



Annual Evaluation Report of Clear Track

Phase I Report AERI/08/06
August 2006

Sociology & Social Policy
School of Geography, Politics
and Sociology
Claremont Bridge Building
Newcastle upon Tyne
NE1 7RU

Evaluation/Management Team:

Dr Elaine Campbell – Tel: +44 (0)191 2225030

Fax: +44 (0)191 2227497

Email: elaine.campbell@ncl.ac.uk

Danna-Mechelle Lewis – Tel: +44 (0)191 2227540

Email: danna-mechelle.lewis@ncl.ac.uk



**SPRINGBOARD
SUNDERLAND**



Contents

		Page
1	Summary	4
2	Introduction	4
3	Background	5
4	The Cost of Offending and Re-offending	6
5	Working Partnerships within a Multi-agency Framework	8
6	Managing Offenders Better to Stop them Re-offending	8
7	The National Offenders Management Service and the Restructuring of the Probation Service	9
8	Better Partnerships to Stop Re-offending	12
	▪ Probation Boards	14
	▪ Limitations of the Criminal Justice Act 2003	14
	▪ The National Offenders Management Service	16
9	Working Relationships with the Probation Service	16
	▪ Partnerships and the Probation Service	18
	▪ Community Orders	19
	▪ Governance	21
10	Custody Plus	24
11	Clear Track as a Custody Plus Prototype	25
12	Clear Track's Progress and Development	27
	▪ Clear Track's Business Plan	28
	▪ Providing Appropriate Accommodation to Meet the Housing Needs of Young Adult Offenders	29
	▪ Age Demarcation	30
13	The Delivery of a Cost-effective and Efficient Project	31
14	Recommendations and Progress	31
15	Clear Track: Next Steps?	37
	Abbreviations	39
	References	40
	Contact Details	42

Contents of Tables

		Page
Table ERI 2.1	Requirements of the Generic Community Order	13
Table AERI 3.1	The Cost and Number of Additional Prison Places Provided in Each Financial Year	6
Table AERI 3.2	Offenders Progression through the Court System and Referral onto Clear Track Project	11
Table AERI 3.3	Timeline by Year to Show NOMS Timetable for Change	17
Table AERI 3.4	A Twelve Month Timeline to Show Communication between Northumbria Probation Service and Clear Track from September 2005	22
Table AERI 3.4	(Continued) A Twelve Month Timeline to Show Communication between Northumbria Probation Service and Clear Track from March 2006	23
Table AERI 3.5	Clear Track Aims and Purpose	26
Table R1	Accommodation and Supervision	32
Table R2	Multi-agency Partnerships	33
Table R3	The Referral Process	34
Table R4	Clear Track Requirements and Activities	35
Table R5	Staffing and Staff Developments	36
Table R6	Clear Track's Business Plan	38
Table R7	Custody Plus	38

1 Summary

1.1 Offending and re-offending impacts considerably on the cost of running the Criminal Justice System (CJS). There is also a high financial cost to the Prison Service, the Police Authority, the Probation Service, the courts, victims of crime, the national economy and society as a whole.

1.2 Moreover, prison has a poor record of reducing re-offending. Current research indicates that as a custodial sentencing option, prison can be ineffective in the rehabilitation and reparation of those offenders given short-term custodial sentences.

1.3 In their five year strategy, the Government emphasised the need to provide facilities which could bridge the gap between local prisons, the local community and local services in order to effectively address offender-related needs across the custody/community divide.

1.4 With this in mind, the Government called for the development of 'community prisons' with an overall aim to protect the public and reduce re-offending through an improved offender management framework.

1.5 Clear Track, as a custodial community sentencing option, aims to provide a realistic, viable and effective 'third sentencing option', bridging the gap between custodial punishments and community sentencing through addressing the needs of young adult offenders in the community and by tackling some of the issues associated with short-term prison sentences.

1.6 Overall, Clear Track has experienced considerable difficulties in relation to the implementation and service delivery of the project as a direct result of the limitations of the Criminal Justice Act 2003 and the difficulties in establishing a referral process in partnership with the local Probation Service.

1.7 In the absence of referrals from the Probation Service, Clear Track – as the community-based element of Custody Plus – would be more than prepared to embrace the proposed change in provision by accepting referrals directly from the Prison Service. In doing so, Clear Track would be able to demonstrate the project's potential whilst maintaining ongoing negotiations with the Chief Officer of the local Probation Board.

1.8 Unlike the Probation Service, current legislation allows for competition in the provisions of the Prison Service; thus, legislative change is not necessary to enable commissioning of providers such as Clear Track.

1.9 As a custodial community sentencing option, Clear Track would be able to provide enhanced residential supervision for those offenders sentenced to Custody Plus as part of their community-based sentence.

2 Introduction

2.1 This report presents the annual report of Phase I of the evaluation of the Clear Track pilot project, following the management team's confirmation of the evaluation bi-annual report submitted at the end of March 2006¹.

2.2 The overall rationale of the evaluation is organised around four levels of analysis which are capable of measuring and monitoring *how far* and *how effective* Clear Track will meet its intended aims, objectives and targets, whilst measuring its efficiency and impact as a pilot intervention. That is, the purpose of the evaluation is to monitor the project's contribution to the landscape of community-based interventions through a

¹ A copy of the bi-annual evaluation report entitled 'An Evaluation Report of Clear Track, Phase I Report, ERI/03/06, March 2006', can be requested from Dr Campbell of Newcastle University.

conceptualisation of first, the *theories of change* which underpin changes in offending behaviour; second, project implementation through assessing the *processes and structures* of Clear Track's development and delivery; thirdly, project *impact* by assessing change which has occurred as a direct result of Clear Track's implementation; and finally, by measuring project *efficiency* through assessing the overall effectiveness of Clear Track. It is the interdependence of such concepts which constitute a tailored and comprehensive assessment of Clear Track (Campbell and Lewis 2005:14).

2.3 However, Clear Track has experienced considerable difficulties over the past twelve months in relation to the implementation and service delivery of the project. As a direct result of the limitations of the Criminal Justice Act 2003 and the difficulty in establishing a referral process in partnership with the local Probation Service, Clear Track has remained in an intermediate state of limbo since its creation in 2005.

2.4 On the one hand, the project demonstrates a state of readiness in the development of the necessary processes and structures needed to legally and formally implement the project as a 'third sentencing option', bridging the gap between community and custodial provisions.

2.5 On the other hand, the project is restricted by the legal technicalities and the legislative frameworks which bind the Probation Service as a responsible and accountable statutory body. Because of this, the local Probation Service are unable to make referrals to the project, whilst at the same time, the Probation Service are not qualified to compromise the legal provisions of the Act. Overall, this leaves Clear Track in an ambivalent position caught between the conflicting interests and requirements of legislative and organisational responsibilities.

2.6 Difficulties such as these are somewhat more complex than is allowed for here; thus, this report will focus on the challenges which faced Clear Track during its development, contributing towards the progress of the project's implementation and delivery as a community-based intervention.

2.7 The report will also consider the recommendations made in the bi-annual report in relation to the project's progress (Campbell and Lewis 2006:17-19).

3 Background

3.1 Prisons play an important role in serving and protecting the public by securely holding the most serious and dangerous of prisoners and by keeping in custody those committed by the courts. However, current research indicates that as a custodial sentencing option, prison can be ineffective in the rehabilitation and reparation of those offenders given short-term prison sentences; with 67% of all prisoners and 78% of young offenders (aged between 18-21) reconvicted within two years of being released (Home Office 2005a).

3.2 Many of the problems which face the prison system stem from overcrowding; with 53% of the prison estate overcrowded (NOMS 2006). The Chief Inspector of Prisons mentioned that *'the levelling off of the prison population is, in reality, the difference between a manageable crisis and an unmanageable one'* (HMIP 2004). Some establishments have been operating at well over their certified normal accommodation (CNA) for several years, resulting in a strain on officers, prisoners and the regime itself (NOMS 2006).

3.3 Over the past decade the prison population in England and Wales has been rising steeply. In June 2006, the prison population in England and Wales reached its highest recorded total of 77,962 for

Table AERI 3.1: The Cost and Number of Additional Prison Places Provided in Each Financial Year.

Year	Number of Additional Places Provided	Cost (£ million)
2005-06	1120	*
2004-05	2571	291
2003-04	1372	137
2002-03	1818	159
2001-02	1013	105
2000-01	680	52

- * The number of places for 2005-06 includes all places currently scheduled for delivery during 2005-06. Full details of costs for 2005-06 are not yet available (House of Commons 2005b).

men, women and children (Prison Service 2006).

3.4 Alongside the rise in the prison population, the Probation Service also witnessed an increase in their caseload largely owed to the growth in the use of community orders for summary offences (Morgan 2003, Rethinking Crime and Punishment 2003).

3.5 Overall, the points raised here contribute towards limiting the capacity in which Prisons, Probation and other services can work effectively to reduce re-offending. Thus, in his speech to the Prison Reform Trust, the then Home Secretary (Charles Clarke) called for 'community custody' in a bid to bridge the gap between custodial punishment and community sentences. He suggested that by developing 'working partnerships' inter-agency organisations would be able to provide a realistic support package for offenders in a bid to reduce re-offending.

3.6 The points outlined above fundamentally underpin the creation of Clear Track as a custodial community sentencing option. Clear Track aims to provide a realistic, viable and effective 'third sentencing option', bridging the gap between custodial punishments and community sentencing, through addressing the needs of young adult offenders in the

community and by tackling some of the issues currently associated with short-term prison sentences.

4 The Cost of Offending and Re-offending

4.1 The Government's five year plan to reduce re-offending (2006) states '*since 1997, spending on prisons has risen by more than 25% in real terms, and since 2001, spending on Probation has risen by 39%*' (Home Office 2006a). Approximately £300² million per year is spent on rehabilitation regimes in prison; despite this investment 67% of all prisoners are convicted of another crime within two years (Home Office 2005a). This additional funding has been allocated centrally to the Probation Service in a bid

² The actual figure which has been allocated centrally to the Probation service for 2005-06 is a total of £325 million; of which £79 million will go towards electronic monitoring; £54 million will go towards approved premises; £57 million will go towards training Probation officers; £39 million will go towards special allocation to Probation Boards; £36 million will go towards information technology and estates; £15 million will go towards National Probation Directorate staffing; and £45 million will go towards other central Probation costs (House of Commons 2005c).

to re-balance current resource difficulties experienced by an over-stretched service. The Lord Chief Justice also expressed concern over the Probation Service's resource difficulties in his letter to the Chief Inspector of Probation, resulting in an inquiry report aimed at monitoring Probation workload and the prioritisation of responsibilities (Her Majesty's Inspectorate of Probation 2002).

