



Report of a survey of Local Criminal Justice Board Chairs

FOR THE NATIONAL AUDIT OFFICE, DECEMBER 2003

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1 Executive Summary

1. Local Criminal Justice Boards became operational on 1 April 2003. Their main purpose is to deliver criminal justice Public Service Agreements and other targets. The core membership consists of the Chief Constable, Court Service Group Manager, a Youth Offending Team manager, the Justices' Chief Executive, the Chief Crown Prosecutor, the Chief Officer of the Probation Service and a senior manager of the Prison Service.
2. This study of the views of Chairs was conducted between August and November 2003. The findings cover 39 of the 42 Board areas (20 in-person interviews and 19 responses to a postal survey).
3. Chairs welcomed the new joint working arrangements and targets and judged Local Boards to be a significant improvement over their predecessors. The involvement of Chief Constables was a constructive new factor. In the first six months, existing initiatives had been reinvigorated and 85 per cent of Boards had introduced new processes. However, it is going to take time to assess the contribution of these changes to achieving Government targets.¹
4. Examples of changed criminal justice processes included:
 - prioritising persistent offenders
 - systematic enforcement of warrants
 - court processes aimed at reducing ineffective and 'cracked' trials.
5. There remain a number of issues to be addressed affecting local delivery of national objectives. Chairs categorised these as follows:
 - the adequacy of resources available to support the work of Boards
 - the adequacy of Board powers to achieve their targets

¹ The Directorate is undertaking the task of identifying and disseminating good practice: Local Criminal Justice Boards Update 16 (19 September 2003).

- potential conflict between the targets set for Boards and the performance measures used by their constituent organisations
 - an accompanying tension between Boards' lines of accountability and those of Chief Officers within their own organisation
 - the commitment of some member organisations
 - the availability of staff time to focus on the Board agenda, particularly in light of other major changes taking place within organisations
 - better appreciation of the time needed to bring about cultural changes implicit in the multi-agency approach
 - the difficulty of sustaining improvements if new targets were added prematurely.
6. Management information tools provided to Boards were not meeting their needs. Concerns about the quality of JPIT data, particularly its timeliness, had led most Boards to look instead to local sources.
7. The volume of information required by the Centre was seen as interfering with delivery of performance. The problems were aggravated by the unpredictability of demands. Chairs called for greater consultation with Boards and the creation of a delivery and reporting plan covering a two to three year period.
8. Obtaining adequate administrative support was a problem for many Boards. Some had been able to put together a support team from agency resources. Three-quarters of Boards had used some of the money provided by the Centre for administrative support but its short-term nature made it unsuitable to fund staff appointments. Some interviewees wanted more scope to shape the support provided to meet local needs.
9. Chairs thought that the National Criminal Justice Board could be more active in representing the concerns of Local Boards. It could, for example, have a valuable role working on their behalf to secure access to resources, protect against excessive demands for information or initiative overload and take forward Board objectives at a national level. It could also address conflicts between the targets of individual criminal justice agencies.

2 Introduction

- 2.1 This study was conducted between August and November 2003 to obtain the views of the Chairs of Local Criminal Justice Boards on the new joint working arrangements and their impact on the management and progression of cases through the criminal justice system. The findings cover 39 of the 42 Board areas (20 in-person interviews and 19 responses to a postal survey).
- 2.2 The government White Paper 'Justice for All' (2002) set out a programme of criminal justice reform based on rebalancing the system 'in favour of the victim and the community so as to reduce crime and bring more offenders to justice'. As part of this programme, shadow Local Criminal Justice Boards were set up towards the end of 2002 and became operational on 1 April 2003. They replaced Area Criminal Justice Strategy Committees, Trials Issues Groups and Chief Officer Groups. The Boards bring together local criminal justice agencies at a strategic level with the aim of creating a unified system based on common aims and objectives.
- 2.3 The core membership of each Board consists of the Chief Constable, Court Service Group Manager, a Youth Offending Team manager, the Justices' Chief Executive, the Chief Crown Prosecutor, the Chief Officer of the Probation Service and a senior manager of the Prison Service.
- 2.4 The main purpose of the Boards is to deliver criminal justice Public Service Agreements and other targets. These are set for all criminal justice agencies and are jointly owned by the Home Office, Department for Constitutional Affairs and the Attorney General. The first task for local Boards is to increase by five percent the number of offences brought to justice ('Narrowing the Justice Gap') during 2003/2004.² As part of the strategy for achieving this objective, Boards have been

² 'Criminal Justice: The Way Ahead' (2001), published jointly by the Home Office, Lord Chancellor's Department and Attorney General's Office, set out how the Government aimed to bring more offenders to justice.

asked to select priorities areas to work on; of these, only the Persistent Offender Scheme³ is mandatory to all Boards.

