NAVIGATING THE CRIMINAL JUSTICE SYSTEM
This resource is one of a series called Do it Justice, aimed at providing information and advice to the Voluntary and Community Sector (VCS) on a range of issues in the Criminal Justice System (CJS). It provides information for organisations working in the CJS in England and Wales. It aims to support a better understanding of how the system is organised and how it works.
UNPACKING THE CRIMINAL JUSTICE SYSTEM

The Criminal Justice System (CJS) as a whole can be quite daunting to understand, because of both its size and its complexity. However, thinking about it on several levels makes the task more manageable.

Firstly, we will explain the criminal justice agencies at a national level. This helps us to understand how local services are managed and guided by central government, and where they may have more local autonomy.

Secondly, we’ll focus on the local level to explore some of the statutory services as well as partnership arrangements with which Local Support and Development Organisations (LSDOs) and the Voluntary and Community Sector (VCS). Being able to understand the make-up of local criminal justice agencies and how they interact with each other will affect an organisation’s ability to effectively support local VCS organisations, or to support vulnerable people trying to navigate the local landscape.

Finally, we’ll separate out local CJS organisations into custodial and community-based justice services.

On page 4 we have drawn a simplified diagram of the whole CJS to provide a snapshot of how different parts inter-relate.

THE NATIONAL GOVERNMENT MINISTRIES AND AGENCIES

The CJS in England and Wales comprises a number of agencies each responsible to a government department. The Home Office takes the policy lead on crime, police, counter-terrorism and drugs; all of which impact on wider Criminal Justice policy. It focuses on community safety and crime prevention, as well as early interventions with young people. This includes oversight of the legislative changes necessary for the introduction of elected Police and Crime Commissioners; the first elections will take place late in 2012. The Ministry of Justice “works to protect the public and reduce re-offending, and to provide a more effective, transparent and responsive criminal justice system for victims and the public”. It has responsibility for Her Majesty’s Prison Service, the Probation Service, and Her Majesty’s Courts Service.

The National Offender Management Service (NOMS) is an executive agency of the Ministry of Justice which administers HM Prison Service and the Probation Service for adults (those over the age of 18) in England and Wales. NOMS was created in 2008, bringing together the commissioning and delivery of ‘offender services’ in custody and the community. This brings together the headquarters of the Probation Service and HM Prison Service to enable more effective and joined-up purchasing and delivery of services. The two bodies remain distinct but both share the aims of carrying out the sentences handed down by

THE CRIMINAL JUSTICE SYSTEM AT A GLANCE

- **Home Office**
- **Integrated Offender Management (IOM)**
- **Ministry of Justice**

**Directorate of Policing and Crime** (including anti-social behaviour, crime, policing, drugs, and alcohol community safety)

- **Attorney General’s Office (AGO)**
- **Youth Justice Board (YJB)**
- **National Offender Management Service (NOMS)**
- **Her Majesty’s Courts and Tribunals Service**

- **Police and Crime Commissioners**
- **Police forces**
- **Crown Prosecution Service**
- **Public and private sector prisons**
- **Probation Trusts**
- **Magistrates Court**
- **Crown Court**

**Local government**

- **Community Safety Partnerships**
- **Youth Offending Services (YOS)**
- **Youth Custody**
- **Probation Local Delivery Units**

- **Health and Wellbeing Boards**
- **Secure Children’s Homes**
- **Young Offender Institutions**
- **Secure Training Centres**

**Cross-cutting local partnership and/or delivery structures**

- **Integrated Offender Management (IOM)**
- **Local Criminal Justice Boards (LCJB)**
- **Locally developed networks**
courts, protecting the public, and reducing re-offending by tackling the causes of crime. NOMS published a document called *How the National Offender Management Service works* (March 2012) which provides a good overview of their structure, staffing and responsibilities.