4.2 The Social Exclusion Unit estimated that re-offending committed by ex-prisoners costs the CJS approximately £11 billion per year; with ex-prisoners being responsible for about one in five of all recorded crime (Social Exclusion Unit 2002).

4.3 Each offence committed by an ex-prisoner is likely to cost the CJS an average of £65,000. It costs the Crown Court a further £30,500 for each custodial sentence it imposes (Social Exclusion Unit 2002).

4.4 Furthermore, it costs an average of £37,500 to send one person to prison for one year, this increases to an average of £42,000 if the person is sent to a young offenders institution for one year; and the average daily food cost per prisoner for 2004-05 was £675 (House of Commons 2005a).

4.5 Overall, community punishment deals with nearly four times as many people as the prison system for 40% of the cost and with little difference in the overall re-offending rate. Similarly, the average annual unit cost of a prison place is more than twelve times that of a Probation or community order (Rethinking Crime and Punishment 2003).

4.6 At the same time as increased spending on prisons the Government has increased the number of prison places by around 17,000 since 1997³. By building 26 new prisons, extending institutions and

contracting with private operators, the 'certified normal accommodation' of prison service establishments has increased to 79,100 at the time of writing. The Government plans to increase this to around 80,400 by 2007 (House of Commons 2005b).

4.7 Still, the average cost of each new prison place provided since 2000 is £99,839, with £291 million spent on new prison places in 2004-05⁴ (see table AERI 3.1) (House of Commons 2005b).

4.8 Over the next five years the Government plans to invest a further £8 million into professionalising the prison workforce; with around £45 million being allocated to Youth Offending Teams (YOTs) for youth prevention activities; and approximately £18 million going towards increasing Victim Support funding (Home Office 2006a).

4.9 As can be seen here, offending and re-offending impacts considerably on the cost of running the Prison Service. There is also a high financial cost to the Police, Probation, the CJS, victims of crime, the national economy and society as a whole. Moreover, prison has a poor record of reducing re-offending, with 67% of all prisoners and 78% of young offenders (aged 18-21) reconvicted within two years of being released (Home Office 2005a).

4.10 Subsequently, in 2004 the Coulsfield Inquiry into rethinking crime and punishment asked '*does prison offer the best value for money?*' and '*would it be better to spend less on prisons and more on treatment centres?*' (Coulsfield Inquiry 2004). Similarly, the National Offender Management Service (NOMS) called for a '*vibrant mixed economy*' which would drive up standards and improve value for money (Home Office and NOMS Consultation Paper 2005).

³ The operational capacity for the prison estate in January 1997 was 60,000; with an in-use certified normal accommodation (CNA) of 54,200 (House of Commons 1997).

⁴ This includes both the costs of capacity expansions at existing prisons and the construction of new prisons.

4.11 On the whole, the points raised here create a persuasive argument for organisations such as Community Service Volunteers (CSV) and the development of innovative projects which seek to provide a not-for-profit and effective ‘third sentencing option’. The Government, alongside NOMS have identified a real need for contestability⁵ in the provision of services aimed at reducing re-offending (Home Office and NOMS Consultation Paper 2005). Thus, projects such as Clear Track are encouraged to work in partnerships with local organisations to address the many linked problems that contribute to offending and re-offending, in particular health, education, employment, housing, finance, and social and family links (Home Office 2006a).

5. Working Partnerships within a Multi-agency Framework

5.1 Forging strong multi-agency partnerships across government and within the community is an essential key to the success of Clear Track in delivering a wide range of interventions tailored to address the individual needs of young adult offenders. In doing so, Clear Track have consulted with those agencies identified as having a primary role to play in the multi-disciplinary delivery of the care of young adult offenders, for example: NOMS Voluntary Sector Unit (VSU), the North East Regional Offender Manager (ROM), the National Probation Service Regional Manager and local prison establishments, namely HMYOI Deerbolt and HMYOI Castington. In the offenders’ best interests, each agency adopts a specialist approach to managing offenders whilst working towards multi-agency partnerships in the

⁵ A contestability prospectus is planned to be published in August 2006. The NOMS ‘Contestability Prospectus’ will set out how competition will be introduced into the Prison and Probation Services over next five years.

aspiration of delivering an efficient and supportive intervention package designed to punish and rehabilitate, reduce re-offending and protect the public.

5.2 Current Government proposals, aimed at restructuring the way in which correctional services manage offenders, could potentially impact upon collaborative working relationships and multi-agency partnerships, similar to those outlined above. However, it is too early to gauge the impact that current legislative changes, government policy changes, and the introduction of a new approach to managing offenders may have upon Clear Track.

5.3 Still, the ongoing implementation of NOMS, the restructuring of the Probation Service and the introduction of Custody Plus as a sentencing option can be seen as having a direct impact upon the CJS as a whole, and subsequently upon Clear Track as a provision. This partly because the overall government aim is to establish a radically new system which will challenge current offender management and supervision models; whilst at the same time introducing flexibility and contestability into a more conventional criminal justice structure (Home Office 2006a).

6. Managing Offenders Better to Stop them Re-offending

6.1 The Government’s plans for transforming the management of offenders calls for a new approach in the delivery of care which aims to work effectively to reduce re-offending offering offenders a chance to change and address the multiple problems which they face (Home Office 2004). The Government propose that introducing a concentrated end-to-end management structure for every single adult offender will mean better management of risk and far better success

in cutting re-offending (Home Office 2006a).

6.2 This new strategy also introduces the £4.3 billion funded initiative National Offender Management Service (NOMS) and in particular the offender management model, both of which bring together the Prison and Probation services under a single coordinating agency. With the appointment of Regional Offender Managers (ROMs) NOMS aims to take responsibility for each offender throughout their sentence be it in the community or in custody, identifying their needs and ensuring that the right interventions are delivered to meet them.

6.3 These strategies will be introduced under the new Management of Offenders and Sentencing Bill⁶ as introduced in the House of Lords on the 12th January 2005 (House of Lords 2005). The sentencing amendments specified in the Bill derive from the recommendations of the Carter Review 'Managing Offenders, Reducing Crime' (Carter 2003). Overall the Bill makes several provisions; three of these provisions extend the use of technology in improving the management of offenders. Two provisions extend the use of electronic monitoring, one for offenders serving community sentences and the other for defendants on bail who would otherwise have been remanded in custody. A further provision enables the wider use of polygraph (lie-detector) testing in the management of sex offenders to be explored. The Bill also makes provisions which will enable the use of attendance centres for a wider range of offenders to be piloted.

⁶ The Bill is separated into six parts; 1) the National Offender Management Service, 2) Prisons, 3) Her Majesty's Commissioner for Offender and Management and Prisons, 4) sentencing, 5) miscellaneous provisions and 6) supplementary. Explanatory notes of the Bill can be found at <http://www.publications.parliament.uk/pa/ld200405/ldbills/016/en/05016x--.htm>, viewed 15/08/06

7 The National Offender Management Service and the Restructuring of the Probation Service

7.1 Advancements within government penal policy have recognized that the prevention of re-offending and the management of offenders should be at the centre of the organisation of correctional services in order to significantly reduce crime and to increase public protection. On the whole this has been driven by a dramatically increasing prison population (Prison Reform Trust 2006); a costly prison service (House of Commons 2005b, Social Exclusion Unit 2002); and significantly high re-offending rates committed by those who have been through the CJS before (Home Office 2006a).

7.2 It is against this backdrop, and the proposals outlined in the Carter Report (Carter 2003), that recent government plans to introduce commissioning and contestability into the provisions of the Probation Service have been initiated. At present, under current legislation, Probation Boards are statutory bodies who are in a unique and monopolistic position, owing to their ability to exclusively provide and/or commission all service provisions within Probation areas.

7.3 Although the Probation Service have improved their focus on reducing re-offending (Home Office 2005b), the large scale availability of beneficial initiatives and programmes, which are needed to work effectively in reducing re-offending, are often limited and restricted. This is partly due to catchment area divides and placement availability; partly due to the current balance of resources; and partly due to the significant increase in the Probations' management caseload⁷. The

⁷ On the 29th of January 2003 the Probation Service went on strike for the first time in twenty years due to the increased demands placed on the service and its workforce. See The Observer, 'Which moron

consequence of this directly impacts upon offenders particularly those serving short custodial sentences, who are often competing for the little practical support available in a bid to address their invariably complex and inter-related needs.

7.4 With this in mind, the Carter Report (Carter 2003) concluded that a new approach was needed in bringing together the delivery of custodial and non-custodial penalties under the single coordinating agency of the National Offenders Management Service, with an overall view to introducing a radical purchaser-provider split for the delivery of non-custodial sentences.

7.5 In due course, the report envisaged that the existing National Probation Directorate and National Probation Service, including local Probation Boards would cease to exist in their present form and be replaced with multiple service providers from all sectors, who in turn would be managed by ten NOMS regional offender managers (ROMs) operating with greater independence. The overall aim would be to focus more on the individual with much better and earlier assessment; by offering a wide range of services provided by a vast range of organisations from all sectors. The report goes on to emphasise that this will mean an improved assessment process and management of risk; greater success in cutting re-offending; and enhanced prospects for managing a diverse population of offenders whilst tackling their individual issues (Home Office 2006a).

7.6 By adopting this managerial principle NOMS are in a position to oversee commissioning at a national level, including the ability to commission services from whichever organisation is deemed best placed to deliver them. More

importantly however, in the selection of suitable services, is NOMS' ability to commission across Probation area boundaries and across the custody/community divide. This added flexibility will enable NOMS to achieve their goal in providing end-to-end management of offenders throughout the whole of their sentence.

7.7 In this instance, it would be important for NOMS to build upon existing relationships, particularly where joint and diverse ventures have been successful in providing effective provisions for the punishment, reparation and rehabilitation of offenders whilst productively challenging their offending behaviour. (Home Office and NOMS Consultation Paper 2005). In particular, this means voluntary sector providers such as CSV's Clear Track will be able to develop as an effective and efficient service provider without being unduly constrained by existing legislation or organisational and geographical boundaries.

