifies different types of consultative/advisory arrangements that could be adopted (Ref. 6). However, a lot of thinking and work needs to be done to make sure that arrangements are effective. LCJBs need to consider what they want to achieve through engaging local agencies. For example, in some cases they may want to consult on priorities and service developments; in others they may simply want to communicate about what they are doing. The case study LCJBs were planning to use various methods, including conferences and engaging stakeholders in sub-groups set up to help to implement their Narrowing the Justice Gap plans and to progress different aspects of LCJB work.

Crime and disorder reduction partnerships and local strategic partnerships will have established consultation arrangements with stakeholders, such as Race Equality Councils, domestic violence fora and other organisations working with victims of crime; as well as with local communities. Rather than developing their own arrangements, LCJBs should aim to work through these existing mechanisms as far as possible. Crime and disorder reduction partnerships and local strategic partnerships also hold valuable information on what matters most to local people and what is already being done about these things. In addition, because they both include local authorities they provide a strong link with local democracy.
Service users

58 The common aim for CJS agencies must be to provide high-quality services that meet users’ needs and expectations. This is not the case currently. The 2001/02 British Crime Survey (Ref. 11) found that:

- only 34 per cent of those surveyed felt that the CJS met the needs of victims; and
- lack of confidence in the CJS was related to being a victim of crime that was reported to the police, or having experience of the court system.

59 LCJBs must develop user-focused cultures that put the needs of victims and witnesses at the heart of their business, both collectively and individually. Early actions for boards to engage with victims and witnesses and improve services should include:

- identifying what they need and expect from services, the gap between their expectations and perceptions and what can be done to close this;
- mapping existing services and assessing how these match needs;
- identifying gaps in services and quality and areas for improving joined-up working and addressing these gaps;
- joining up systems and resources in order to provide a seamless service; and
- improving information, including details about what is involved in acting as a witness (Ref. 12).

60 LCJBs can learn a lot from youth offending teams about developing user-focused services. Managed by local multi-agency management boards, many youth offending teams have developed innovative services to meet users’ needs. For example, the Milton Keynes Youth Offending Team has established a service specifically to support the victims of young offenders (Case study 4).

Case study 4
The Milton Keynes Victim Care Unit (Milton Keynes Youth offending team)

The Milton Keynes Victim Care Unit provides services specifically for the victims of young offenders. It is financed by local partners.

Key aspects of the service include:

- full-time case workers with knowledge of criminal justice structures and processes who are able to answer victims’ questions about these;
- providing the service to all victims, regardless of what happens to the offender (through from final warnings up to and including detention and training orders);
- in the case of corporate victims, such as shops that have suffered a theft, checking whether or not there has been an individual victim involved and offering the service to them;
● keeping victims informed of progress with the case; and
● providing mediation and other restorative responses as appropriate.

For more information contact the Milton Keynes Youth offending team 01908 391000.

The public

61 The CJS faces a major challenge in raising its profile and convincing the public that it is in tune with local communities. The 2001/02 British Crime Survey (Ref. 11) found that although the level of confidence in the CJS has improved since the previous Survey in 2000:

● less than one-half of those surveyed (44 per cent) thought that it was effective in bringing people to justice; and
● only 36 per cent of people surveyed were confident that it was effective at reducing crime.

Engaging local communities

62 Improving public confidence is fundamentally reliant on improving CJS services. To improve LCJBs need to shift their focus from internal issues and find out what matters most to local people. They must then address these things and communicate what they are doing about them. Engaging communities and developing a consultation strategy is not simply a paper exercise. There are real challenges involved with consulting the public, especially with groups that do not normally attend public meetings or respond to surveys.

63 Fortunately LCJBs do not have to start from scratch with this. Most member organisations will hold information on users’ needs. For example, courts should regularly survey victims and witnesses in order to assess satisfaction with the services that they provide; and police authorities and crime and disorder reduction partnerships should have well-developed mechanisms for consulting local people, including hard-to-reach groups. Other organisations too, such as probation boards, are expected to consult the public and are developing arrangements for this. In addition crime and disorder reduction partnerships regularly audit local crime and safety problems and related services. In developing their arrangements LCJBs need to answer these questions:

● What existing information is available?
● To what extent this meets their needs?
● What other views should be sought and when?
● What is the most efficient way of doing this?
It is critical that LCJBs avoid setting themselves too many local priorities in addition to the PSA targets; instead they should use information about community needs to make national targets relevant locally. For example, persistent offender schemes can be linked to local crime and disorder reduction partnership priorities by targeting those offenders who commit crimes that are of most concern to the public, such as burglary and vehicle crime. LCJBs can also use their links with judges and magistrates to make sure that they are aware of local concerns and can consider these when sentencing.

**Reasons for engagement**

LCJBs will want to consult for different reasons at different times (Box F). Before they do anything they should have a clear understanding of what they want to achieve so that they don’t waste time and resources. The public also need to know how their views will be taken into account.

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**Box F**

**Reasons for consulting with the public**

- Find out about local peoples’ needs and aspirations in order to inform the LCJB’s priorities and actions.
- Test plans and views within the communities that will be affected and receive their feedback.
- Actively engage specific sectors of the community to assist in the delivery of the LCJB’s plans.
- Assess public confidence in different aspects of the local CJS, such as community punishments.
- Assess user satisfaction with specific services.
- Understand people’s perceptions of sentencing decisions and how these affect public confidence.
- Inform communities of planned activities.