The Youth Justice Board (YJB) is an executive non-departmental public body which oversees the youth justice system (for young people under the age of 18) in England and Wales whose board members are appointed by the Secretary of State for Justice (see the board members here). The YJB provides strategic guidance and has corporate responsibility for ensuring the Youth Justice System fulfils its strategic objectives. It has responsibility for ensuring that the custodial settings for young people are safe, secure and address the causes of their offending behaviour. The YJB provides guidance, support and information for practitioners in Youth Offending Teams and others working with young offenders.

Her Majesty’s Courts and Tribunals Service was created in April 2011 to bring together HM Courts Service and Tribunals Service into a single agency, to support the administration of justice in courts and tribunals. There are a number of different courts that hear different cases. All cases are initially heard by magistrates, some are dealt with there and others referred on to Crown Court. Some less serious offences can only be seen by the Magistrates Court, others can be heard in either court, and some offences are so serious they can only be dealt with by the Crown Court. Magistrates are mainly volunteers who have been trained and have the support and advice of legally qualified court clerks. However, there are also a number of stipendiary magistrates, who are professional lawyers, and usually sit on their own to hear cases in some of the busier courts. Judges sit primarily in the Crown Court and are usually qualified barristers who have been appointed to the judiciary, but some may also be solicitors. The Courts and Tribunal Service have provided a ‘court finder’ service so that you can identify where your local court is.

The Attorney General’s Office (AGO) provides legal and strategic policy advice to the Attorney General and Solicitor General. The Attorney General is in turn Chief Legal Advisor to the Crown and a Minister, with the responsibility of overseeing the Crown Prosecution Service – which is the government department responsible for prosecuting criminal cases. Amongst other things the AGO has responsibility for referring sentences to the Court of Appeal, questions issues of contempt of court, and intervenes in the public interest in certain charity and family law cases.

Independent Inspectorates and Commissions exist for a number of the criminal justice agencies. Their function is to carry out independent inspections and investigations into the conduct of these agencies and/or institutions to protect the rights and dignity of people who may be engaged, affected or involved with them. These bodies produce public reports which are used to improve and reform the system as well as highlight good practice. They include:

- Her Majesty’s Inspectorate of Constabulary
- Independent Police Complaints Commission
- Her Majesty’s Crown Prosecution Service Inspectorate
- Her Majesty’s Inspectorate of Prisons
- Her Majesty’s Inspectorate of Probation.
LOCAL STATUTORY AGENCIES

This section has been divided into community-based services and custodial (prison) services. Some voluntary groups only work in one of these settings, although it is increasingly common that organisations work across both, especially when helping people resettle into the community from prison.

IN THE COMMUNITY

The Police are providers of community safety. Their role is to uphold the law, to prevent crime, to pursue and bring to justice those who break the law, and to protect and reassure the community.

The Police are the first point of contact for people entering the CJS. They are also a potential point of diversion away from the CJS. Police forces should be engaged with local community organisations to jointly reduce criminal or antisocial behaviour and activity. You can find links to your local Police Force by visiting the police.uk website to more locally specific information.

Police personnel are supported and advised by a number of bodies such as the Association of Chief Police Officers (ACPO) and the Police Federation who both act as representative bodies to provide strategic guidance on the shape of policing alongside government.

Police and Crime Commissioners (PCC) will be elected for the first time in November 2012 and will replace what was the Police Authority. This change to the CJS was brought about by the passing of the Police Reform and Social Responsibility Act 2011, in September 2011. The PCC is an elected official and as such is answerable to the public. Their role will not be to run the police, but to hold them to account. They will have oversight of a five year policing and crime plan which will attempt to reduce crime and improve community safety over a geographical area.

To access more detailed information on the PCC you can also visit Clinks’ Safer Future Communities (SFC) website, which provides a range of resources and briefings. Furthermore NAVCA, as part of the SFC partnership, has established a number of local networks to support the voice and representation of the VCS in the run up to the election of PCCs. Further details of these networks can be found on the Clinks website.

Community Safety Partnerships (CSP) are hosted by the local authority and it is their responsibility to bring together key criminal justice partners to discuss and inform ways in which crime can be reduced at a local level. There are approximately 310 CSPs across England and Wales. Their contact details can be found here on the Community Safety Partnerships section of the Home Office website. The CSP holds a small amount of funding for local initiatives, and is a good place for VCS organisations to lobby for local action to address issues of crime and justice.