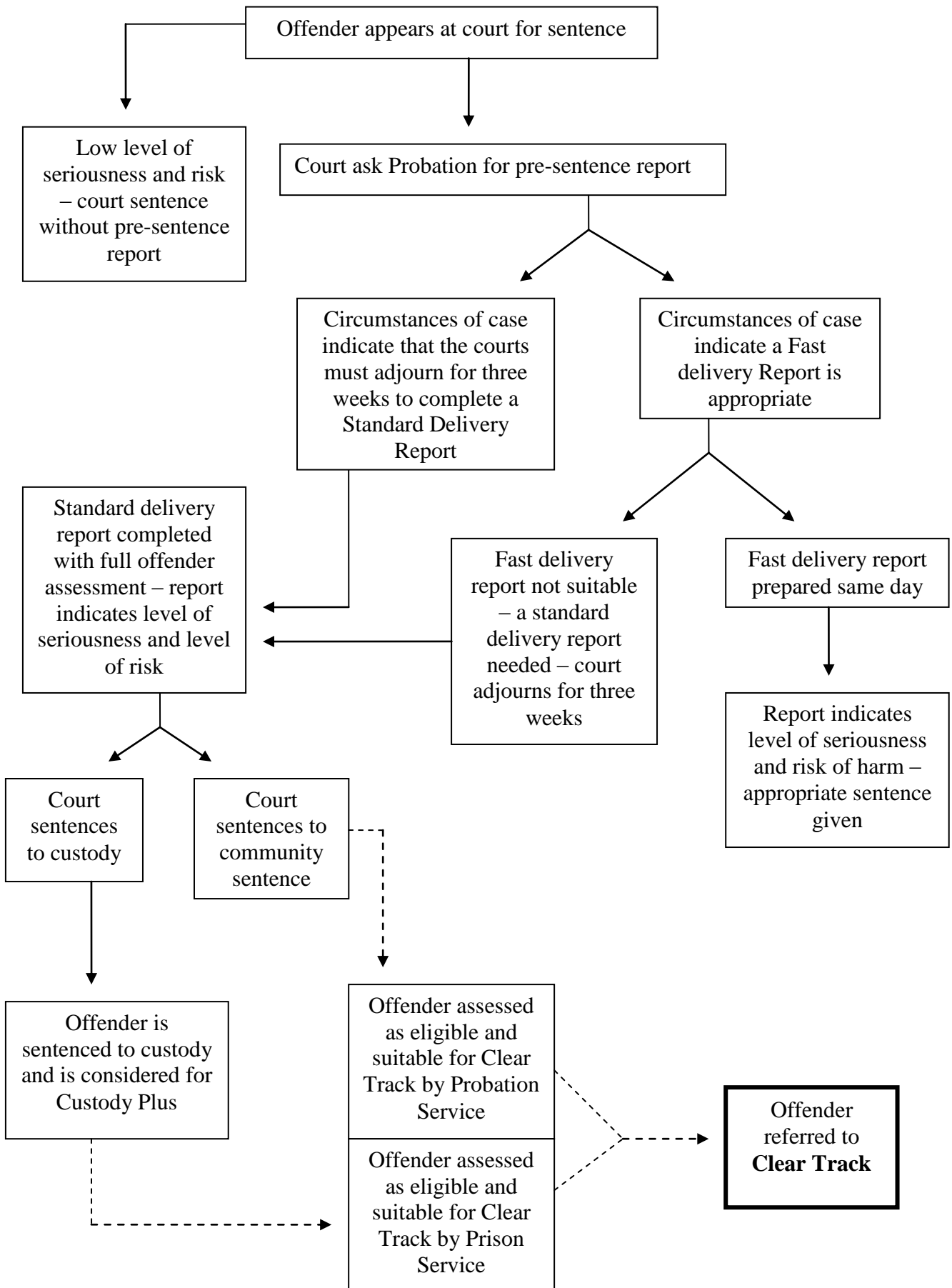
7.8 However, a wide range of concerns have been expressed following organisational consultation about some of the proposed changes (Home Office 2006a). These mostly arose from the fear that privatisation of services and the competitiveness of service provision would not achieve the goals as set out by the Government; partly because of suggestions that a 'flawed' NOMS model will risk the clear and agreed objectives of the need to reduce crime and maintain public confidence (Napo⁸ 2004, 2005).

7.9 Nevertheless, until NOMS is passed by parliament as a statutory body, the constitutional duty to make arrangements for the provision of Probation services rests exclusively with the local Probation Board. Thus, ROMs are prevented from commissioning offender management interventions such as

mentioned the justice system?' by Nick Cohen, Sunday 19th January 2003, <http://www.guardian.co.uk/crime/article/0,2763,877950,00.html>, Viewed 08/08/06.

⁸ Napo is the trade union and professional association for family court and Probation staff.

Table AERI 3.2: Offenders Progression through the Court System and Referral onto Clear Track Project



Clear Track other than through the local Probation Board; so the potential benefits of genuine competition between providers are currently not available.

7.10 As a consequence, the ambiguity and uncertainty for service providers such as Clear Track, who are in a position to competitively demonstrate an innovative intervention, lies in the vacuum of legal direction from NOMS.

7.11 Nevertheless, the Government attaches high priority to the overall purpose of promoting 'better partnerships' whilst protecting the public and reducing re-offending, thus reflecting the priorities of the Home Office's 'five year strategy' (Home Office 2006a), NOMS 'business plan 2006-07' (Home Office 2006b), and NOMS 'reducing re-offending delivery plan' (Home Office 2005c). Similarly, Clear Track, as a community custodial sentencing option, aim to protect the public and reduce re-offending through improved multi-agency partnerships who aspire to the delivery of an effective management referral process and a successful intervention programme.

8 Better Partnerships to Stop Re-offending

8.1 In his speech to the Prison Reform Trust, the then Home Secretary (Charles Clarke) stated *'we have to make preventing re-offending the centre of the organisation of our correctional services. We have to make reducing the number of re-offenders the central focus of our policy and practice'*. Achieving this *'is about forming the right partnerships... I believe that the further development of organised partnerships to deliver these measures is essential... there is still massive potential which we can and should draw upon so that we benefit from the knowledge and experience of a range of different organisations as we seek to intervene successfully'* (Prison Reform Trust 2005). The overall aim in achieving this would be to develop strong partnerships working across government and beyond, including

the Prison and Probation Services, the voluntary and community sectors, as well as with local people and communities (Home Office 2006a).

8.2 As a not-for-profit organisation, Clear Track is committed to reducing re-offending through establishing alliances with local partners working to deliver a comprehensive innovative package of care. Such partnerships extend across the Home Office, NOMS, VSU, Community Service Volunteers (CSV) and Springboard, as well as developing partnerships with the local Probation Service, the local magistrates' courts and local prisons. Clear Track has also been establishing links with local voluntary and community organisations, for example Millennium Volunteers, the community police, drug intervention practitioners and Job Centre Plus, all of whom wish to assist with the delivery of care for Clear Track's participants working to reduce re-offending.

8.3 In doing so, Clear Track move away from the more conventional one-size-fits all model – where services are provided based upon actuarial and professional practices – towards a diverse range of skills and expertise in providing a thorough and comprehensive strategy focusing on each offender as an individual and by identifying their needs through enhanced assessments.

8.4 Even so, the reality of forging strong partnerships with clear priorities, where effective links and strategies can be developed, requires a professional and research informed approach particularly in a changing climate of managerial leadership and cost-effective practices. The challenge here then can be found in Clear Track's ability as a pilot to provide robust, evidence-based practice highlighting significant changes in the offending behaviour of its participants through a scientifically grounded research-evaluation.

8.5 However the difficulties of doing so lie exclusively with current legislation for several reasons, and fall under the following headings:

Table ERI 2.1 Requirements of the Generic Community Order

Section 177 of the Criminal Justice Act 2003 states: where a person aged 16 or over is convicted of an offence, the court by or before which he is convicted may make an order (in this part referred to as a “community order”) imposing on him any one or more of the following requirements:

- | | |
|---------------------------|---|
| ▪ unpaid work | as defined by section 199 |
| ▪ supervision | as defined by section 213 |
| ▪ activity | as defined by section 201 |
| ▪ programme (accredited) | as defined by section 202 |
| ▪ drug rehabilitation | as defined by section 209 |
| ▪ alcohol treatment | as defined by section 212 |
| ▪ mental health treatment | as defined by section 207 |
| ▪ residence | as defined by section 206 |
| ▪ prohibited activity | as defined by section 203 |
| ▪ exclusion | as defined by section 205 |
| ▪ curfew | as defined by section 204 |
| ▪ attendance centre | as defined by section 214 (for those aged under 25) |

(Criminal Justice Act 2003)

Each community order will comprise of one or more of the requirements above, these must be:

- compatible with each other
- suitable for the offender
- able to ensure that restrictions of liberty is commensurate with the seriousness of the offence
- not in conflict with the offender’s religious beliefs, or with the requirements of work, education or another order

The Criminal Justice Act 2003 states that a number of the requirements cannot be made by a court unless specifically recommended by the pre-sentence reports, these are:

- unpaid work
- activity
- programme

(Youth Justice Board 2005)

- Probation Boards,
- Limitations of the Criminal Justice Act 2003,
- and the National Offenders Management Service.

Probation Boards

8.6 Under current legislation the statutory duty to make arrangements for the provision of Probation services rests exclusively with the local Probation Board. Thus NOMS are prevented from commissioning Clear Track as an intervention other than through the Board (Home Office and NOMS consultation paper 2005).

8.7 Since Clear Track's development in September 2005, the project has been working directly with the local Northumbria Probation Service and Probation Board, as well as the Cabinet Office, Home Office NOMS, CSV and Springboard Sunderland in the interests of negotiating a delivery strategy which respects the Probation Service, the courts and Clear Track as an intervention. The importance of working alongside Probation is emphasised by the court referral system, where potential eligible and suitable candidates can only be referred to Clear Track through the recommendation of Probation within the magistrates' courts' pre-sentence report (PSR)⁹ (see table AERI 3.2).