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**Minority ethnic communities**

Where confidence is lowest among minority ethnic groups, LCJBs need to pay particular attention to understanding and responding to their needs and make work on race and diversity part of their core business. Special initiatives are a useful starting point and help to build understanding and capacity. However, they should not be an end in themselves; rather they should inform mainstream service developments.

Hampshire and Isle of Wight LCJB has put race and diversity issues high on its agenda. To counter the under-representation of minority ethnic communities in CJS agency management positions, the Board is in the process of appointing an additional member to help to address race and diversity issues.

The Board has also been working on race and diversity at an operational level through its ‘Race for Justice Project’. Established by the Area Criminal Justice Strategy Committee in 2002, the Project’s main purpose is to find out the perceptions of minority ethnic communities about CJS agencies in Hampshire and Isle of Wight. This will help to set benchmarks against which improvements can be measured and will influence mainstream services. The project quickly realised that it could not identify the perceptions of minority ethnic communities through short-term consultation.
exercises because communities did not have organised structures that could be tapped into, and because there was a reluctance to engage in one-off discussions without any commitment from the agencies to ongoing dialogue. In response, the project appointed development workers to build capacity among minority ethnic communities at the same time as consulting with them (Case study 5).

**Case Study 5**

**Hants and Isle of Wight Race for Justice Project**

Key findings from consultations with minority ethnic communities so far about their perceptions of the CJS have identified:

- fear of retribution for reporting crimes;
- difficulties in being accepted into neighbourhoods inhibit people from reporting crimes;
- a feeling that local agencies (including CJS agencies) don’t respond to concerns about local vandalism and youth crime;
- expectations that cultural and language needs will not be understood by agencies;
- a lack of knowledge about the CJS and low opinion of its potential as an employer for friends or family;
- perceptions among young people that racist incidents in schools are not dealt with;
- criticisms about short-term funding for community projects; and
- concerns about the impact of asylum seekers and refugees on established minority ethnic communities.

**What has the project achieved so far?**

To help build local capacity among minority ethnic communities across Hampshire the Project has secured funding for three development workers. It has also promoted good practice by assisting local organisations with their Race Equality Schemes; developing a diversity training programme for CJS agencies; and working with the LCJB on public communications. In addition it has produced an information leaflet for asylum seekers and refugees.

**What will it do next?**

A key task for the Project is extending its consultation networks. Other plans include working with CJS agencies to improve recruitment and retention of people from minority ethnic groups; developing a joint CJS approach to tackling racism in schools, increasing the take-up of drug treatment services by ethnic minorities; and advising the LCJB on issues relating to race equality.

**Project costs**

The Project cost approximately £40,000 over and above infrastructure support from CJS agencies.
The importance of good communications

Good communications within member agencies and external communications with other stakeholders and the public are key to the success of LCJBs.

Communications within member agencies

Achieving LCJB objectives requires regular communication at all levels. Chief officers need to know what is happening on the ground and staff need to have the opportunity to influence policy and services as well as know what is expected of them. To make sure that this happens member agencies need to have their own internal communication strategies that facilitate feedback, reinforce key messages and targets and allow changes to be made where necessary.

Communications with Government and national organisations

Effective two-way communications between LCJBs and the NCJB and other national bodies, such as Inspectorates and the Policing Standards Unit, are important for several reasons:

- LCJBs need to influence the direction of national policy and how this affects local implementation, this is key to facilitating improvement;
- national structures need to demonstrate that they are responding to feedback from LCJBs, just as LCJBs should demonstrate that they are responding to local concerns and issues;
- when national bodies publish reports and other public communications that impact on local opinion about criminal justice and safety issues, LCJBs need to manage their response to these; and
- where LCJBs are required to produce plans in a set format it is essential that they receive early guidance.

Public communications

Good communication is also an important aspect of improving public confidence. Increasing transparency in the CJS is critical to this.

To help to improve communications, LCJBs must produce communications strategies and annual public reports. Some are beginning this work already. For example, Avon and Somerset LCJB has been working with a specialist consultant to identify how members can pool their expertise to promote public understanding of the Board’s work through the media. Other LCJBs have produced publicity leaflets that explain the roles of different CJS agencies and show how they are working together. Criminal justice processes are often very technical and are not easily understood by people working in different organisations or by the general public. Communications can often slip into technical and management jargon and LCJBs need to make sure that they use simple language that is easily understood by everyone. This will encourage a shared understanding of what the LCJB wants to achieve.
Crime and disorder reduction partnerships have valuable experience of public communications. Many have established strong links with the local media. It is important that LCJBs link up with them to learn from their experience of public relations and to make sure that the messages both partnerships give about local crime and safety issues are consistent. For example, Portsmouth Crime and Disorder Reduction Partnership has developed a media plan as part of its wider communications strategy. This covers responding to local press interest using nominated spokespeople who can speak authoritatively on particular issues, as well as proactively identifying and promoting ‘good news’ stories, such as the launch of new community safety initiatives. The proactive element has proved difficult and one of the key factors involved in getting it right is to have a rolling schedule of events and features that can be fed to the media over time. The Crime and Disorder Reduction Partnership also publicises specific cases of anti-social behaviour that have been resolved successfully. It intends to expand this aspect of its media work.