Local Criminal Justice Boards (LCJB) are locally created forums within which partnerships of local CJS agencies can collaborate and bring forward strategic plans for a local area, including a long-term strategic plan. The LCJBs will normally comprise of representatives from the Police,

The Northumbria Criminal Justice Board is one such example. LCJBs can be a positive motivator for local partnership development, for example, in 2011 the NCJB worked alongside the Newcastle Council for Voluntary Service to host four training sessions on how the LCJB could improve their partnership working with the VCS. Information on these training sessions can be found in the training pilot section of the Northumbria Criminal Justice Board website.

The current Government’s Localism agenda means there will be increased autonomy at a local level. Some areas have looked into the possibility of merging local partnership structures such as the LCJBs and the aforementioned CSPs.

The Probation Service supervises people over the age of 18 who have been given a community order by the courts, or who have been released from prison on licence. They occupy a unique position because they work in the courts, community, and in prisons.

The Probation Service provides the courts with pre-sentence reports (PSRs) about the offence and the person accused of it. They deliver what is often called ‘offender management’, including the supervision of people on licence, as well as sometimes offering more flexible local interventions, for example supporting people on their release from prison back into the community. They provide some of the approved premises (or hostels) for offenders with a residence requirement on their licence or sentence, while other approved premises are run by externally contracted organisations. They also provide services to the victims of crime.

The Probation Service is divided into Trusts which operate across a broad geographical area, often covering a number of local authorities but differing in size from area to area.

The Probation Trust oversees Local Delivery Units (LDUs) which cover a much smaller area and provide the aforementioned services through local offices – there is an assistant chief officer with responsibility for each LDU.

Youth Offending Services (YOSs) work with offenders between the ages of 10 and 17 years. There is a YOS in every local authority in England and Wales. The YOS is accountable to the local authority and is funded from a range of sources, including the Criminal Justice System, the Youth Justice Board, local authorities and other government departments, to support the safety of young people and their physical and mental wellbeing.

YOSs consist of representatives from the police, probation service, social services, health, education, drugs and alcohol misuse and housing officers.

The main delivery vehicle for YOS is the Youth Offending Team (YOT) which is locally managed and is responsible for co-ordinating the work of the youth justice services.

Integrated Offender Management (IOM) is described by the Ministry of Justice as: “a system that provides all agencies engaged in local criminal
justice partnerships with a single coherent structure for the management of repeat offenders.”

Since 2009, IOM arrangements have been introduced in every local area across England and Wales. They typically bring together staff from all the agencies engaged in local CJS partnerships: Police, Probation, Prisons, and other key statutory and VCS organisations. Their collective aim is to reduce reoffending by the most prolific/repeat offenders in the local community. This includes those released after serving prison sentences of less than twelve months who are not currently subject to any statutory supervision by their local Probation Trust.

IOM is seen as having the potential to become a ‘hub’ of partnership activity focused on reducing reoffending in local areas.

Clinks have produced a number of resources to encourage VCS engagement in IOM as well as a series of resources exploring the potential role of the VCS in IOM. These provide useful guidance as to how the VCS can play a role in IOM schemes.

IN CUSTODY

HM Prison Service (HMPS) consists of 142 prisons in England and Wales. Most are run by the Public Sector, and the rest are contracted out to the Private Sector. You can search for a local prison and find a list of contracted-out prisons on the Ministry of Justice website.

Most prisons in either sector are for adult males. There are currently 13 Women’s prisons with four juvenile units and seven mother and baby units. Women represent approximately 5% of the prison population and typically go to prison for different offences and often in very different circumstances to their male counterparts.

A review by Baroness Corston of the women’s justice system was published in 2007. It set out recommendations for change which are still being championed by the VCS by organisations like Women’s Breakout.