- 2.5 Boards are also expected to set local targets for timeliness and a reduction in the number of ineffective trials; maintain the pledge on the time from arrest to sentence for persistent young offenders⁴; and continue the Street Crime Initiative in ten areas.⁵ Each Board has submitted a delivery agreement addressing these targets to the Criminal Justice Performance Directorate.
- 2.6 In July 2003, Boards were also asked to develop a plan for delivery of the Public Service Agreement confidence target, to be submitted by November 2003.⁶

³ CJS Narrowing the Justice Gap 'Guidance on Tackling Persistent Offending' (2002) p.16.

⁴ Ensuring that the average time from arrest to sentence for persistent young offenders is maintained at 71 days or lower during 2003-4.

⁵ Lord Falconer, Minister for Constitutional Affairs and Chair of the National Criminal Justice Board 'Joining It All Up: A Consultation Event for Local Criminal Justice Boards' (21 January 2003) Conference Report pp. 6-10.

⁶ Plans are expected to deal with victim and witness satisfaction, staff engagement, community engagement, including race issues, communications and increasing public confidence in bringing offenders to justice: Letters to Chairs from Moira Wallace, Director General, Criminal Justice Group (31 July 2003).

3 The ability of Boards to deliver government objectives

Chairs welcomed the creation of Local Boards

- 3.1 All but one of the 39 Chairs agreed that Boards were a significant improvement over their predecessors, Area Criminal Justice Strategy Committees. One commented 'There's a buzz about the Board'. The involvement of Chief Constables was a constructive new factor. Their commitment was seen as crucial in driving change. Interviewees welcomed the greater operational focus of the Boards and the introduction of targets and joint plans. Most thought that, in particular, the police and Crown Prosecution Service were working together more closely than ever before. Almost all interviewees were optimistic that initial improvements could be sustained.

Changes to criminal justice processes

- 3.2 Thirty-three Chairs (85%) indicated that criminal justice processes had changed since the Boards were created. Existing initiatives had been given renewed impetus, for example Joint Performance Management, police-prosecution co-location, pre-charge advice to the police and pilots forming part of the Effective Trial Management Programme.
- 3.3 Frequently cited examples of changed criminal justice processes included:
- prioritising persistent offenders, with the aim of increasing the number of offences committed by this group which are brought to justice
 - improving the recording of offences 'taken into consideration' when defendants are sentenced, contributing to bringing more offences to justice
 - increasing the number of reports requested by magistrates for preparation on the day of hearing, instead of adjourning for several weeks for full pre-sentence reports

- co-locating a witness support desk with the police and/ or prosecution to improve information flow to witnesses about the progress of the case and trial schedule
- systematic enforcement of warrants so that non-attendance at court⁷ is followed up promptly.

3.4 Some court processes had been changed in order to reduce ineffective and 'cracked' trials. For example:

- in magistrates' courts, protocols had been produced revising procedures for pre-trial reviews, governing how work is moved between courtrooms, reducing double listing and tightening procedures to reduce prosecution offers of lesser charges at trial
- in the Crown Court, joint listing and performance meetings with the prosecution had been introduced and a joint inter-agency listing workshop conducted to reduce the use of 'floating' trials.

3.5 Most Chairs thought it was too early to assess the impact of such changes and few could point to measurable benefits already achieved. Six interviewees thought that the impact of Board initiatives would become apparent only in the longer term but the majority considered 'quick wins' were likely, particularly in relation to the narrowing the justice gap objective.

⁷ The Lancashire Local Criminal Justice Board had created posters aimed at defendants, for example 'Going to skip bail? Here are six facts you should know' for display in courts and custody suites and 'Why risk a gate arrest - get everything sorted out while you are in custody' for prisons.