LCJBs can also learn from local authorities’ experiences of media relations. For example, for some years now Manchester City Council’s Anti-social Behaviour Unit has had some success in reducing anti-social behaviour. A critical factor in this has been good local media relations that advance its reputation as a firm but fair landlord that deals swiftly and effectively with anti-social behaviour (Case study 6).

Case Study 6
Key factors in working with the local media – Manchester City Council Anti-social Behaviour Unit

Be clear about the audience and establish clear messages

To reporters: how they deal with these issues will have an effect on the quality of life in local neighbourhoods.

To staff: positive reporting of successful action on anti-social behaviour can build the Council’s credibility and authority as a landlord.

To residents:
- What the Council will do if you engage in anti-social behaviour;
- How the Council will help you if you are a victim of anti-social behaviour.

Work with the local media
- Identify local newspapers.
- Contact the most popular. Find out their deadlines and stick to them.
- Consider giving ‘exclusive’ coverage to one of them with the largest circulation (the others will pick up the story from them or you can release it to them separately later).
- Make sure that you get across the complainants’ point of view – theirs is the story you want the media to cover – but be sure to respect any requirements they have regarding confidentiality.
Remember, you have control of material – the media want it! Work positively with reporters but, above all, ensure that you exercise your duty of care to your witnesses.

- Be aware of any reporting restrictions imposed by the courts; ask for these to be lifted if appropriate.
- Agree the format for press releases and the process for authorisation.
- Always get a clear understanding both from your organisation and from the reporter as to how you are to be identified in any media coverage: by name or as an unidentified spokesperson for the organisation or as an ‘off the record’ anonymous commentator.

To find out more about Manchester City Council’s approach to working with the media contact: 0161 234 4612.
Addressing the challenges – governance

Governance: the systems and processes by which [organisations, including partnerships] lead, direct and control their functions, in order to achieve organisational objectives and improve services, and by which they relate to their partners and wider community.

Source: Audit Commission (Ref. 13)

Having strong ownership of shared objectives, clear management control arrangements and being visibly accountable to stakeholders will form the foundation for successful LCJBs. But establishing good governance arrangements in partnerships is challenging, and the Audit Commission’s work in this area suggests that arrangements need to be developed further (Ref. 13). This chapter sets out some of the key issues for LCJBs in developing effective governance arrangements. It considers:

● accountability in the LCJB;
● roles and responsibilities;
● decision-making arrangements; and
● managing risk.

Accountability in the LCJB

Accountability in LCJBs is complex and exists on different levels.

● Collectively the LCJB is accountable to the NCJB for the delivery of PSA targets. It also has to give an account of its performance to the local community through a published annual report. It is important that these reports are independently verified, as with local authority and police authority best value performance plans.

● Individual partner organisations are accountable to their own governing bodies and have different balances of local and central accountability. They have to achieve their own objectives, both national and local, and any decisions on their services and resources must be made in accordance with the requirements of their executive and governing arrangements. In addition, agencies are held to account for their performance and for how they use public money through separate inspection and audit regimes.

● All partners need to agree how they will be accountable to each other for delivering particular aspects of the strategies for which they have responsibility.
The police may encounter particular tensions in managing LCJB accountabilities because they are a locally accountable service with a complex ‘tripartite’ system of governance. Under this system chief constables have ‘direction and control’ of their forces, police authorities have responsibilities for agreeing strategic priorities, setting the annual budget and maintaining ‘adequate and efficient’ police forces and the Home Secretary has a variety of co-ordinating and supervisory functions. Youth offending team representatives also face specific challenges. In most cases they are not co-terminous with other agencies, and in any one CJS area there may be several youth offending teams each with their own management board. Each LCJB has only one youth offending team representative who will have accountabilities to the other youth offending teams, and via them to their management boards, as well as to their own board.

The involvement of governing bodies, such as police authorities and probation boards and their commitment to the LCJB is critical to its success, and the shared and effective use of resources can only be achieved when they are signed up to LCJB objectives. To ensure that this happens member agencies need to join up their strategic planning processes as far as possible and involve governing bodies, who will approve budgets and strategic plans, in shaping LCJB work. This means:

- building understanding between agencies at non-executive level;
- integrating planning processes across the LCJB;
- clarity about what can be decided by the LCJB representative without reference back to governing bodies; and
- clear processes for reporting back to governing bodies.

These arrangements should be agreed and documented as soon as possible.

**Partnership protocols**

Partnership protocols can clarify the different forms of accountability by setting out who the LCJB is accountable to and what for. They can also ensure that all partners have a shared vision and understanding of the nature of the LCJB, explain how it operates and makes decisions, support transparency and help to avoid misunderstanding. Protocols may also include shared values that will underpin decisions, help build an inclusive approach and manage conflict; values should be based on those of member agencies. Box G illustrates the types of values an LCJB may wish to adopt.
Information sharing will be a key activity for LCJBs and protocols should cover what information gets shared, at what level, and the practical arrangements for this. Many LCJB agencies already have considerable experience of this; for example, as part of local risk management arrangements for high-risk offenders. Crime and disorder reduction partnerships too have found benefits in establishing clear protocols and guidelines for staff working in different agencies.