8.8 Such partnerships are wholly supported by several Government reports¹⁰ outlining recent Government plans for transforming the management of offenders, which states *'we believe that the task of integrating the management of offenders whilst in custody or under supervision in*

community is best managed at a regional level where effective links can be forged and joint strategies developed with complimentary services...'; it goes on to stress that *'we want to encourage partnerships between public and private sector providers and the voluntary and community sectors which harness their respective strengths'* (Home Office 2004).

8.9 Still, in the light of such recommendations, the local Probation Board have are responsible in ensuring that working relationships in the delivery of service provisions are embedded within current legislation and statutory frameworks within which the Board operates. Thus, careful negotiates are essential between Probation and Clear Track to determine the delivery of the project as a 'third sentencing option'. Both organisations face a fresh challenge in working closely to resolve the predicament which stems from the restrictions of the Criminal Justice Act. Overall, this requires flexibility and integrity which is recognized centrally and filters through to a local level.

Limitations of the Criminal Justice Act 2003

8.10 Key changes to the sentencing framework available to sentencers came into effect in April 2005 as a result of the Criminal Justice Act 2003. This included the introduction of the new community sentencing framework which resulted in a single generic community order¹¹ with a range of possible requirements¹² giving

⁹ This is discussed further in Section 9, Working with Probation.

¹⁰ See Carter 2003, Home Office 2004, Home Office and NOMS 2005, and Home Office 2006a.

¹¹ As outlined in Chapters 2 – 4 under part 12 Sentencing of the Criminal Justice Act 2003 Chapter 44.

¹² This does not apply to 16-17 year olds until at least April 2007, see Youth Justice Board 2006, Criminal Justice Act; Guidance for Youth Offending Teams, Youth Justice Board England and Wales, <http://www.youth-justice-board.gov.uk/Publications/Scripts/prodView.asp?id=product=209&eP=YJB>, viewed 08/08/06.

courts the maximum flexibility to tailor interventions to the particular circumstances of the young adult offender (Home Office 2004).

8.11 A discrepancy here however is that the sentencing framework fails to reflect the White Paper's advice (Home Office 2002) which called for a *'genuine third option...that combines community and custody sentences'*, or advice given in the Home Office five year strategy (Home Office 2006a) emphasising the *'need to develop community prisons'*. This crucial omission inhibits the feasibility of the implementation of potential programmes such as Clear Track which aim to bridge the gap between community and custodial sentencing in the community.

8.12 As suggested in the Phase I Evaluation Report (Campbell and Lewis 2006: 8-10)¹³ negotiations may be made between Chief Officer of the Probation Service and Clear Track under the single generic community order such as unpaid work (as defined by section 199), supervision (as defined by section 213), residence (as defined by section 206) and attendance centre (as defined by section 214) (see table ERI 2.1). In light of this it can be seen that there are potential provisions for Clear Track as part of a basic requirement of a community order¹⁴.

8.13 The dilemma at this point however, can be found in the overall recognition of Clear Track as a legitimate sentencing option where offenders would be referred to the project for the complete duration of their sentence, as opposed to being referred to the project as part of an

already existing community sentence. The latter point raised here would inhibit the project's development as a valid independent alternative when considering Clear Track as a community custodial sentencing option, which in turn would impact upon the evaluation of the pilot. This is possibly because the project would not be able to fulfil its criteria as an intensive, rehabilitative and reparative regime offering support, supervision and accommodation as a holistic package of care through addressing participants' multiple needs.

8.14 Nonetheless, the perplexed resolution of such fundamental decisions in relation to the legislation derives from the Probation Boards ability as a statutory body to commission its services as deemed feasible by the Board. This is reinforced by Section 5 of the Criminal Justice and Courts Services Act 2000, which states that the functions of a local Probation Board are *'to make arrangements for ensuring that sufficient provision is made in respect of its area'* and in assuring the implementation of such arrangements, a local Probation Board may *'make arrangements with organisations for provisions to be made on the board's behalf by the organisations'* and *'make arrangements with individuals who are not members of the board's staff under which they may perform functions of officers of the board'*

8.15 Thus, it can be seen that the discretion of appointing Clear Track as a legitimate sentencing option where convicted offenders may be referred to the project for the complete duration of their sentence, lies with the local Probation Board as directed by the Criminal Justice and Courts Act 2000¹⁵.

¹³ Campbell E and Lewis DM (2006), *An Evaluation Report of Clear Track, Phase I Report, ERI/03/06, March 2006*, University of Newcastle. Copies of the report are available from Dr Campbell; Elaine.campbell@ncl.ac.uk

¹⁴ As defined under section 177, Chapter Two *Community Orders: Offenders Aged 16 or Over*, of the Criminal Justice Act 2003, Chapter 44, Part 12, *Sentencing*. Go to <http://www.opsi.gov.uk/acts/acts2003/30044--p.htm>

¹⁵ A copy of Section 5 of the Act can be found at <http://www.opsi.gov.uk/acts/acts2000/00043--a.htm#5>, viewed 09/08/06

The National Offenders Management Service

8.16 Through the introduction of a revolutionary managerial structure, NOMS demonstrates clearly that it advocates the contestability of provisions by service providers in a bid to punish offenders, reduce re-offending and increase public safety through driving-up standards and improving value for money (Home Office 2006b). As is evident within the Government's plans for transforming the management of offenders which stated '*we want the most effective custodial and community sentences no matter who delivers them*' (Home Office 2004).

This is a favourable statement for Clear Track as a pilot intervention in as far as it provides an effective infrastructure to support these changes. Similarly, the added flexibility of NOMS on a national and local level creates an understanding whereby projects, such as Clear Track can be supported in their overall aim of improving the management of offenders through intensive, individualised packages of rehabilitation and reparation.

8.17 The encumbrance to the development of Clear Track at this stage is apparent in the establishment and transition of NOMS as a statutory body. Where Probation and the Prison Service are able to commission such services, the introduction of legislation covering NOMS, including the development of commissioning and further implementation of the offender management model, is subject to parliamentary time (Home Office 2006b). Until such decisions are passed as bills of Parliament, a working partnership between NOMS and Clear Track will realistically be limited (see table AERI 3.3).

8.18 The development of Clear Track has been restricted at several junctures as outlined above. As a pilot intervention this has had a great impact upon the strategic

development of Clear Track as a third sentencing option, which consequently could impact upon the overall outcome of the project in relation to measuring its success. At this stage of development, with established protocols, policies and procedures, Clear Track is ready to participate fully in corroborative partnerships across the Criminal Justice System. In addition there is also scope within the project's development and implementation, to potentially extend working relationships with Probation and potential partnerships with HM Prison Service through Custody Plus.

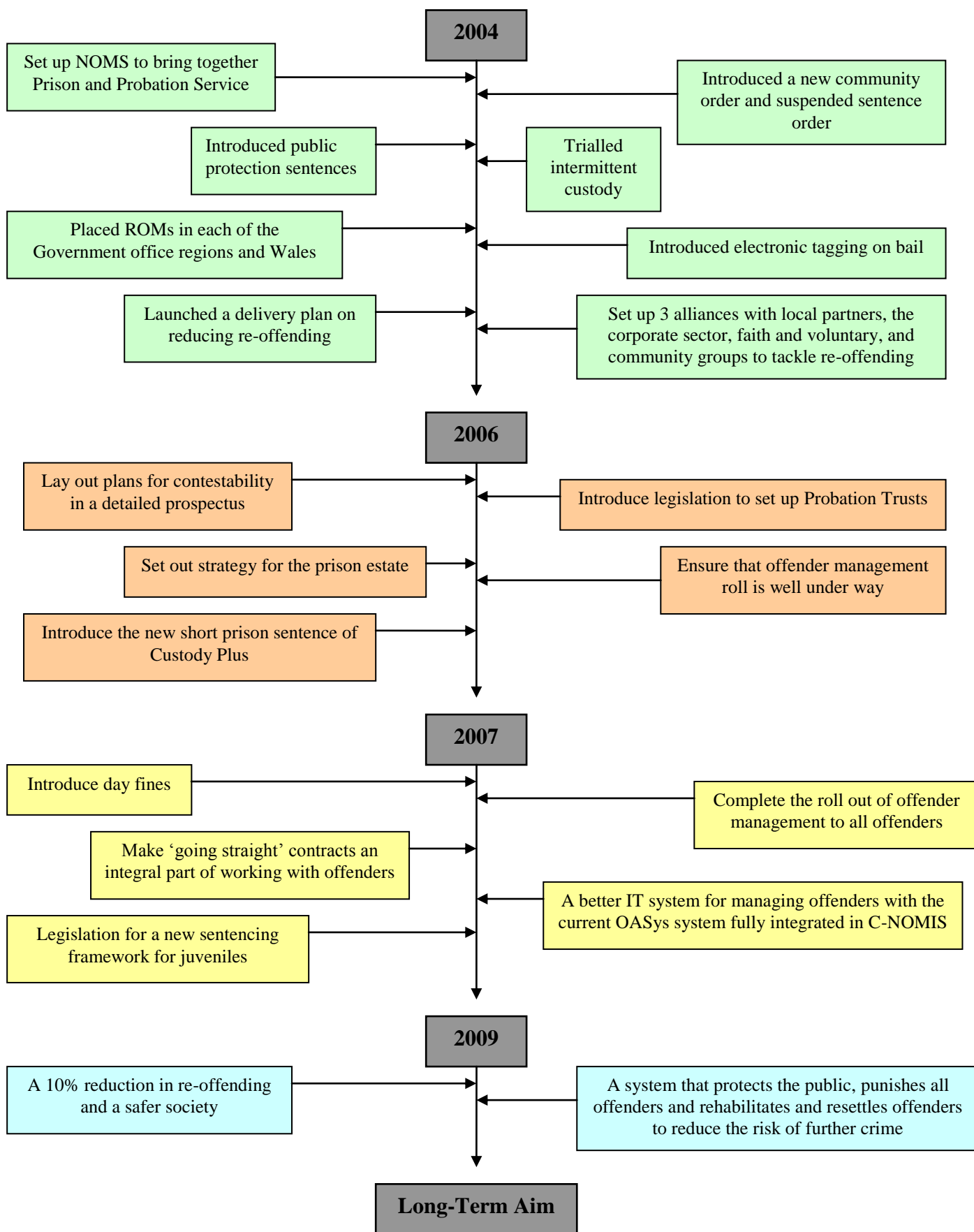
9 Working Relationships with the Probation Service

9.1 An inter-agency partnership between Probation and Clear Track would be of advantage to both parties. By bridging the gap between community penalties and current custodial sentences, Clear Track could effectively alleviate some of the pressures of the workload currently experienced by the Probation Service through joint supervision and the management of offenders (Morgan 2003, Rethinking Crime and Punishment 2003).