4 Issues to be addressed

Resources for delivery

- 4.1 Thirty-four Chairs (81%) said the Board's resources were insufficient to deliver criminal justice system targets and manage local performance. The small sums provided (such as the £40,000 provided for two years to cover various objectives) were described as piecemeal and short-term. One view was typical: 'We are getting two contradictory messages from Government. The first is that this work is really important and at the heart of the Government's criminal justice strategy. The second is that there is no financial backing for our efforts'.
- 4.2 Interviewees had concerns about inadequate resourcing at a local level of Effective Trial Management Programme pilots, integrated witness care and the ability of the Crown Prosecution Service to extend its role in respect of charging. These concerns about national initiatives were not confined to Chairs of areas where pilot projects were taking place.
- 4.3 Twenty-four Boards (63%) said individual agencies had contributed extra resources, mostly in the form of staff time, for particular programmes or initiatives. Twenty-nine Chairs (74%) said that Board targets had been reflected in member organisations' business plans. The National Board encourages joint budget sharing⁸ but as yet there was little evidence of coordinated strategic and budgetary planning. Interviewees referred to the 'massively differing resources' which agencies had at their disposal as a major obstacle to joint funding.
- 4.4 Several said that coordination of strategic plans might continue to be difficult because of incompatible planning cycles. For example, police plans are based on the calendar year while the Crown Prosecution Service and Magistrates' Courts Committees plan according to the financial year (see 5.14 below).

⁸ 'Joining It All Up' Conference Report (op. cit.) pp. 12, 17.

- 4.5 Many interviewees felt that Boards should have more control over the distribution of resources including the power ‘to move resources from one agency to another’. One Chair wanted the resources to create a small team of ‘trouble-shooters’ to tackle at short notice blockages to delivery. Another suggested that ‘the Board should be able to pump prime, evaluate and apply for ongoing funding. There ought to be funds available beyond individual departmental silos’.
- 4.6 Interviewees suggested that the National Board should facilitate access to resources, including the unallocated Criminal Justice Reserve, in relation to the impact of new initiatives and blockages to delivery.⁹

Targets and priorities

- 4.7 The National Board is committed to reducing unnecessary burdens on Local Boards¹⁰ and to rationalising and harmonising targets.¹¹ Some interviewees expressed concern about a possible increase in Local Board targets.¹² Even those who were optimistic that initial improvements could be sustained were concerned that performance would be jeopardised if new targets were added before allowing time to consolidate.
- 4.8 Twenty-eight Chairs (72%) warned of incompatibility between the targets of individual criminal justice agencies.¹³ They wanted the National Board to address conflicts between:

⁹ The National Board considered the unallocated Criminal Justice Reserve as the beginning of a move towards more joint money: ‘Joining It All Up’ Conference Report (op. cit.) pp. 12, 17. The Directorate advises that recommendations to Criminal Justice System Ministers on allocations from the Reserve are approved by the Executive Board representing the three Criminal Justice System departments. In this respect, the interest of the National Board is covered.

¹⁰ Improving Public Satisfaction and Confidence in the Criminal Justice System Framework Document (July 2003) p. 29.

¹¹ Lord Falconer: ‘Now was the time to sweep the conflicting mass of targets away, and concentrate on just a few things which really matter’ ‘Joining It All Up’ Conference Report (op. cit.) pp. 3-4.

¹² For example, to include the Proceeds of Crime Act 2002: Local Criminal Justice Boards Update 12, Annex B para. 6; and a sub-target for improving the confidence of black and minority ethnic people may be set for the areas with the largest such populations: Improving Public Satisfaction and Confidence in the Criminal Justice System Framework Document (July 2003) p. 29.

¹³ Members attending the first conference for Boards expressed concern that there were still a large number of targets and warned that overloading would mean poor performance: ‘Joining It All Up’ Conference Report (op. cit.) Annex A, B.

- the 'persistent offender' definition and the focus of the police National Intelligence Model on those committing more serious offences but who may not meet the criteria for a 'persistent offender'
- reducing re-offending and diversionary schemes, particularly for drug abusers, and Narrowing the Justice Gap pressures to increase the number of charges
- bailing without charge while prosecution advice is obtained and mandatory drug testing which can only be carried out after charge
- court targets on timeliness and (and, in the Crown Court, judge sitting time) which act as an incentive to double-book trials and therefore conflict with efforts to reduce ineffective trial rates, witness targets and certainty of listing arrangements for vulnerable witnesses
- youth justice targets issued to local authorities by the Office of Deputy Prime Minister which conflict with other youth justice targets
- the police criminal justice focus on detections rather than bringing more cases to justice.

4.9 Many interviewees observed that joint working had highlighted the knock-on effects of success in achieving targets. One Chair noted that 'achieving the overall objective [of bringing more offences to justice] will bring the local prison service to its knees and probably cannot be coped with by the local Court Service'. Another referred to the potential impact on prison overcrowding of taking action on warrants.

4.10 Because only some police performance measures relate to criminal justice, Chairs thought Board targets were not necessarily given priority either by divisional commanders or front-line officers.