Roles and responsibilities

LCJBs should not underestimate the co-ordination and skills required to manage their various work-streams, communicate and share information across these and monitor achievement against targets. In some cases LCJBs will delegate particular priorities or themes to sub-groups. The relationship and reporting lines between the sub-groups and the LCJB need to be carefully thought out to ensure that there is a shared understanding about the respective roles, responsibilities and accountabilities. Effective delegation of roles and responsibilities for particular priorities and sub-groups at board level will help the LCJB to manage its programme, ensure accountability and make best use of the diversity of knowledge, skills and access to networks among members.

As well as defining roles and responsibilities internally within the LCJB, member agencies should provide their own staff with clear guidance on conduct and responsibilities in relation to the LCJB to ensure that they know what is expected of them in terms of their participation in the partnership.

Decision-making arrangements

LCJBs’ objectives can be seriously impeded without clear decision-making processes and good project planning. LCJBs need to balance empowerment with control and set out clearly what decisions can be made and by whom.

The LCJB will be more effective if partners’ decision-making and planning arrangements (including timetables) fit well together. Most LCJB members are chief officers with executive powers and, in many cases, will have sufficient authority to commit their organisations to a particular course of action; however, they must refer back to their governing bodies on long-term strategic matters. Others are senior managers, for example, from youth offending teams and the Prison Service, and are likely to have to refer back to their governing bodies and chief officers more regularly (and for many youth offending team representatives, to other youth offending teams as well). To reduce the risk of delays LCJBs need to plan their work carefully so that they know as far in advance as possible when decisions with significant policy or financial implications will need to be made. It is vital that all partners have sufficient time to evaluate the implications of major decisions and to consider their own financial and legal advice.
LCJBs need to make sure that their decisions are followed up by action either through their own structures or through member agencies. Whatever the approach, deciding how an action will be progressed is as important as deciding upon the action itself. LCJBs should ask several key questions in determining their governance arrangements (Box H).

Box H
Checklist of questions LCJBs should ask in determining their governance arrangements

✓ Have we clarified the different accountabilities of the LCJB as a whole and of individual members?
✓ Have we developed appropriate structures for managing our business and making decisions?
✓ Have we clarified the respective roles and responsibilities of the various bodies in the LCJB, such as the board itself, sub-groups, advisory and consultation groups?
✓ Have we delegated roles and responsibilities for particular priorities and sub-groups at board level to manage our programme? Is there a document that sets these out?
✓ Have we identified what decisions can be made at the different levels of the partnership? Do these arrangements balance control and accountability with empowerment and have they been clearly documented?
✓ Have we identified what decisions the LCJB will have to make and when?
✓ Does our project plan allow all partners sufficient time to evaluate the implications of major prospective decisions?
✓ Are all strategic decisions referred to the LCJB and back through to agencies’ governing bodies as required? Are these decisions recorded and a clear audit trail established?
✓ Have we agreed procedures for identifying and managing risks?
✓ Have we agreed procedures for dealing with conflicts of interest?
✓ Have we agreed procedures for dealing with conflicts?
✓ Have LCJB agencies developed clear guidance for their staff on conduct and responsibilities in relation to the LCJB?
✓ How will we review our corporate governance arrangements and make sure that they are effective?
✓ How is action reported back to the LCJB?
✓ Have we ensured that LCJB plans link to the plans of all partners?

Managing risk

Risk management – knowing what risks (events or actions) could have an adverse impact on achieving LCJB objectives and planning how to deal with them – is a key element in the LCJB’s governance framework, as well as being an important aspect of performance management. CJS, agencies such as the Probation Service and the police, have considerable experience of managing operational risks; and LCJB members may also have experience of developing wider approaches to risk management relating to business risks. In developing a partnership approach to risk management LCJBs need to consider how this will relate to existing agency arrangements and ensure that no gaps exist at either individual agency or LCJB levels that could impact negatively on their strategy. The Audit Commission’s report, Worth the risk, provides detailed practical guidance on risk management (Ref. 14).

Risk management procedures should be kept as simple and straightforward as possible. They should be an integral part of the planning, monitoring and review process. One of the first steps for the LCJB when developing risk management arrangements is for board members to establish their collective attitude to risk –
namely the degree to which they are willing to accept it. This should be documented. Risk management is fundamentally about supporting people to make informed decisions about risk taking and the degree of control required. If the LCJB does not establish and communicate its approach to risk it is likely that different members and those involved in sub-groups will gauge potentially significant risk areas on an inconsistent basis. This can lead to either acceptable risks being ‘over controlled’, or worse, to unacceptable risks being taken and not being reported. There are several key steps involved in developing a risk management approach (Exhibit 5).

**Exhibit 5**

**Key steps to putting risk management into effect**

LCJBs should consider following a number of key steps to implement risk management.