9.2 Clear Track could also provide the Probation Service with an opportunity to enhance available sentencing options for sentencers. Should the pilot prove to be successful in becoming a national strategy, the Probation Service will be in a position to converge with its success as well as being able to demonstrate an acquired professional knowledge which would assist in the implementation of future projects.

9.3 Above all else, a successful project would impact upon professionally audited targets and goals, such as the National Performance Targets for the Probation Service for 2006-07 which prioritises the need to:

Table AERI 3.3: Timeline by Year to Show NOMS Timetable for Change*



(Home Office 2006a)

* Please note: the above timeline is indicative of change by year; the markers do not represent monthly achievements.

- contribute to the development of NOMS,
- protect the public from harm,
- develop a new service delivery model,
- implement the 2003 Criminal Justice Act,
- implement. The National Delivery Plan on reducing re-offending ,
- and to ensure compliance with legislation, and embed equality and diversity in the National Probation Service (National Probation Board 2006).

9.4 Once the National Performance Targets have been set, each local Probation Board is under direction to prioritise and implement the performance related targets into their annual business plan¹⁶. By working alongside the Probation Service, Clear Track would be able to demonstrate their effectiveness in meeting performance related targets, particularly those which address public safety and re-offending behaviour. On the whole, both organisations need to be susceptible to the potential conflict of interests which may arise in the overall development and delivery of the Northumbria Probation areas two pilot projects aimed at introducing a revised approach to the supervision of offenders within community supervision teams (Northumbria Probation Service 2006).

9.5 The primary role of the Probation Service in working alongside Clear Track lies in the referral process. The Probation Service must recommend eligible and suitable candidates for the project to magistrates as outlined in PSRs (see table

¹⁶ There can be distinctions between local Probation Boards' Business Plans; where some Boards adopt an actuarial approach to assessing targets (see Northumbria Probation Service Business Plan 2006-07), others adopt a business model approach (see West Midlands Probation Service Annual Business Plan 2006-07).

EARI 3.2). PSRs influence magistrates' decisions through informative recommendations aimed at addressing various levels of risk, and through the suggestion of appropriate sentencing options for the given offence. Given the recommendations of the pre-sentence report, magistrates must then consider appropriate sentencing in relation to the severity of the offence committed in light of the offender's previous convictions. It is at this point that Probation would recommend Clear Track as an alternative to custody and a viable sentencing option for magistrates to consider.

9.6 The referral process is somewhat more complicated than is outlined above due to the unforeseen legalities of the Criminal Justice Act 2003, as previously discussed. Owing to the innovative nature of Clear Track there is ambiguity with regard to its provision within the Act, and the Probation Service's capability to be flexible in accommodating the project as a sentencing option. The fundamental importance of this legal technicality has delayed both the development of Clear Track and their inter-agency partnership with Probation.

9.7 However, in a bid to resolving this matter the local Northumbria Probation Board's Director of Legal and Property Services, as identified in the previous evaluation report, recommended that provisions may be made as part of a community order; as either a residence requirement and/or a specified activity requirement (see table ER 2.1).

Partnerships and the Probation Service

9.8 The Crime and Disorder Act 1998¹⁷, places obligations on Local

¹⁷ A copy of the Crime and Disorder Act 1998 can be found at

Authorities, the Police, Police Authorities, Health Authorities and Probation Boards to cooperate in the development and implementation of a strategy for tackling crime and disorder in their area. The Act specifies that such organisations should consider working practices, internal priorities and their relationship with other organisations and with the wider community.

9.9 Section 1:13 of the ‘guidance on statutory crime and disorder partnerships’ (Crime and Disorder Act 1998) includes the following advice on local Probation Service partnerships, ‘*The Home Office Plan for the Probation Service 1998–1999 includes a section on ‘Reducing Crime and Supervising Offenders Effectively’. This requires probation services to ‘continue to develop links with the police and local authorities in promoting early intervention with young offenders and promoting local crime prevention strategies.’.....These responsibilities are increasingly carried out in close working relationships with key partner agencies such as the police, social services departments, health authorities and the local community. Probation services bring to community safety planning a range of contractual partnerships with voluntary sector providers which address important social dimensions of crime prevention such as drug and alcohol misuse, employability and housing’* (Crime and Disorder Act 1998).

9.10 In achieving this, the Probation Service works with statutory, voluntary and private sectors locally to ensure the best service possible. The work of the Northumbria Probation Service is supported by approximately 50 partnership agreements¹⁸, funded and non-funded,

which provide specific expertise and knowledge. Thus, the Northumbria Probation Service clearly recognises that crime reduction can be achieved through effective partnerships between agencies, with the Probation Service taking a leading role in the development of these partnerships in relation to inter-agency planning and delivery of its work.

9.11 With this in mind, Northumbria Probation Service is ideally placed to lend its expertise in guiding Clear Track through its implementation and service delivery.

Community Orders

9.12 An activity requirement in accordance with the Criminal Justice Act 2003, section 201 specifies that ‘*the offender must present himself to a person or persons specified in the relevant order at a place or places so specified on such number of days as may be specified and/or participate in activities specified in the order on such number of days as may be specified*’. The Act also specifies that the offender is required ‘*while at any place, to comply with instructions given by, or under the authority of the person in charge of that place*’. However, the Act exercises several restrictions including ‘*a court may not include an activity requirement in a relevant order unless it has been consulted, in the case of an offender aged 18 or over, an officer of a local Probation board*’ and that the number of days specified to participate in the activity requirement must not exceed 60.

9.13 This poses several concerns for the Clear Track project. Firstly, as an activity requirement Clear Track would be limited to being one of several requirements of an overall community order. In essence this means Clear Track could have shared responsibility of an offenders care. For example, Clear Track could theoretically be responsible for an offender’s rehabilitation and reparation through an

<http://www.nationalarchives.gov.uk/ERO/records/o415/1/cdact/index.htm>, viewed 17/08/06.

¹⁸ Partnerships include accommodation projects; employment, training and education providers; victim support; drug rehabilitation projects; careers advice; and constructive activities.

activity requirement; where another organisation could be responsible for the punishment of the same offender under the same community order but imposing on them a different requirement such as unpaid work.

9.14 For Clear Track and its stakeholders, the purpose of piloting the intervention would be to monitor its efficiency and effectiveness in challenging offending behaviour. However, as a requirement and part of an overall community order the project would be unable to accurately differentiate its success or failure from other requirements, which in turn contradicts the overriding aim of the pilot programme.

9.15 The project's management team would also need to carefully consider the length of the activity requirement in relation to both the legislation and the project's criteria. As a community custodial sentence, Clear Track aims to provide an average length of stay of up to 16 weeks¹⁹, this equates to 112 days. During this timeframe the project's staff will implement a holistic approach to supporting young adult offenders in a community setting, whilst addressing accommodation, employment, training and education, and other needs such as social support. An activity requirement must not exceed 60 days, as specified in the Criminal Justice Act 2003, this means 52 days of a 16 week programme would be unaccounted for within a community order sentence.

9.16 A possible solution could be to differentiate between compulsory attendance (those days specified within the order) and voluntary attendance (those days which exceed the specified 60 days). However, where an offender would be subject to breach of conditions of the order should they fail to comply with the

compulsory element; an offender would not be subject to such conditions when voluntarily attending the programme. The difficulty then would be in ensuring an offender's compliance once the order had expired.

9.17 A residence requirement, on the other hand, would be far more straight forward. This means that *'during a period specified in the relevant order, the offender must reside at a place specified in the order'*, as defined in section 206 of the Criminal Justice Act 2003. Thus, as part of a community order offenders could be required to reside at the project's designated accommodation. This requirement may be imposed alongside an activity requirement; however, it is essential that the community order reflects the overall severity of the offence.

9.18 Since Clear Track was established in September 2005, the project's management team have been working closely with Probation in an attempt to solve some of the concerns raised by the Board in relation to the Criminal Justice Act. Nevertheless, progress has on the whole been protracted and cautious in developing a delivery strategy where Probation would be in a position to be able to refer clients to the project. Until such matters are resolved Probation are unable to refer convicted offenders to the project.

9.19 Chapter one, schedule five of the Criminal Justice and Courts Act 2000, which relates to the National Probation Service for England and Wales in providing assistance to the courts in respect of community orders, supervision and rehabilitation, supervision on licence and approved premises states *'it is a function of a local Probation Board to make arrangements for ensuring that sufficient provision is made in respect of its area'*; *'a local Probation Board may make arrangements with organisations for provision to be made on the Board's behalf by the organisations'*; and a Board may also *'make arrangements with individuals*

¹⁹ At the time of the project's creation this was the average custodial sentence length given by magistrates' courts for young adult offenders.

*who are not members of the Board's staff under which they may perform functions of officers of the Board*²⁰.

9.20 The Act goes on to state that in exercising those functions the Board must have regard to the protection of the public, the reduction of re-offending, the proper punishment of offenders, ensuring offenders' awareness of the effects of crime on the victim of crime and the public, and the rehabilitation of offenders.

9.21 From the points raised above it becomes evident that Probation would in theory be in a position to be able to refer offenders to Clear Track either as part of section 201 and/or section 206 of the Criminal Justice Act 2003 as a community order; or in accordance with section five of the Criminal Justice and Court Services Act 2000 which gives local Probation Boards the discretion to appoint organisations such as Clear Track to provide services on the Board's behalf.

9.22 On the whole however, the project's management team need to carefully consider if this difficulty can be speedily resolved when set against their restricted budget.

Governance

9.23 In the resolution of such legal technicalities, there are several other questions which concern the local Probation Board when drawing together a delivery strategy in working alongside Clear Track.

9.24 The Criminal Justice Act 2003 appoints the local Probation Board as a responsible and accountable body in the governance of community sentence

²⁰ Criminal Justice and Courts Services Act 2000, Chapter 43, Part 1: The New Services, Chapter 1: National Probation Service for England and Wales, <http://www.opsi.gov.uk/acts/acts2000/00043--a.htm>, viewed 10/08/06

provisions. However, the governance of Clear Track lies with the project's management team, bringing with it an element of concern in relation to issues of accountability, responsibility and breach proceedings.