4.11 Twenty-seven Chairs (71%) said there were tensions between lines of accountability to the National Criminal Justice Board and those within each Board member agency: 'Authorities to whom local agencies are accountable are at liberty to disregard priorities and objectives set by the National Board'. In the run-up to the Boards, Police Authorities were listed as full members. This

decision was later reversed¹⁴ but the sequence of events had caused unease in some areas. The Greater Manchester Board had created a 'grand' Board of Chairs of Authorities, linked to the Local Board, to ensure that priorities were harmonised.

Commitment to Board objectives

4.12 Fifteen Chairs (38%) felt that some organisations represented on the Board were not fully committed to its objectives. A few had difficulty in securing the attendance at meetings of the Chief Constable. In some areas prisons, probation, and Youth Offending Team representatives were erratic attenders at Board meetings. This had the knock-on effect of poor attendance by these organisations at Board sub-committees and delay in responding to Board requests. Interviewees attributed these difficulties to the emphasis of Board targets on bringing offenders to justice (rather than sentencing outcomes) and the differing abilities of member agencies to contribute resources to Board initiatives.

4.13 Specific efforts to involve prisons included improving prisons' early release notifications to the police about offenders; asking prisons to maintain a database allowing them to check for outstanding bench warrants against those coming into custody; and giving the prisons representative the lead responsibility for a Board information stand at a public event.

4.14 Eight Chairs (21%) felt conflicting cultures were impeding a more collaborative approach. Examples included the reluctance of magistrates' courts to allocate lists to Crown Prosecution Service designated caseworkers, requiring lawyers to appear in these cases, and magistrates who refused to order reports that could be prepared on the day of hearing instead of full pre-sentence reports in appropriate cases or required pre-sentence reports on low risk offenders.

4.15 Interviewees thought that the National Board could assist in furthering the commitment and engagement of all Local Board member organisations. The National Board's directive that prison members could be represented by

¹⁴ Boards are now expected to invite the Police Authority to meetings once or twice a year.

probation¹⁵ was considered unfortunate, because prisons, like other criminal justice agencies, should be involved in the confidence target and in addressing institutional racism. Some Chairs questioned whether prisons and Youth Offending Team representation was at the right level.

Management information

- 4.16 Boards are required to provide information to the Centre.¹⁶ Twenty-four Chairs (62%) thought that both the frequency and detail of information required was excessive: 'The Centre's requirements are impeding progress on key initiatives, resulting in reduced commitment and confidence to deliver in our own staff, never mind the public'.
- 4.17 Boards completed their first quarterly self-assessment (the preferred method for reporting performance against targets) by 1 August 2003.¹⁷ Twenty-three Boards (59%) described the effectiveness of this process as very good or quite good. Some felt that self-assessed 'traffic lights' such as 'amber-red' were imprecise and subjective, and should instead be defined using specific percentages. However, most criticism was aimed at the timeliness and accuracy of the underlying data rather than the self-assessment format.
- 4.18 The Joint Performance Information Tool (JPIT) was developed to support performance management at a local level by aggregating information from central sources. Performance officers are the main users of JPIT, for instance to assist in compiling self-assessment reports. The data component of self-assessment could

¹⁵ 'In those areas where [Prison Service] regular attendance is not thought to be useful or necessary then, with the agreement of the Chair, the Chief Probation Officer could represent both Correctional Services': Local Criminal Justice Boards Update 13 (17 July 2003).

¹⁶ This includes the Local Performance and Delivery Support Unit (which oversees the change management programme, provides support to Local Boards and acts as the link between Local Boards and the National Board); target delivery teams; and performance advisers.

¹⁷ Local Criminal Justice Boards Update (20 June 2003).

be provided automatically by JPIT if the necessary improvements in data quality could be achieved.¹⁸

4.19 Thirty-two Chairs (82%) rated JPIT as quite poor or very poor in enabling the Board to assess local performance against targets. The overwhelming criticism was that JPIT data was out of date. All but one Chair rated the timeliness of the data as quite poor or very poor. JPIT provides information only for the Board area as a whole. This was considered inadequate, particularly for large metropolitan areas where an analysis by police basic command units was required.¹⁹

4.20 The tracking and measurement system for the Persistent Offender Initiative (JTrack) is a joint police - Crown Prosecution Service web-based system following persistent offender cases from charge to disposal. It enables these agencies to share operational information and case management data on-line.²⁰ It is provided by the Criminal Justice Performance Directorate and supported by PA Consulting.²¹ Thirty-five Chairs commented on the effectiveness of JTrack. Of these, 19 (54%) said that it was quite poor or very poor. Details of core persistent offenders are downloaded automatically from the Police National Computer, charges are entered by the police and case status and outcomes are entered by prosecution staff. These tasks involved re-keying of data on agency computer systems and interviewees raised questions about the reliability and timeliness of the data. Some suggested the automatic transfer of data to JTrack from the Crown Prosecution Service Compass case tracking system which already has a persistent offender flag.