1. Whatever techniques are used to identify risks, the risks must relate back to the LCJB objectives. It is important to think about the types of risk and organise them into broad categories. This will help to ensure that issues are not overlooked and will aid documentation in the process (Box I).
Addressing the challenges – performance

90 Managing performance is about practical ways to improve how things are done in order to deliver better quality services to local people and to improve accountability. Managing performance is not just about information systems, targets, indicators and plans; it is also about getting the right focus, leadership and culture in place.

91 Organisations, including partnerships, that improve performance know what they need to do and how they need to do it. They concentrate on the things that matter most, and are quick to identify problems, find solutions and take action to improve.

92 This chapter sets out some of the key issues for LCJBs in developing effective performance management arrangements. It considers:
   ● focus and strategy;
   ● measuring achievement;
   ● reviewing and learning to sustain improvement; and
   ● managing activities and resources.

Focus and strategy

93 Strong partnerships have a clear shared vision of what they want to achieve (Refs. 15 and 16). The PSA targets provide the high-level vision for LCJBs and as with the Street Crime Initiative where local targets were set and actions taken to meet national priorities, LCJBs must integrate local needs with the PSA targets as far as possible.

94 As well as having a clear vision, successful partnerships have strategies to achieve this. For LCJBs this means building on the plans that they have already agreed and mapping out how they will develop their capability as a partnership to achieve long-term improvements.

95 Strategy is not simply about making a plan and sticking to it regardless of changes in the wider environment. A strategy needs to be flexible, but it also must make sure that agencies do not lose sight of what the LCJB is trying to achieve in the long term. Box J, overleaf sets out what a successful strategy should cover, and Case study 7, overleaf illustrates how Avon and Somerset LCJB has developed a flexible strategy and responded to changes in the external environment.
Box J

Successful strategies

LCJBs need to have a view about what they will look like in three to five years time, and to know how they are going to get there. This involves being clear about:

**Strategic purpose** – what the LCJB is there to do at the highest level; that is, deliver the PSA targets, improve the delivery of justice and the service provided to victims and witnesses and secure public confidence.

**Strategic objectives** – where the LCJB will concentrate its efforts so that it can deliver its long-term purpose. As well identifying activities such as increasing the number of offences brought to justice, LCJBs should also consider financial objectives, such as increasing value for money through joined-up services and economies of scale.

**Critical success factors** – what the LCJB has to achieve to close the gap between its aspirations and current conditions. For example, this will include integrating LCJB objectives with those of member agencies, establishing good IT arrangements, information exchange, shared initiatives, joined-up working practices and perhaps even multi-agency teams. It will also cover issues such as successfully engaging other agencies that can help to achieve LCJB objectives and developing good media relations in order to promote public confidence.

**Core competences** – what activities underpin whether critical success factors are met; what resources and processes are needed and what strengths and skills in terms of staff are required.

Case Study 7

Developing an Avon and Somerset Criminal Justice Strategy

The Avon and Somerset Criminal Justice Strategy 2001/04 was prepared over a period of six months by a group of senior managers from the six CJS agencies. It was approved by the previous Area Criminal Justice Strategy Committee. It was based on the eight objectives in the national CJS Business Plan and the Criminal Justice Public Service Agreement 2001-2004, expanding these into locally relevant priorities and targets.

This provided a useful framework, but as they gained experience in working together, and further priorities emerged from other local initiatives, the chief officers decided that the strategy needed to be revised. A two-day event was held in August 2002 with the aim of focusing on key themes, and resolving possible conflicts between the priorities from different national and local sources. This resulted in a strategy for 2003-2005, which will guide the new Board. While still addressing the eight national objectives, it also clearly focuses on local priorities, such as street crime and domestic violence, which the LCJB has agreed as important areas of work.
LCJBs face a big change agenda; obviously they cannot do everything at once and they need to set themselves some milestones for developing their strategic capability. Box K provides examples of these.

**Box K**

**Example milestones in building LCJB strategic capability**

<table>
<thead>
<tr>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>○ Establish partnership and core support functions.</td>
<td>○ At least one-half of all CJS agencies using secure email and able to exchange case data electronically.</td>
<td>○ Integrate strategic plans and annual reports with member agencies and crime and disorder reduction partnerships and local strategic partnerships.</td>
</tr>
<tr>
<td>○ Agree delivery plans and embed objectives and targets in mainstream services.</td>
<td>○ Identify further opportunities for collaboration and improved efficiency, develop resource plan further to achieve these.</td>
<td>○ All CJS agencies using secure email and able to exchange case data electronically.</td>
</tr>
<tr>
<td>○ Agree strategy for building partnership capability.</td>
<td>○ Joint training to achieve specific improvements.</td>
<td>○ Pod resources for specific initiatives and functions, such as performance management.</td>
</tr>
<tr>
<td>○ Establish robust governance arrangements.</td>
<td>○ Implement performance management arrangements, including IT systems.</td>
<td>○ Produce LCJB management accounts demonstrating costs and benefits.</td>
</tr>
<tr>
<td>○ Identify resources (people and money) needed to achieve delivery plan objectives and targets — agree plan to secure these.</td>
<td>○ Develop links with key stakeholders including partnerships.</td>
<td></td>
</tr>
<tr>
<td>○ Introduce risk management arrangements.</td>
<td>○ Establish shared consultation and communication arrangements with local partnerships and member agencies.</td>
<td></td>
</tr>
</tbody>
</table>

Vision and strategy need to be communicated both internally among the members and externally to other stakeholders and the wider community. This helps to promote ownership and transparency (see Chapter 3).