Depending on the length of sentence and the type of offence, prison regimes may include opportunities for training, education, drug treatment, and help with resettlement back into the community. Some services in prisons, like Visitor’s Centres, are nationally commissioned and procured, while other services will vary from prison to prison. In those cases, VCS engagement is largely dependent on the relationship between local organisations and the Prison’s senior management team.

Prisons are broadly categorised according to the level of security each provides.

CATEGORY A PRISONS

Category A prisons (the High Security Estate), hold those prisoners considered to be the most dangerous, serving long sentences for ‘Serious offences’. Category A prisoners are those that would pose the most threat to the public, criminal justice agencies, or national security should they escape. Therefore, Category A prisons have extremely high levels of security to prevent escape.

CATEGORY B PRISONS

Category B prisons will hold people serving long to medium length sentences who are deemed less of...
a risk (in comparison to Category A) to the public, criminal justice agencies, or national security. They often present a lower risk of potential escape.

Some Category B prisons partly or wholly function as remand prisons, holding prisoners in pre-trial detention. A significant proportion of the people in remand prisons may be there for a very short period of time. Category B prisons that contain remanded prisoners are sometimes also known as ‘Local Prisons’. Prisoners serving sentences of less than 12 months often remain in remand or local prisons.

CATEGORy C AND D PRISONS
Category C (training) prisons and Category D (open) prisons hold people who are less of a risk to the public and present a much lower risk of escape. The prisoners will almost always be nearing the end of their sentence by the time they are transferred to a Category D prison.

These prisons will often be more focused on resettlement, with most prisoners coming to the end of their sentence and preparing for release back into the community. This will include the opportunity for prisoners to leave prison under ROTL (Release on Temporary Licence) that allows them to undertake voluntary work placements or can allow for overnight visits to relatives.

Regularly-updated and authoritative information on the prison estate can be found in the Bromley Briefings, produced by the Prison Reform Trust and funded by the Bromley Trust. This is an indispensable source of information on the issues affecting people in prison as well as the changing operational circumstances facing prisons.

Secure Accommodation for Young People

The Youth Justice System has a number of different options at their disposal to place young people in secure accommodation. This ranges from Her Majesty’s Young Offender Institutions (YOI), Secure Training Centres and Secure Children’s Homes. In the same way as the adult estate, these are run by providers from both the private and statutory sectors.

Young Offender Institutions
Young Offender Institutions (YOIs) are designed for offenders aged 18 to 20, but can in some instances hold juvenile offenders, or those aged 15-17. A YOI can be a stand-alone institution, but in some instances is co-located within the grounds of an adult prison. When this is the case, the young and adult offenders themselves are always separated.

Secure Training Centres
There are a small number of Secure Training Centres (STCs), all of which are run by private companies. The Youth Justice Board purchases places for children. STCs hold boys and girls aged 12-17.

Secure Children’s Homes
Secure Children’s Homes (SCHs) are all run by local authorities. The Youth Justice Board can purchases places for boys and/or girls aged 10-17. SCHs range in size from six to 40 beds and have the highest staff to child ratio in the children’s secure estate.
Almost all criminal cases begin with an offence being reported to the police, who may, after investigating, charge a person with an offence if they believe there is sufficient evidence for the Crown Prosecution Service to secure a conviction. At this stage the decision is made on remand: whether it is safe to release the suspect on bail, or whether they must be kept in custody pending the trial. This decision is made by magistrates, based on information provided by the defence solicitor and the Crown Prosecutor.
FIND OUT WHO IS IN YOUR AREA

Information on hundreds of organisations providing services to offenders can be found on Clinks’ Working With Offenders Directory, which is a directory of services to offenders. These services can be searched by subdivisions: by whether they work in the community or in custody; by geographical location; by service type; by the specific offender group targeted; or by any combination of the above. VCS organisations may register their details in the Directory for free. For further information or enquiries visit the Clinks website.

CLINKS LINKS
Clinks has a comprehensive links section on our website. This provides a range of advice and guidance for organisations working in the Criminal Justice System. It also references other mainstream support services that may be of use. Visit the Clinks website to see what available.