4.21 Although JPIT is intended to be the single source of management information for performance officers and Boards,²² 36 Boards (92%) collected other data in

¹⁸ The Criminal Justice Performance Directorate told us that the provision of such a facility within JPIT is currently under consideration (14 October 2003).

¹⁹ The databases upon which JPIT relies contain data at the necessary level of detail. The Criminal Justice Performance Directorate told us it was looking at re-programming JPIT to provide users with access to lower levels of aggregation (14 October 2003).

²⁰ Courts do not have access to the system and have to be notified of persistent offender case status.

²¹ CJS Narrowing the Justice Gap 'Guidance on Tackling Persistent Offending' p.16.

²² Local Criminal Justice Boards Update 12 (4 July 2003) Annex A.

addition. PA Consulting provided some early assistance with an outline monitoring framework for local monthly reports but no standard reporting format has emerged. Examination of monthly performance management reports provided by Boards suggests there is scope for the sharing of good practice on their format.²³

4.22 Twenty Chairs (50%) said the support provided by the Criminal Justice Information Technology unit (CJIT) was quite poor or very poor.²⁴ Concerns included insufficient notice about the start of secure e-mail pilots and lack of coordination with the roll-out of the Crown Prosecution Service Compass system. Lack of a shared IT system and out-of-date JPIT data were seen as obstacles impeding delivery of government objectives.

Other strategic issues

4.23 The most intractable issues were those requiring direction and investment at a national level, for instance the lack of shared technology (referred to above) and resisting local pressures to keep open under-used and witness-unfriendly court buildings. One Chair mentioned the Board's inability to get a Public Finance Initiative building project underway because of the need to sign up several unitary authorities.

4.24 Eleven Chairs (28%) referred to the lack of lead time available in which to inform and train front-line staff²⁵ in order to implement changes, many of which required a shift in culture. The problem was most acute for those with a high proportion of inexperienced staff and those experiencing shortages of legal personnel. The effort required by the impending unification of the courts would affect adversely the time available for addressing Board priorities.

²³ Performance advisers would prefer a more consistent format and the Criminal Justice Performance Directorate hopes that the quarterly self-assessment design will become the standard monthly template: e-mail to authors from Local Performance and Delivery Support Unit, Criminal Justice Performance Directorate (25 September 2003).

²⁴ This question referred to CJIT relationship managers, each of whom are assigned to a group of Board areas: Local Criminal Justice Boards Update 13 (17 July 2003). Because most Chairs were unaware of the managers, they commented instead on CJIT.

²⁵ 'Targets are effective only if they relate directly to the front-line professionals.' Peter Neyroud, Chief Constable, Thames Valley Police, evidence to House of Commons Select Committee on Public Administration (27 February 2003).

4.25 Many interviewees wanted to be consulted more on strategy and how to deliver it locally: 'There is too much top-down direction of the work and not enough consultation with those responsible for delivery'. Chairs also wanted to be asked about the content of conferences: 'National consultation arrangements pay lip-service to consultation and are not good communication tools either'.

Support from the National Board

4.26 The National Criminal Justice Board aims 'to provide overall leadership in the drive for higher standards'²⁶ and unblock 'system-wide difficulties: whether financial policies...or recruitment or personnel difficulties', working 'with the Local Boards, rather than telling them what to do'.²⁷ Each National Board member acts as a sponsor for a group of Local Boards. Visits from the National Board Chair were appreciated but some sponsors had not yet visited. Twenty-one Chairs (54%) described the support of the National Board for Local Boards as quite poor or very poor.

4.27 Most interviewees hoped that the National Board would become more active on behalf of Local Boards. This would complement their supervisory 'finger-nail inspection' role and involve taking more responsibility for criminal justice issues (for instance, addressing how public confidence is tackled at the national level).

4.28 Several interviewees requested that the National Board build into its expectations the pressures created by the forthcoming merger of court systems and implementation of new technology. They also wanted the National Board to assist in prioritising national pilot projects and so alleviate initiative overload for Local Boards.