**Measuring achievement**

**Finding the right performance management framework**

As well as knowing what it needs to achieve, a well-managed LCJB knows when it is successful – all performance measurement processes should be linked to its objectives and should show whether, and how, these are being met (Refs. 17, 18, 19).

LCJBs reported that the performance management arrangements of the previous area criminal justice strategy committees were weak and saw this as a major area for improvement. LCJBs need to develop their own frameworks for managing performance (Exhibit 6, overleaf).
Exhibit 6
Elements of a performance management framework

LCJBs need to make sure that their performance management frameworks cover all the key stages, from setting objectives to monitoring and reviewing progress.

Have we done it?
Monitor

Getting it done
Take action

This is where we want to go
Set out what you want to achieve

Here’s what needs to be done
Translate it into something meaningful for different levels of your organisation

This is how we’re going to do it
Identify and provide resources

This is where the buck stops
Clarify accountability

This is what you must do
Clarify responsibility

Source: Audit Commission

Each of our case study LCJBs has developed its own framework for managing performance (Box L).
A good framework will help to concentrate the LCJB focus, at all levels, on what matters. A poor or inappropriate framework will have the opposite effect. **Box M** identifies the benefits and pitfalls of performance management frameworks.

### Box M

**Benefits and pitfalls of performance management framework**

<table>
<thead>
<tr>
<th>Benefits of a performance management framework</th>
<th>Potential pitfalls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Framework clearly links LCJB objectives with people’s jobs, so that everyone understands what they have to do to help to achieve LCJB aims.</td>
<td>LCJB fails to think through clearly what it wants from the framework and does not give high enough priority to getting it right.</td>
</tr>
<tr>
<td>Framework explains what the LCJB is about in simple terms to all those involved, what its priorities are and how it measures success.</td>
<td>LCJB takes an off-the-shelf system and does not tailor it properly to LCJB needs.</td>
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<tr>
<td>Framework helps to clarify objectives and force any conflicts between different objectives and those of member agencies out into the open.</td>
<td>LCJB focuses too much on the mechanics of the system and makes it too complicated.</td>
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<td>Framework helps to change culture and behaviour by reflecting how the LCJB wants people to work, including measurable outcomes that will encourage change.</td>
<td>‘Paralysis by analysis’ – system collects more than just the important information.</td>
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<tr>
<td>LCJB tries to align the system too perfectly between the different levels rather than concentrate on what is needed at each level and allow flexibility.</td>
<td>LCJB does not update the framework continuously.</td>
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<td>LCJB does not invest the necessary resources in maintaining the system.</td>
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At the national level the NCJB needs to ensure that its arrangements for measuring performance in LCJBs are compatible and integrated with other frameworks, such as the Policing Performance Assessment Framework. This is important in order to help mainstream LCJB objectives, avoid conflicting targets and performance indicators and reduce the risk of duplicating systems.

Targets

LCJBs need to be clear about the level of improvement they are seeking and how they will measure their achievements. Some LCJB targets are set nationally and others locally; whatever level they are set at targets should always be SMART (specific, measurable, achievable, realistic and timely), based on good evidence of current performance and be stretching. The current national target of increasing the number of offences brought to justice by 17 per cent by 2005/06 has been translated into an annual improvement target of 5 per cent for 2003/04 for all LCJBs. However, this does not reflect the relative position of LCJBs – some will already be performing better in this area than others. In future years, as performance management improves, national targets will be graduated to reflect local performance.

LCJBs need to be clear about how each partner contributes to achieving targets. They must ensure that no conflicts exist between any LCJB targets and those of member agencies. The Government has already undertaken a review of each agency’s national targets and sought to eradicate any that act as barriers to joint working and this exercise should be replicated at local level.

Performance measures

Performance measures are necessary to help to track progress against targets and to identify problems and blockages. They should encourage effort to be concentrated around what is most important, reflect the LCJB’s strategy and help people to understand better what they have to do. The Commission’s research on partnerships generally has found that many flounder because they have not identified clearly what they are attempting to measure (Refs. 15 and 16).

Performance measures that focus on outcomes are valuable, as they indicate whether objectives are actually being achieved. When setting local indicators LCJBs should discuss what constitutes good performance with stakeholders, including staff in member agencies and service users. For instance, it may be simplest to measure the number of cases in which pre-charge advice is provided by the Crown Prosecution Service to the police, but what agencies really need to know is how this affects the outcome of a case.

The purpose of measuring achievement is to help to manage and improve performance and to report to stakeholders about how well the LCJB is doing. To make sure that this happens the right people need to get the right information, in the right format and at the right time. Box N identifies the potential internal and external users of LCJB information.
As well as identifying the different users of information, LCJBs should identify how information will be used. It may be used to:

- measure progress towards achieving LCJB priorities and targets – performance indicators should be set at an overarching level to monitor achievement against strategic objectives and at operational level to help managers to assess the performance of day-to-day activities and identify any problems. For example, to help achieve targets for reducing persistent offending, probation managers may have an objective and accompanying measure to give priority to persistent offenders for programme places or interventions;
- promote the accountability of the LCJB to service users and the general public; and
- compare performance with other LCJBs to identify opportunities for improvements.