9.25 The transference of governance to the local Probation Board would, for the short term, alleviate further delays in developing a delivery strategy as agreed by the Board. However, current Government proposals aim to move away from such a monopoly, with a view to moving towards a more competitive and flexible service, as is evident in the recent Home Office and NOMS consultation paper (Home Office and NOMS consultation paper 2005). Thus, a complete transfer of governance would, in the long term, only hinder Clear Track's development, particularly in developing a strong working partnership with NOMS. This is especially important should the project 'roll-out' nationally. In addition, detached governance such as that which is suggested here could potentially hinder the management of the project, which in turn could impact upon the quality of service experienced by the project's participants.

9.26 There are alternatives to such requests; for example, Clear Track and Probation could consider a 'Service Level Agreement' whereby the project's management formally and legally consents to act in accordance with specified procedures in full compliance with the law and the Probation National Standards²¹. In theory this may resolve current debates around governance; however, a concern from an evaluative perspective would be

²¹ Which would include clear and specific guidance binding the project to comply with the Probation National Standards codes of conduct, for example: record keeping including action plans, consistent contact event logs, feedback logs and action plan reviews together with compliance with Probation service policies including those on confidentiality, data protection, human rights and information exchange.

Table AERI 3.4: A Twelve Month Timeline to Show Communication between Northumbria Probation Service and Clear Track from September 2005

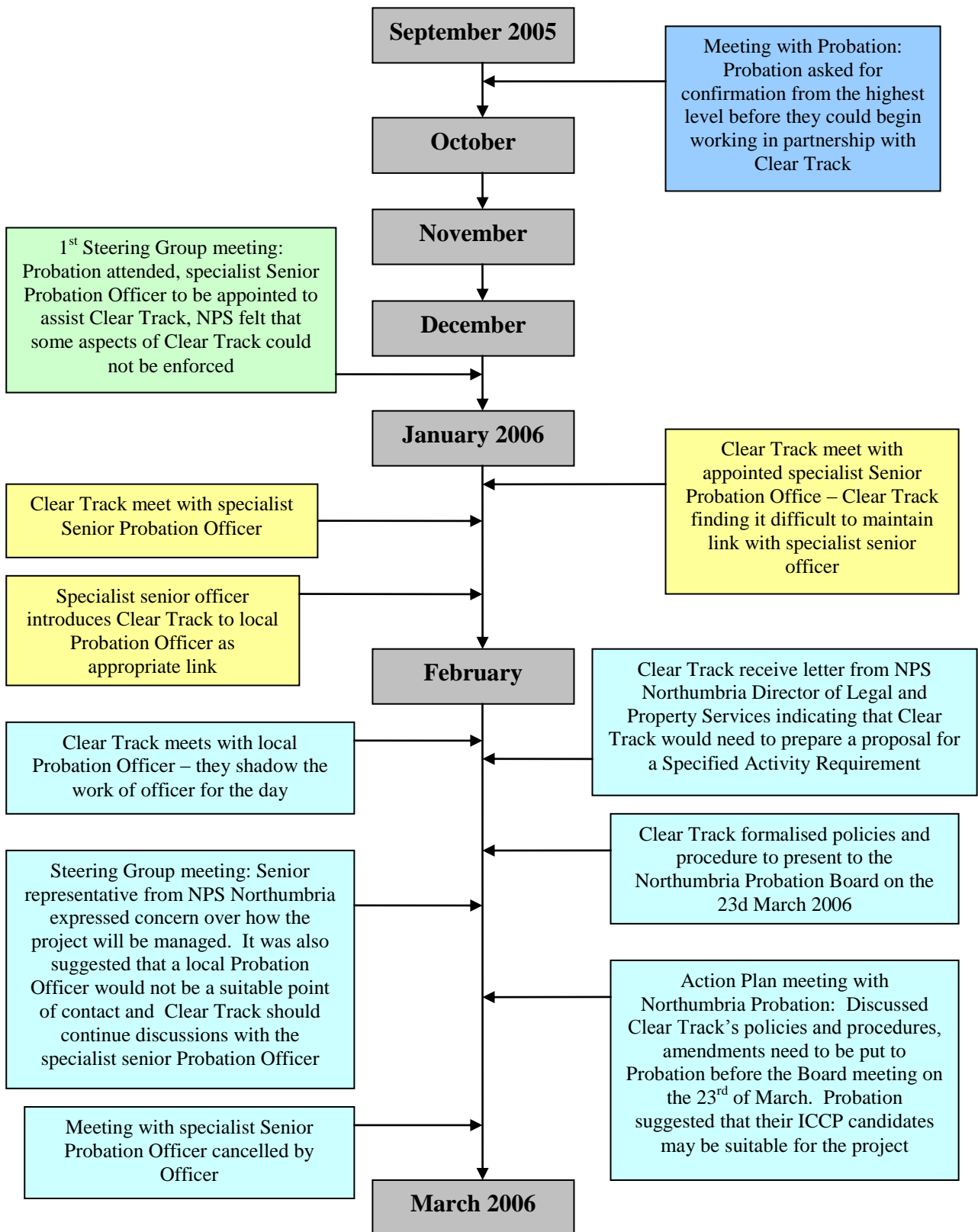
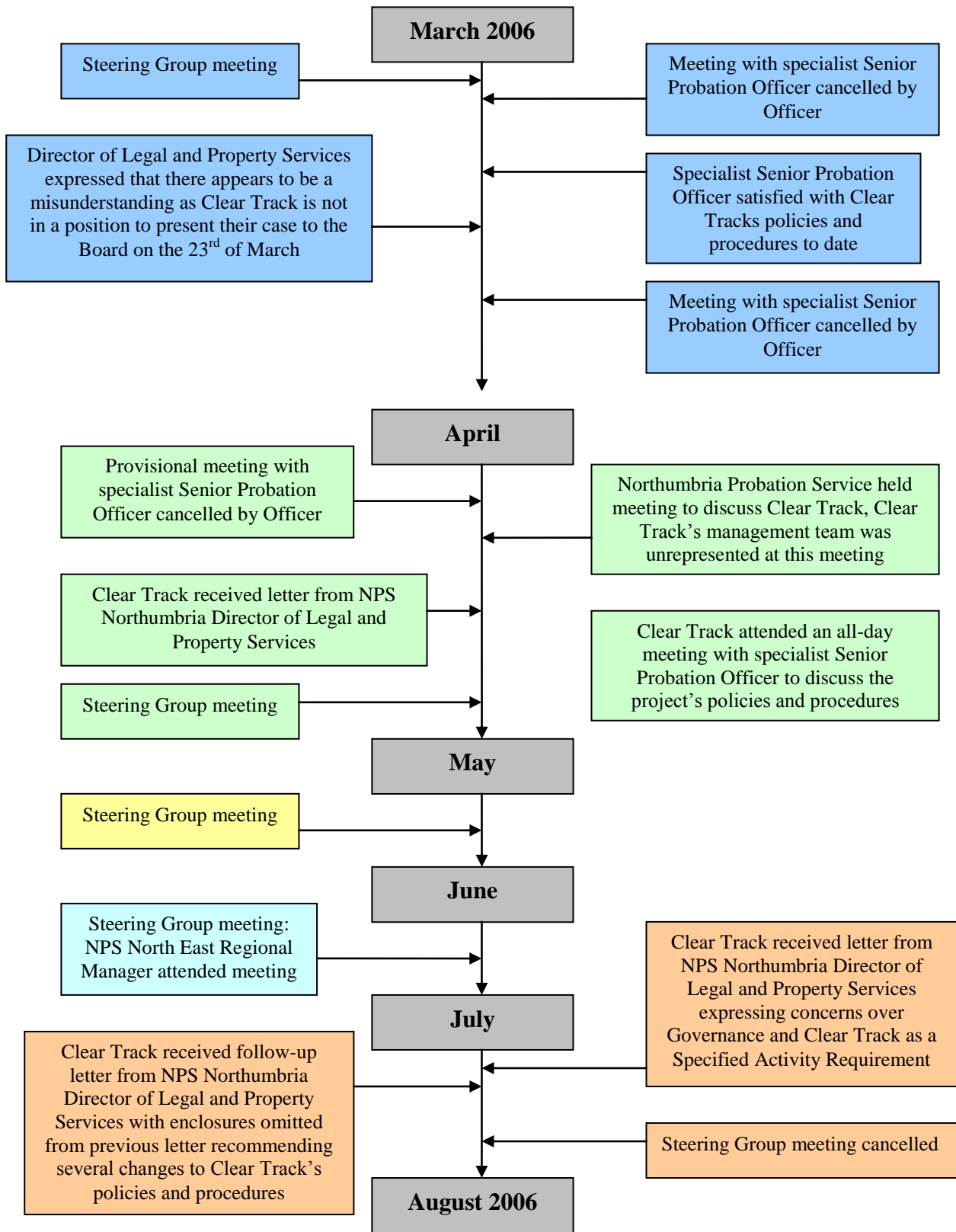


Table AERI 3.4: (Continued) A Twelve Month Timeline to Show Communication between Northumbria Probation Service and Clear Track from March 2006



the additional delay to the project 'going-live'.

9.27 Over the past twelve months developments and negotiations between the local Probation Service and Clear Track have been protracted and cautious when compared to the growth of the project and the development of links with other organisations (see table AERI 3.4). Where it was expected that Clear Track would be one year into the delivery of its service, it becomes evident that the reality is very different. This is clearly a concern when considering that the project is financially restricted by a three year budget. The delay in 'going-live' will also hinder the project's evaluation in terms of measuring its impact upon challenging offending behaviour.

9.28 Overall, the Clear Track management team would need to carefully consider the future of the project, particularly in relation to the future of the project's working relationship with the local Probation Board and its impact upon the project's development.²²

10 Custody Plus

10.1 In the autumn of 2006 the Government plans to introduce two significant changes to the criminal justice legislation. The introduction of a new sentence called Custody Plus, which will apply to all sentences of less than one year, will radically change the nature of custodial sentences²³; furthermore, a

²² Since writing the report, Clear Track and the Northumbria Probation Board have agreed to enter into a Service Level Agreement. This means that governance and project funding will not be transferred to the Probation Board. The agreement will be developed with a view to 'going-live' on the 1st of October 2006 pending a successful outcome from the Probation Board meeting scheduled for the 21st of September 2006.