4.29 The Chair of the National Board has said that Local Boards will 'be left alone to deliver...The freedom to get on with things would be given'.²⁸ One comment on this statement reflected the views of many Chairs: 'This is a process of

²⁶ Letter from Lord Falconer to the Chairs of Local Criminal Justice Boards (13 March 2003).

²⁷ Sir David Calvert-Smith QC, Director of Public Prosecutions 'Joining It All Up' Conference Report (op. cit.) pp. 10-11.

²⁸ Lord Falconer 'Joining It All Up' Conference Report (op. cit.) p. 4.

establishing confidence between the Board and the Centre. We hope in future that as confidence grows, the Centre will have a lighter touch'.

5 Do Boards have the correct structures and resources to support delivery?

Board constitution

- 5.1 Thirty-four responding Chairs (87%) felt that the composition of the Boards was correct. Agency representation at Chief Officer level had been crucial to Boards' effectiveness and authority. It was acceptable for others to attend in addition to but not instead of Chief Officers. In many areas, a senior officer responsible for criminal justice matters supported the Chief Constable at Board meetings. Seven (18%) had co-opted members of other organisations onto the Board.²⁹
- 5.2 Boards are expected to vote for the Chair and consider the position annually. Five interviewees indicated that their Board had a written constitution covering election. Twelve thought that their tenure as Chair should be longer than one year, especially while working methods and consultative structures were being developed.
- 5.3 Board work made considerable demands on the time of Chairs. Interviewees' estimates ranged between 1½ and 12 days a month with an average of five days a month. All but two interviewees said that acting as Chair had affected the execution of their responsibilities within their own organisation. This was seen as potentially deterring other Board members from taking on the role in future. A few thought that it would be desirable to have a full-time Chair but most felt their responsibilities to the Board were inextricably linked to their operational duties as Chief Officers.

²⁹ Co-opted members were clerks to the justices (2), the Chair of the Local Authorities' Steering Group, an Assistant Chief Constable and a representative of Victim Support (2), the Police Authority, the Magistrates' Courts Committee and the Youth Justice Board.

Board powers

- 5.4 The Boards are described as ‘clearly accountable’ for delivering criminal justice system priorities.³⁰ Thirty-five Chairs (90%) thought that Boards lacked at least some of the powers they needed to achieve their targets. Boards are not legal entities in their own right and hence cannot hold funds or issue contracts. Eight of the 20 interviewees thought that Boards would benefit from being a legal entity and that the legal status of Boards may need to be addressed when they assume responsibility for the operation of the Witness Service.
- 5.5 A number of Chairs emphasised that the collective commitment of criminal justice agencies was more important than specific powers. Boards had no additional powers beyond those of their constituent Chief Officers and achievement of targets would depend on the willingness of organisations within and outside the Board to work together cooperatively.

Board resources for administrative support

- 5.6 The Audit Commission has called for the Government to consider the adequacy of the resources provided for managing and coordinating local Boards.³¹ Twenty-nine Boards (74%) had spent some of the £40,000 provided by the Centre to each Board on administrative support³² leaving little over to fund extra sub-group meetings, consultation events or specific projects such as local surveys. Boards wished to make long-term administrative appointments and it was unclear how these posts would be funded after the two years for which the money was assured had elapsed. Twenty-seven Boards (69%) had obtained additional resources from their constituent agencies for administrative support.³³

³⁰ Lord Falconer ‘Joining It All Up’ Conference Report (op. cit.) p. 4.

³¹ ‘Local Criminal Justice Boards: Addressing the Challenges (2003) para. 119.

³² On average, Boards spent just over £15,000 of the £40,000 on administrative support.

³³ Crown Prosecution Service Chairs had received funding from Headquarters to employ additional support for the duration of their tenure.

- 5.7 Several interviewees observed that they were being provided with an increasing range of support services but that these did not always take the form that individual Boards wanted. They saw a need for greater flexibility in funding to allow Boards to procure support tailored to their own needs.
- 5.8 Each Board area has a performance officer tasked with identifying areas where performance can be improved.³⁴ Thirty-four Chairs (87%) described the support provided by the performance officer as very good or quite good.
- 5.9 Seven performance advisers from the Criminal Justice Performance Directorate's Local Performance and Delivery Support Unit manage performance officers.³⁵ Performance advisers are expected to discuss the use of performance officers and their level of performance with the Chair³⁶ who countersigns their staff appraisal reports. Seven out of 20 interviewees said difficulties arose because the performance officer was not directly accountable to the Chair and four others saw a possibility of such difficulties arising in the future.
- 5.10 As well as line managing performance officers, performance advisers provide support to both Local Boards and the Centre on performance and policy issues relating to delivery agreements.³⁷ Twenty-one Chairs (54%) said the support was very good or quite good. Some Chairs complained of limited access to performance adviser's time, because each served a number of Boards. Others questioned the purpose of the role: 'I am not clear what regional performance advisers are appointed to do. I suspect they are really there to report back to the Centre on what we are up to'.