Review and learning to sustain improvement

Reporting performance is only part of the picture. For LCJBs to improve continuously they need to develop a culture where time is taken to review progress and identify best practice, action is taken when things are going wrong and the problems are investigated so that they learn from their mistakes. This involves:

- having good-quality, relevant information with the emphasis on analysis;
- focusing on performance in meetings;
- making time for creative problem-solving and learning – analyse mistakes;
- seeking external challenge; and
- benchmarking performance and processes with other LCJBs and across CJS agencies.

Box O illustrates the characteristics of a LCJB that is focused on learning and improvement.

Box O

Characteristics of a learning LCJB

- Self aware and has well-informed and realistic understanding of what it has achieved and what remains to be achieved.
- Achieves successes in priority areas and learns from this experience.
- Recognises and learns from problems and mistakes, changing approaches in light of learning.
- Recognises and works to overcome barriers between partner organisations.
- Recognises and works to overcome external barriers to the partnership.
✓ Seeks, and responds to, external challenge.
✓ Takes time for creative problem-solving and risk taking.
✓ Identifies and responds to opportunities.
✓ Seeks and learns from good practice.
✓ Emphasises development.
✓ Reviews and monitors activities and outcomes in order to identify what is effective and to allow for rapid changes to strategies that are not working.

Tackling underperformance

Tackling underperformance and problems is difficult. Too often despite systems being in place for holding people accountable they are not used and the tendency is to hope that the problem solves itself. LCJBs should ask some key questions when dealing with underperformance:

- Are we looking at the right solution?
- Are the right systems and processes in place? Is something, for example, IT, an inflexible policy or bureaucratic process getting in the way? Is knowledge and information being shared?
- Is staff competence an issue?
- Are people working in a conducive environment? For example, how far do factors like travel affect performance?
- Is the management style and culture supportive?

Managing performance in partnerships such as LCJBs is even more challenging than in other organisations because accountabilities are not straightforward. For example, if one of the LCJB member agencies is failing to perform, the other agencies do not have authority over it and cannot force it to improve. However, they can take steps to avoid this situation, by ensuring that all members are fully engaged in the planning process, are clear about the benefits to them of the partnerships and commit themselves to specific actions. With an open and collaborative culture they may also be able to be frank about differences and conflicts in the early stages of their development and identify how these difficulties might be overcome.

Managing activities and resources

Activities

Like other partnerships, LCJBs require support if they are to grow and develop. This requires a variety of skills to help with, for example:

- administering the partnership, including organising and documenting meetings;
- performance management;
● managing corporate communications (external and internal);
● influencing other stakeholders who can help to achieve LCJB priorities;
● securing external funding for initiatives; and
● finding out about and promoting good practice.

113 Some of the most effective partnerships the Commission has identified have invested early in a well-resourced partnership-funded co-ordination team (Ref. 15). Different areas will need different approaches. For example, some may establish independent support teams; others may provide resources (including people) for specific functions. **Case study 8** shows the co-ordination arrangements for Avon and Somerset LCJB.

114 In all of the areas visited LCJB members identified the need for a co-ordinator or business manager role in addition to the centrally funded area performance officers. This person would work on tasks such as strategic development, building and maintaining effective relationships and networks with other stakeholders to help to deliver change and securing additional resources. These activities need people who can influence senior staff in LCJB agencies and other organisations and who have considerable experience of managing cross-cutting activities.

**Case Study 8**
**Avon and Somerset Criminal Justice Co-ordination Unit**

The Unit was set up in April 2001 to co-ordinate delivery of the Avon and Somerset Criminal Justice Strategy that had just been agreed. It is hosted by Probation, and led by a seconded police inspector, who now also acts as the centrally funded Performance Officer, though operating at a more senior level than the normal designation of that post. There is also a business analyst and an administrator.

The Unit supports the work of the Board, and collates performance information across agencies. It is highly valued by those involved in task groups for the facilitation, guidance and practical support provided, and is increasingly becoming a focal point for external contact. There is, however, a clear principle that its role is co-ordination, not delivery. A part-time publicity co-ordinator will be involved for a trial period, along with a secretary for the Board Chair.

**Resources**

115 LCJBs do not have to produce a set of management accounts as they are not legal entities in their own right and cannot hold funds. However, without an appreciation of the costs of their work LCJBs will not be able to weigh these against their achievements and will not be able to demonstrate that they are delivering good value for money. As LCJBs establish themselves they should make arrangements for:

● assessing the value added by the LCJB as a whole; and
● demonstrating how member agencies are managing their own resources effectively in order to achieve LCJB objectives.
116 Understanding how resources are used corporately and separately to support its objectives will help the LCJB to identify opportunities for improving value for money. For example, in the long term it might be able to combine the resources invested in performance management by different agencies to create a single performance management function.