USEFUL WEBSITES

ACTION FOR PRISONERS FAMILIES
Action for Prisoners Families (APF) works for the benefit of prisoners’ and offenders’ families by representing the views of families and those who work with them, and by promoting effective work with families.
www.prisonersfamilies.org.uk

CENTRE FOR CRIME AND JUSTICE STUDIES
The Centre for Crime and Justice Studies is an independent public interest charity whose mission is to inspire enduring change by promoting greater understanding of social harm, the centrality of social justice and the limits of criminal justice.
www.crimeandjustice.org.uk

CLINKS
Clinks supports the Voluntary and Community Sector working with offenders in England and Wales. Our aim is to ensure the Sector and all those with whom it works, are informed and engaged in order to transform the lives of offenders and their communities.
www.clinks.org

CRIMINAL JUSTICE ALLIANCE
The Criminal Justice Alliance (CJA) is a coalition of organisations – including campaigning charities, voluntary sector service providers, research institutions, staff associations and trade unions – involved in policy and practice across the Criminal Justice System. It disseminates information, organises meetings, and supports its members to work together. The Criminal Justice Alliance also campaigns - on behalf of and with its members – for a fairer and more effective criminal justice system.
www.criminaljusticealliance.org
**HOWARD LEAGUE FOR PENAL REFORM**
The Howard League for Penal Reform is the oldest penal reform charity in the world. It was established in 1866 and is named after John Howard, one of the earliest prison reformers. The Howard League provides some legal services for vulnerable people, is involved in a range of parliamentary lobbying work, and has a research function.
www.howardleague.org

**OFFENDERS’ FAMILIES HELPLINE**
The Offenders’ Families Helpline provides information for families who have come into contact with the Criminal Justice System as a result of a family member’s offending behaviour. As well as the helpline for service users the website provides good quality information to better understand the CJS from arrest to release from prison.
www.offendersfamilieshelpline.org

**PRISON REFORM TRUST**
Prison Reform Trust (PRT) is an independent UK charity working to create a just, humane and effective penal system. PRT inquire into the workings of the criminal justice system; prepare publications to inform prisoners, staff and the wider public; and by influence Parliament, government and officials towards reform.
www.prisonreformtrust.org.uk

**RESTORATIVE JUSTICE COUNCIL**
The Restorative Justice Council (RJC) provides quality assurance and a national voice in the field of restorative justice practice. The RJC is the independent third sector membership body consisting of practitioners, training providers, and RJ organisations around the country. The RJC also provides advice and consultancy, enabling new services to grow.
www.restorativejustice.org.uk

**T2A ALLIANCE**
T2A (Transition to Adulthood) Alliance is a broad coalition of organisations and individuals. It identifies and promotes more effective ways of working with young adults, who often fall between the cracks in the transition from youth to adult services in the Criminal Justice System, as well as in other service areas such as mental health, homelessness, drug and alcohol treatment, and employment. Convened by the Barrow Cadbury Trust, its membership encompasses leading criminal justice, health and youth organisations.
www.t2a.org.uk

**VICTIM SUPPORT**
Victim Support is the national charity giving free and confidential help to victims of crime, witnesses, their family, friends and anyone else affected across England and Wales. They also speak out as a national voice for victims and witnesses, and campaign for change.
www.victimsupport.com