³⁴ Local Criminal Justice Boards Update 10, Annex A (30 May 2003).

³⁵ It was originally planned that the Chair would manage the performance officer but this would have required Chairs to undertake Home Office staff appraisal training, which was not seen as a good use of Chief Officers' time.

³⁶ Local Criminal Justice Boards Update (29 January 2003).

³⁷ Local Criminal Justice Boards Update 10, Annex A (30 May 2003).

- 5.11 PA Consulting Group is contracted centrally to provide support on Narrowing the Justice Gap and the Persistent Young Offender Pledge.³⁸ Twenty-three Chairs (59%) rated the support provided by PA as very good or quite good. Criticism focused on the assigned consultant's lack of understanding of the criminal justice system.
- 5.12 Twenty-two Chairs (56%) described the support provided by the tripartite Criminal Justice Performance Directorate as quite good. The same number said the Confidence Framework was helpful but most central guidance was described as too long, detailed and prescriptive and sometimes too basic. Interviewees acknowledged efforts by the Directorate to control the amount of information disseminated³⁹ but thought this should be further reduced.⁴⁰
- 5.13 Chairs observed that the stream of information requests emanating from the Directorate meant they were 'constantly chasing deadlines'. Requirements imposed at short notice, such as the need to conduct a communications audit, diverted effort from delivery.
- 5.14 Several Chairs observed that a two to three year delivery and reporting plan would improve Boards' ability to plan expenditure, reconcile agency targets and allocate resources. Longer-term planning should also take into account that some agencies use the financial year for budgetary planning while others use the calendar year. Time should be allowed for consultation between Board members and external management boards.

External consultation

- 5.15 Each Local Board is expected to develop a communications and consultation strategy as an integral aspect of meeting the Public Service Agreement confidence

³⁸ The type of support varies in each area, but includes assisting performance officers in developing performance measures and undertaking assurance reviews. PA is expected to liaise closely with areas and performance advisers to agree a complementary work programme. Local Criminal Justice Boards Update 10, Annex A (30 May 2003).

³⁹ Local Criminal Justice Boards Update 6 (4 April 2003) and 16 (19 September 2003).

⁴⁰ Some suggested that information disseminated by the Centre should be indexed and made available on a database.

target issued in July 2003.⁴¹ Twenty-two (79%) of the 31 Boards with a consultative group had designated a Board member responsible for liaison. Others had delegated this responsibility to sub-committee of the Board. Some Boards wanted to avoid 'consulting everybody about everything' and had established groups focusing, for example, on stakeholders, the judiciary, strategic oversight, victims and witnesses, youth issues and diversity.

5.16 Eight Boards (21%) had either still to put together a group or did not intend to consult through a formal consultation group. Among all Boards, methods of consultation included events or conferences (36 = 92%); thematic (22 = 56%) and electronic consultation (21 = 54%); meetings (20 = 51%); and by post (19 = 49%).

5.17 Eighteen Chairs (46%) described the overall effectiveness of consultation arrangements as very effective or quite effective. In respect of particular groups:

- 33 Chairs (85%) described consultation with victims and witnesses as very effective or quite effective, although this consisted mostly of feedback provided by Victim Support and the Witness Service
- 22 (56%) described consultation with the judiciary and legal profession as very effective or quite effective. In a few areas, defence solicitors had refused to participate in consultation groups
- 18 (46%) described consultation with community groups as quite effective. The Audit Commission suggested that Boards work through existing mechanisms developed by local crime and disorder reduction partnerships for local stakeholder consultation.⁴² The Greater Manchester Board reported progress in harmonising community consultation through the forum of partnerships

⁴¹ Improving Public Satisfaction and Confidence in the Criminal Justice System Framework Document (July 2003) p. 26.

⁴² 'Local Criminal Justice Boards - supporting change management' (2003) para. 57.