²³ See section 181-182 of the Criminal Justice Act 2003.

change in the length of custodial sentences imposed for a single offence in magistrates' courts from 6 months to 12 months will dramatically increase magistrates' sentencing powers²⁴.

10.2 Such legislative changes were brought about by the Governments response to concerns regarding the sentencing framework by commissioning the review 'Making Punishment Work' (Home Office 2001). A fundamental concern within the report was the perceived ineffectiveness of short custodial sentences, primarily because such sentences tend to be long enough to cause sufficient disruption and increase the likelihood that the offender would re-offend after release, whilst being too short for any effective rehabilitation to take place.

10.3 A large proportion of offenders are sentenced to short sentences of less than a year long. In 2004, 61,670²⁵ of prison establishment receptions were offenders under sentence of less than 12 months²⁶ (Home Office 2005d). This includes many persistent offenders who pose no threat to the public, but for whom there has been no alternative sentencing option. However, short-term prison sentences are not very effective either at punishing offenders or at stopping them committing crimes again. The offender is often released without any requirements to help them resettle into the community; finding themselves in a similar situation which led to their offending behaviour (Home Office 2006a).

10.4 Thus, the Halliday report proposed major changes relating to the character of short-term prison sentences (Home Office 2001). Under the existing framework, a

²⁴ See section 282 of the Criminal Justice Act 2003.

²⁵ Of which 53,676 were received under sentence for six months or less and 7,993 were received under sentence for more than six months but less than twelve months.

²⁶ These receptions will include prisoners who were previously received into prison on remand in the same or previous year.

person sentenced to 12 months or less in custody could be released before the twelve month period was completed²⁷. Often there is no supervision or support once released from custody; even though there may be a condition of licence where the offender can be returned to custody to serve part of the remaining sentence should a further crime be committed.

10.5 The Halliday report proposed that short-term custodial sentences should be reformed to accommodate a period in custody followed by a longer period in the community subject to the requirements of the court similar to those imposed as part of a community order (see table ERI 2.1) (Sentencing Guidelines Council 2005).

10.6 This new and groundbreaking sentencing regime will play a crucial part in the reduction of re-offending. Where low-level offending would have previously attracted sentences up to twelve months in custody, the new Custody Plus framework will involve both a period in custody followed by a longer period of community supervision (Home Office 2004). It is expected that this new sentencing provision will be effective in punishing offenders and reducing re-offending, giving offenders a short exposure to prison before helping them address their problems properly in the community (Home Office 2006a).

10.7 By introducing Custody Plus the Government would need to carefully consider the availability of provisions within the local community (House of Lords 2006). Helping others stop re-offending means addressing their multiple needs, for example employment, housing, cognitive-behavioural problems, and other factors contributing to their offending behaviour (Home Office 2006a). In achieving this, agencies and organisations will need to effectively work together to

help resolve the complex and multiple problems offenders faced by challenging offending behaviour.

10.8 Still, the question remains, will existing provisions be sufficient, not only in meeting offender related needs, but also in meeting the expected demands of Custody Plus as a sentencing option. Clear Track, as a potential Custody Plus provision, is more than prepared to embrace the proposed changes by accepting referrals directly from the Prison Service.

11 Clear Track as a Custody Plus Prototype

11.1 In their five year strategy, the Government emphasises the need to provide facilities which bridge the gap between local prisons, the local community and local services in order to effectively address offender related needs across custody/community boundaries whilst subject to a Custody Plus sentence. For example, an offender could be held in their local prison whilst maintaining contact with their family, and start a rehabilitative behavioural treatment programme whilst in custody which they could complete in the community-based part of their sentence. Overall, ensuring that offenders are reintegrated back into the community when they are released from custody with the necessary support and supervision.

11.2 Because of this the Government calls for the development of their vision for 'community prisons'. A vision which aims to bridge the custody/community divide, acting as a prison as well as providing secure facilities for offenders being

²⁷ Time spent in custody is often reduced to allow for time spent in custody on remand or may be reduced by operation of an early release provision, for example a home detention curfew (see section 240-243 of the Criminal Justice Act 2003).

Table AERI 3.5: Clear Track Aims and Purpose

Clear Track's Purpose:

The overall purpose of Clear Track is to establish whether young adult offenders (aged 18-21), who would have otherwise received a custodial sentence, have a better chance of developing themselves as effective and productive citizens by attending Clear Track as a community custodial sentence.

Clear Track aims to achieve this by:

- engaging with low-risk young adult offenders, aged 18-25, who at the time of sentence would have otherwise received a prison custodial sentence.
- developing a holistic approach to support young adult offenders, addressing accommodation, employment, training and education and other needs such as social support.
- supporting offenders in a community setting.
- developing a partnership approach to the delivery of service for the participants of Clear Track.
- establishing whether Clear Track effectively addresses the offending behaviour of its participants.
- demonstrating a cost-effective and efficient community custodial sentencing option.

This will be measured by the following targets:

- to engage with up to 50 young adult offenders, aged 18-25, per year, over three years.
- to provide an average length of stay of up to 16 weeks.
- to provide a range of work-based learning activities, interventions and unpaid voluntary work for participants at Clear Track.
- to measure and compare the cost of Clear Track with the estimated cost of a prison establishment holding young adult offenders aged 18-25.
- to provide participants with the opportunity to engage in constructive activities, such as voluntary work, education and training upon leaving Clear Track.
- to measure change in behaviour and attitudes which occur throughout the treatment period.
- to measure and compare the reconviction rates of participants leaving Clear Track with the estimated reconviction rates of offenders leaving prison.
- to network with stakeholders and other organisations.

supervised in the community²⁸ (Home Office 2006a).

11.3 As a community custodial sentencing option Clear Track would be able to provide enhanced residential supervision for those offenders sentenced to Custody Plus as part of their community-based sentence. To

accomplish this Clear Track would concentrate on addressing offending behaviour and assessing offender related needs through an intensive structured weekly programme of interdependent concurrent activities which regards the aims and purpose of Clear Track (see Table AERI 3.5). As well as:

- discouraging participants away from crime whilst on the project,
- keeping participants occupied,
- providing participants with a sense of purpose,
- providing a range of work-based learning activities, interventions and voluntary work,
- helping and supporting participants with emotional, physical and mental health needs including substance misuse,
- rebuilding the confidence and self-esteem of participants in doing everyday things,
- helping and supporting the rebuilding of relationships with families and personal development,
- and developing cognitive skills through challenging perceptions of self and others, attitudes towards offending and motivational issues.

²⁸ This is not a new strategy to be introduced to the Criminal Justice System. Local community hospitals have been holding mentally-ill adult and adolescent offenders in regional forensic secure units (RSUs) since 1980, often detained for treatment and assessment at the request of the courts, police or the Prison Service.

To achieve this, Clear Track would need to work closely with local prison establishments within the North East, such as HMYOI Deerbolt, HMP and YOI Castington, HMP and YOI Low Newton, HMP Acklington, HMP Durham, HMP Holme House and HMP Kirklevington. However, Clear Track's potential is not limited to those listed here.

11.4 Unlike the Probation Service, current legislation allows for competition in the provision of Prison Services, thus legislative change is not necessary to enable commissioning of providers. As a result, the Clear Track management team could consult with local prison governors with a view to devising a referral process which accommodates Clear Track as the community-based element of Custody Plus for those suitable. In doing so, Clear Track would be able to demonstrate the project's potential whilst maintaining ongoing negotiations with the Chief Officer of the local Probation Board.

12 Clear Track's Progress and Development

12.1 Clear Track was developed in September 2005 as a community custodial sentencing option aimed at reducing re-offending and promoting citizenship by assisted reintegration into society. Since then, the implementation and service delivery of the project has been problematised by the protracted and cautious working relationship with the local Probation Service; partly due to the limitations of the Criminal Justice Act 2003 and possibly due to the Board's conflict of interests in the proposed supervision of offenders' management model.

12.2 Despite delays to 'going-live', Clear Track has made considerable progress in terms of the research and development of the project's criteria for

service delivery and good practice. In doing so, Clear Track have drawn together policies and procedures under the guidance of the steering group committee, CSV and Springboard Sunderland, covering the following areas:

- the risk assessment and management process,
- the referral process,
- the eligibility and suitability criteria,
- the accommodation and supervision policy,
- enforcement,
- the exit strategy,
- the health and safety policy,
- data protection and confidentiality,
- case recordings and documentation,
- communication and information exchange,
- the complaints procedure,
- media guidelines,
- equal opportunities,
- protocols and service level agreement.

12.3 The UK's largest volunteering and training organisation, CSV, and Springboard Sunderland have assisted Clear Track during their developmental phase based upon their experience and expertise, service delivery, and existing protocols. Establishing the project's service delivery and good practice protocol is essential for the formalisation and implementation of Clear Track as a credible and valid sentencing option. It is also essential for the development of a legally and formally binding service agreement within multi-organisational partnerships, such as Probation and the Prison Service.

12.4 In the absence of referrals from the Probation Service, Clear Track has made considerable progress. However it is

difficult to distinguish the project's actual progress over the past twelve months without a structured business plan or predetermined goals and targets.

Clear Track's Business Plan

12.5 A business plan would help Clear Track and its stakeholders to clarify what the project is aiming to achieve and within what timeframe, as well as helping to provide milestones which would indicate if the plan is on track or in need of adjustment. Generally, targets would need to be realistically set, this could be realised by emulating the achievements of higher performing partnerships and by taking into account relevant national targets (Crime Concern ND).

12.6 This would assist Clear Track in establishing a baseline to determine how many offenders could potentially be referred to the project in the remaining timescale; to determine to what extent the project expects to reduce the frequency of offending and the seriousness of offences; and to help monitor the project's expenditure in relation to its budget. Clear and concise measures such as this would help stakeholders and the Clear Track management team assess the level of investment and activity needed to achieve the desired results. It would also aid the project's management team in monitoring the project's milestones, assessing the cost-effectiveness of particular initiatives and in understanding why the project may not have achieved its targets.

12.7 With this in mind, it is recommended that Clear Track forms a business plan in line with both long-term and short-term goals and targets, seeking advice and guidance in relation to stakeholders' expectations, in order to effectively monitor the project's progress and development. This document would also assist Clear Track in the implementation of future projects should it be a success.