**WOMEN’S BREAKOUT**
Women’s Breakout is the representative body for a national network of women-centred services offering effective gender-specific community alternatives to custody. Women’s Breakout exists to shape national approaches working with vulnerable women who are in contact with or at risk of becoming involved with the Criminal Justice System. Women’s Breakout provides a point of contact for consultation for a wide range of statutory and voluntary sector organisations interested in researching and evaluating the integrated, women’s community service model of working.
www.womensbreakout.org.uk
<table>
<thead>
<tr>
<th>Term</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACO</td>
<td>Assistant Chief Officer, Probation</td>
</tr>
<tr>
<td>ACPO</td>
<td>Association of Chief Police Officers</td>
</tr>
<tr>
<td>AGO</td>
<td>Attorney General’s Office</td>
</tr>
<tr>
<td>ASSET</td>
<td>Youth Justice needs assessment tool</td>
</tr>
<tr>
<td>ATB</td>
<td>Attitudes, Thinking and Behaviour</td>
</tr>
<tr>
<td>BAME</td>
<td>Black, Asian, Minority Ethnic</td>
</tr>
<tr>
<td>CO</td>
<td>Chief Officer, Probation</td>
</tr>
<tr>
<td>CDRP</td>
<td>Crime and Disorder Reduction Partnership</td>
</tr>
<tr>
<td>CPS</td>
<td>Crown Prosecution Service</td>
</tr>
<tr>
<td>CRB</td>
<td>Criminal Records Bureau</td>
</tr>
<tr>
<td>CRC</td>
<td>Criminal Records Check</td>
</tr>
<tr>
<td>CSP</td>
<td>Community Safety Partnership</td>
</tr>
<tr>
<td>CTC</td>
<td>Counter Terrorism Check</td>
</tr>
<tr>
<td>CVS</td>
<td>Council for Voluntary Services</td>
</tr>
<tr>
<td>DAAT</td>
<td>Drugs and Alcohol Team</td>
</tr>
<tr>
<td>DIP</td>
<td>Drug Intervention Programme</td>
</tr>
<tr>
<td>DRR</td>
<td>Drug Rehabilitation Requirement</td>
</tr>
<tr>
<td>DTTO</td>
<td>Drug Treatment and Testing Order</td>
</tr>
<tr>
<td>ETE</td>
<td>Education, Training and Employment</td>
</tr>
<tr>
<td>ETS</td>
<td>Education, Training and Skills</td>
</tr>
<tr>
<td>HM</td>
<td>Her Majesty’s</td>
</tr>
<tr>
<td>HMPS</td>
<td>Her Majesty’s Prison Service</td>
</tr>
<tr>
<td>HMI</td>
<td>Her Majesty’s Inspectorate</td>
</tr>
<tr>
<td>IAC</td>
<td>Intensive Alternative to Custody</td>
</tr>
<tr>
<td>ISSP</td>
<td>Intensive Supervision and Surveillance Programme</td>
</tr>
<tr>
<td>IMB</td>
<td>Independent Monitoring Boards</td>
</tr>
<tr>
<td>IOM</td>
<td>Integrated Offender Management</td>
</tr>
<tr>
<td>IPPC</td>
<td>Independent Police Complaints Commission</td>
</tr>
<tr>
<td>LCJB</td>
<td>Local Criminal Justice Board</td>
</tr>
<tr>
<td>MAPPA</td>
<td>Multi-agency Public Protection Arrangements</td>
</tr>
<tr>
<td>NOMS</td>
<td>National Offender Management Service</td>
</tr>
<tr>
<td>OASys</td>
<td>Offender Assessment Systems</td>
</tr>
<tr>
<td>OLASS</td>
<td>Offender Learning and Skills Service</td>
</tr>
<tr>
<td>PBA</td>
<td>Probation Boards’ Association</td>
</tr>
<tr>
<td>PCC</td>
<td>Police and Crime Commissioner</td>
</tr>
<tr>
<td>PCT</td>
<td>Primary Care Trusts</td>
</tr>
<tr>
<td>PPO</td>
<td>Prolific and Priority Offenders</td>
</tr>
<tr>
<td>PSR</td>
<td>Pre-Sentence Reports</td>
</tr>
<tr>
<td>RoTL</td>
<td>Release on Temporary Licence</td>
</tr>
<tr>
<td>SFA</td>
<td>Skills Funding Agency</td>
</tr>
<tr>
<td>SPO</td>
<td>Senior Probation Officer</td>
</tr>
<tr>
<td>VCS</td>
<td>Voluntary and Community Sector</td>
</tr>
<tr>
<td>YOT</td>
<td>Youth Offending Team</td>
</tr>
</tbody>
</table>