117 There are many examples of partnerships being set up whose progress and effectiveness was hampered by their lack of access to the resources needed to ‘make things happen’. In all of the areas visited, although the Government has provided additional resources, LCJB members raised concerns about the demands on them and the resources available to them; furthermore, the capacity of individual agencies to get involved with shared planning varies greatly. Chairing the LCJB is a challenging role; it requires considerable time and energy both on the part of the chair and his/her staff and the investment required may mitigate against agencies wanting to take on this role in the future. In many areas it is the police who have the greatest flexibility to provide staff to support the LCJB; however, they also have the greatest number of functions to perform. Boards need to ensure that where one partner (be this the police or any other agency) provides the majority of resources this does not lead either to them being over-burdened or dominating the partnership.

118 LCJBs should try to identify additional sources of funding that could support their activities. Links with crime and disorder reduction partnerships and local strategic partnerships may create opportunities for shared initiatives and access to funding streams, such as the Crime Reduction Programme and Communities Against Drugs, administered by the Regional Government Offices. For example, in Avon and Somerset criminal justice agencies have initiated a number of multi-agency projects that have attracted external funding, including the Bristol Prolific Offenders Unit project (further finance is now being sought to extend this approach to Somerset); joint agency working has also led to an additional post working across prison and probation, which has drawn in more resources for resettlement projects.

119 In reviewing progress with implementing the national change management programme the Government needs to consider the adequacy of the resources provided for managing and co-ordinating the LCJBs.
Conclusions

120 The three key challenges outlined in this report identify issues and responsibilities for both the NCJB and LCJBs.

121 The relationship between LCJBs and the NCJB is critical, and many local improvements will depend on effective co-ordination and joined-up working at the highest level.

122 The NCJB needs to ensure that LCJBs:
- have the flexibility to set local targets to meet national priorities;
- have adequate resources for managing and developing partnership arrangements;
- are unencumbered by bureaucracy;
- focus on the needs of users (this should be supported through user-focused inspection);
- have clear and timely communications about what is required from them nationally; and
- receive guidance on engaging with crime and disorder reduction partnerships, local strategic partnerships and health services.

123 LCJBs need to build their capability and capacity to deliver shared priorities. This involves:
- mapping out the practical steps needed to close the gap between aspirations and current conditions; for example establishing good IT infrastructures and information sharing arrangements;
- ensuring that adequate resources are available to co-ordinate and manage the work of the partnership;
- developing good performance management arrangements;
- establishing effective governance arrangements, including partnership protocols;
- managing risk; and
- engaging with local stakeholders that can help to achieve LCJB priorities.

124 LCJBs may face tensions in balancing shared targets with the priorities of individual agencies. To manage these tensions they need to:
- integrate their shared objectives and targets with those of member agencies; and
- use the flexibility that they have to set local targets that respond to local needs.
Crime and disorder reduction partnerships and local strategic partnerships are important allies. LCJBs need to develop links with them and explore opportunities for collaboration on consultation, public communications and other initiatives. Health services are also important partners and should be encouraged to participate in the partnership.

In reviewing the effectiveness of the new arrangements it is important for the Government to consider all of these issues, as well as examining whether local boards have achieved what they set out to achieve in their delivery plans.
Appendix 1: Acknowledgements

An external advisory group and other stakeholders supported this project and provided invaluable assistance. The Commission is also grateful to our partner organisations, which formed the case studies included in this report. We would also like to thank colleagues who provided advice and comments on drafts of the report. Responsibility for the content of the report rests with the Commission alone.

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Nick Smedley Programme Director, Case Preparation Project, Lord Chancellor’s Department
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Rachel Lipscomb Chair of Magistrates Association
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Study site LCJBs

Avon and Somerset
Hampshire and Isle of Wight
Thames Valley

The project team

Sharon Gernon-Booth directed the project. The project team consisted of Ruth Cane and Kit Harbottle. Helen Goulding provided advice and guidance, and Melanie Ward and Kim Vuong supported the project.
Appendix 2: Useful information

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12 Audit Commission, *Victims’ and Witnesses’ Experiences*, to be published late 2003.

13 Audit Commission, *Corporate Governance in the Public Sector*, to be published late 2003.


Community Safety – Learning from Audit, Inspection and Research. This report identifies how effective leadership and a clear focus on a limited number of priorities will enable multi-agency partnerships to provide safe neighbourhoods for local people.


Route to Justice – Inefficiency in Criminal Justice Pathway. This national report describes the path of four adult offenders through the criminal justice system, highlighting where system inefficiencies and failures occur and how these might be improved.


Best Foot Forward – Headquarters Support for Police Basic Command Units. While basic command units (BCUs) deliver the majority of day-to-day policing services, force headquarters retain a vital role. This paper suggests ways in which forces can improve those activities that support frontline policing delivered by BCUs, and how they can strengthen performance management within a culture of devolved responsibility.


Safety in Numbers – Promoting Community Safety. The Crime and Disorder Act has made community safety a top priority for local government, as well as for other public agencies. This topical report tracks the development of the Act and calls for local partnerships to get local delivery right. Highlighting best practice, it suggests how all the agencies involved can improve joint working to tackle the problem.


Misspent Youth '99 – The Challenge for Youth Justice. This update reports on the results of an audit exercise that took place in the second half of 1998 in England and Wales. The audit assessed improvements in local criminal justice agencies and the progress that has yet to be achieved.

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