- four (10%) described consultation with jurors as quite effective.⁴³

5.18 Local crime and disorder reduction partnerships are statutory bodies with a remit to reduce crime and the fear of crime and achieve related Public Service Agreement targets.⁴⁴ Their boundaries and membership differ from Boards and they have different Ministerial and local priorities.⁴⁵ Boards are expected to consult partnerships.⁴⁶ Twenty-four Chairs (62%) described the distinction between the respective roles of Boards and partnerships as quite clear or very clear but only 15 (38%) rated Board consultation with partnerships as quite effective.⁴⁷ Several interviewees stressed the importance of involving the regional government office crime director who has a key role in coordinating agendas across local partnerships.

5.19 All but one interviewee said that their Boards had race and diversity sub-groups or consultation groups, many of which were established prior to the creation of the Board. Interviewees indicated that nearly all Board work on race and diversity at this stage focused on strategy, for example conducting a 'diversity audit' of individual agency initiatives, in order to identify gaps and opportunities for joint working.⁴⁸

5.20 The difficulty for Boards in engaging with health services has been acknowledged.⁴⁹ Strategic health authorities are the National Health Service body nearest in geographical area and remit to Local Boards, although their boundaries

⁴³ Jurors are listed as part of the 'customer focus' in 'Improving Public Satisfaction and Confidence in the Criminal Justice System' Framework Document (July 2003) p. 55.

⁴⁴ Partnerships are said to lack an understanding of Local Boards: Audit Commission 'Local Criminal Justice Boards - supporting change management' (2003) para. 53.

⁴⁵ Local Criminal Justice Boards Update 9 (15 May 2003).

⁴⁶ Issued 13 February 2003 and mentioned in Improving Public Satisfaction and Confidence in the Criminal Justice System Framework Document (July 2003) p. 26. During 2003/4, guidance will be issued to Boards and partnerships on the development of 'joint strategies on tackling witness intimidation' in the next planning cycle.

⁴⁷ Responses to a question on consultation with drug action teams (statutory partnerships whose boundaries are coterminous with county and unitary local authorities) were similar. Many teams are merging with crime and disorder reduction partnerships.

⁴⁸ Minutes of one consultation meeting on race issues stressed that consultees 'wanted action, not just strategy'.

⁴⁹ Audit Commission 'Local Criminal Justice Boards - supporting change management' (2003) para. 55.

do not always match. Only ten Chairs (26%) described consultation with strategic health authorities as very effective or quite effective. Boards had received guidance on effective mechanisms for consultation with the judiciary⁵⁰ and solicitors⁵¹ but several interviewees said what they wanted was assistance in engaging with strategic health authorities, particularly on the subject of drug treatment. The Merseyside Board had agreed a protocol on the delivery of medical evidence in consultation with strategic health authorities.

5.21 Interviewees indicated that early contacts with the local media had been conducted through the press officers of individual agencies and some reported only limited success in attempting to publicise the Board. In some areas, press officers in individual organisations were beginning to meet together to develop a more collaborative approach and a few Boards expected to appoint someone with specific responsibility for communications.⁵²

⁵⁰ Local Criminal Justice Boards Update (20 June 2003) Annex D.

⁵¹ Local Criminal Justice Boards Update 15, Annex A (3 September 2003). Guidance on Bar consultation is to be issued.

⁵² Regional communications advisers will be appointed in the autumn of 2003 'to offer advice, support and practical communications expertise to local areas and to help facilitate greater joint working at a local level on communications': Improving Public Satisfaction and Confidence in the Criminal Justice System Framework Document (July 2003) p. 29.

Annex A: Methodology

1. Of the 42 Local Criminal Justice Boards, 19 are chaired by Chief Crown Prosecutors, 12 by Chief Constables, seven by Justices' Chief Executives and two by Chief Probation Officers. The remaining two are chaired by a Court Service Group Manager and a Lord Lieutenant who is not a criminal justice system practitioner.
2. Twenty Chairs were invited to participate in face-to-face interviews. They received the questions approximately four weeks in advance. Two were unable to take part but nominated a replacement for interview.
3. The Boards where Chairs were approached for interview were selected based on the following criteria:
 - geographical spread and size of the Board area
 - participation in the Street Crime Initiative or criminal justice pilot programmes
 - the role of the Chair.
4. The remaining 22 Board Chairs were sent a postal survey. Nineteen replies were received.
5. Questions for the postal survey and interview questionnaire were developed in consultation with the National Audit Office and the Local Performance and Delivery Support Unit of the Criminal Justice Performance Directorate.
6. Core questions were posed in both the survey and interview. Some issues were explored in more depth in the interviews which lasted approximately two hours.

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