Providing Appropriate Accommodation to Meet the Housing Needs of Young Adult Offenders

12.8 Providing enhanced residential supervision for Clear Track's participants is a fundamental key to the overall outcome of the project's aims. By providing appropriate accommodation Clear Track will be able to deliver enhanced supervision in a residential community setting for its participants. The overall aim for Clear Track is to provide staggered levels of supervision throughout the intervention period, from intense supervision at one end of the accommodation scale towards independent living at the other. The ultimate goal being that participants live as independently as possible in the community as responsible tenants. Initial assessments would determine the level of supervision and life skill training required in order to achieve this.

12.9 Having secured a lease on a privately rented five-bedroom property and a one-bedroom property in March 2006, the Clear Track project was in a position to house young adult offenders in the community, with a view to remaining anonymous to minimise disruption and potential impact upon the local residents.

12.10 Where prisons exclude offenders from the society in a bid to protect the public by reducing the likelihood of re-offending; residential supervision in the community exposes the public to the potential risk of causing serious harm to victims, the public or the likelihood of re-offending, as well as factors associated with the fear of crime.

12.11 Thus, the Clear Track management team considered not only the needs of offenders in selecting the type of accommodation required, but also the

potential reaction of the local residents when selecting the housing location. Still, this did not prepare the Clear Track management team for the 'social outcry' from the residents living within the same street as the leased five-bedroom property, despite the property being empty. On the whole, local residents feared the consequences of housing offenders in their area, expressing their anger and concern through petitions, media involvement and threatening letters to Springboard's management.

12.12 In a bid to resolve the situation Clear Track's management team met with local residents, community police and local councillors and MPs to regain community confidence. However, residents were unwilling to accommodate the project and as a result it was felt necessary to withdraw the tenancy application.

12.13 Clear Track has since gone on to develop clear and concise guidelines to deal with media interest and community displacement. Furthermore, Clear Track's management team have concluded that remaining anonymous within the community maybe an appropriate strategy, however each property and its location would be judged individually, taking into consideration the interests of the local residents and the needs of the project's participants.

12.14 Since May 2006, Clear Track has acquired two further properties, in addition to the one-bedroom property which was privately leased in March 2006. These properties, which have been carefully selected to meet the needs of the project, demonstrate that Clear Track is ready and able to accept referrals from the courts.

12.15 Overall, the properties acquired provide Clear Track with the flexibility to house individuals depending upon each participant's circumstances. For example, bed-sits or individual flats could be provided to promote independent living spaces; whereas larger flats or family living

units could be provided to accommodate single parents or family visits. Similarly, properties could be adapted to meet the needs affecting the lives of individual offenders with disabilities.

12.16 The overall aim of the project's accommodation strategy is to develop a large portfolio of properties which offer different levels of support for participants, with at least one property offering continuous support for those individuals requiring such levels of care and supervision. Whereas, other properties would be able to promote and encourage responsible independent living whilst helping to develop budgeting and life skills needed to sustain a self-sufficient lifestyle.

12.17 Even though Clear Track will not be offering a 'bail hostel' approach to residential support and supervision, providing residential supervision as outlined above differentiates Clear Track from other community-based sentencing provisions.

Age Demarcation

12.18 The Youth Justice Board is responsible for children and young people aged 10-17 years. Its overall aim is to prevent offending by children and young people. It delivers this by preventing crime and the fear of crime; identifying and dealing with young offenders; and working to reduce re-offending.

12.19 Young offenders are technically aged between 18-21 years and are the responsibility of NOMS, and managed either through community sentences, or custodial sentences in young offender institutions. Young adult offenders, technically aged between 21-25 years, are also the responsibility of NOMS; however they are managed either through community sentences or custodial sentences in an adult prison.

12.20 The Criminal Justice System treats everyone over the age of 18 years as adults and as a result young offenders and young adult offenders are treated as if they are fully mature and responsible for their behaviour. Yet, young adults often need continuing support into their twenties to ensure that they do not 'fall-back' and that progress is sustained beyond immediate crisis. With this in mind, young offenders and young adult offenders are often described as occupying a form of limbo within the Criminal Justice System divide and as a result, are increasingly being held in adult prisons where their needs are not being met.

12.21 The Social Exclusion Unit in their report 'Transitions: Young Adults with Complex Needs' acknowledged the disproportionate challenges which young people face in the transition into adulthood, such as homelessness, unemployment, lack of training or education and poor health (Social Exclusion Unit 2005). They go on to argue that policies and intervention programmes are often targeted at a specific age group or problem and the complex needs of young adults are often left unaided, with very few initiatives or programmes designed to support the needs of young people.

12.22 Because of this, NOMS and relevant Government Departments²⁹ are considering a revision of current age restrictions within Criminal Justice legislation from 18-21 years to up to 25 years. Until such legislation is brought into effect Clear Track will maintain its age criteria of 18-21 years, with a view to accommodating participants aged up to 25 years to reflect the proposed legislation. Overall, the introduction of the proposed legislation would provide Clear Track with

²⁹ This is in line with the Government's newly revised Employment Equality (Age) Regulations due to come into effect on the 1st of October 2006. A draft of the proposed regulations can be found at http://www.opsi.gov.uk/si/si2006/draft/ukdsi_01107_42664_en.pdf

the opportunity to work alongside an older client group in meeting their invariably complex and inter-related needs which are significantly associated with offending-related behaviour.

13 The Delivery of a Cost-effective and Efficient Project

13.1 In September 2005, with £1,625,225 of funding for three years from stakeholders Invest to Save Budget (ISB), the Helen Hamlyn Trust and the Springboard Trust, CSV and Springboard Sunderland developed Clear Track aspiring to implement a cost-effective and efficient community-based intervention.

13.2 Funding is confirmed at the start of each financial year subject to progress. In March 2006 the CSV Director of Training and Enterprise met with the Home Office and the Treasury/Cabinet Office to discuss the unspent budget of the first year. It was deemed a feasible prospect to 'carry forward' the first year's unspent funds to assist with the project's development over its remaining life.

13.3 However, given the delays in the project's development, questions arise in relation to the future funding of the project. Questions such as, to what extent can or will stakeholders invest in a project which is unable to suggest value or quality for public money? And what are the implications should funding be withdrawn?

13.4 Clear Track, twelve months into its developmental phase, is in the process of negotiating a referral strategy with the local Probation Board. Implementation of Clear Track as a community-based provision was a target which was expected to be reached at this stage in the project's delivery. Despite this, there are resource implications associated with running a 'ghost' service in circumstances such as

these; for example, privately leased accommodation will need to be paid for, Clear Track staff will need to be salaried, and the general expense of the day-to-day running of a business will need to be covered.

13.5 However, it is not only the costs associated with the delivery of Clear Track which poses as a concern, it is also the capacity of the project's implementation in relation to its effectiveness and efficiency. In other words, the fundamental intention of the investment in Clear Track as a pilot intervention is not only to determine *if Clear Track works*, but also to determine *if Clear Track is worth it*. Thus, the Clear Track management team need to carefully consider the implications associated with the delay of 'going-live' when considering the pressures of a funded timeframe. It is also necessary to consider the potential likelihood of the project's funding being withdrawn. Overall, such concerns could create a degree of tension and possibly strain relations between organisational partnerships such as Probation and Clear Track.

13.6 Whilst considering the best value for money, Clear Track's management team need to realistically consider developments with other potential organisations which could provide the project with the referrals needed to demonstrate an effective and efficient service whilst aspiring to the proposed aims and purpose of the project.

14 Recommendations and Progress

14.1 Given the difficulties faced by Clear Track during its development and implementation, the project has been able to make considerable progress in meeting the recommendations made in the bi-annual report (Campbell and Lewis 2006: 17-19).

Table R1: Accommodation and Supervision

Accommodation and Supervision Provisions	Recommendations	Progress made by Clear Track
<p>Careful consideration needs to be given to the structure of the accommodation process and supervisory measures in terms of impact, efficiency, and effectiveness. There is also a need to be aware of and reduce the negative effects that community residential supervision may have upon victims and the public.</p>	<ul style="list-style-type: none"> ➤ To monitor and assess the accommodation and supervision needs of participants. ➤ To accordingly provide enhanced residential supervision for participants. 	<ul style="list-style-type: none"> ➤ Accommodation policy in place. ➤ Event log, information exchange policy, and community interaction policy in place. ➤ Established links with Sunderland Housing Group and Homewood. ➤ Advice and guidance on accommodation strategies drawn upon from similar organisations. ➤ Conducted thorough market research to establish which properties would best suit the needs of the project whilst creating minimal disruption to the local community. ➤ Sessional workers in place to supervise offenders who are to be referred to the project.

Table R2: Multi-agency Partnerships

Multi-agency Partnerships	Recommendations	Progress made by Clear Track
<p>Developing strong multi-agency partnerships is an essential key to the success of Clear Track when delivering a wide range of interventions tailored to address the needs of young adult offenders.</p>	<ul style="list-style-type: none"> ➤ Overall, efforts should be made to continually strengthen multi-agency working throughout the strategic planning and development of the project. ➤ There is a need to establish mechanisms which aid the negotiations of strategic planning and the decision making progress. ➤ Formal procedures need to be established in relation to information sharing and storage between multi-agency partnerships. 	<ul style="list-style-type: none"> ➤ Clear Track has established strong links regarding networking with Sunderland Drug and Alcohol Forum and Sunderland Housing Group. ➤ Multi-agency Steering Group meetings are held monthly. ➤ Monthly practitioner meetings are currently being negotiated. ➤ Policy and procedures are in place to ensure the security and confidentiality of information sharing and data protection between multi-agency partnerships, particularly the local Probation Board.

Table R3: The Referral Process

The Referral Process	Recommendations	Progress made by Clear Track
<p>In order for Clear Track to consider the suitability of referrals from the Crown Court, the project will need to closely monitor the referral process.</p>	<ul style="list-style-type: none"> ➤ To ensure an eligibility and suitability criterion is established for the referral of young adult offenders to Clear Track. ➤ To monitor the referral of young adult offenders from the Magistrates' courts. ➤ To fully explore, with relevant partners, the sustainability of referrals of young adult offenders from the Crown Court. 	<ul style="list-style-type: none"> ➤ Clear Track staff will attend the initial pre-sentence assessment with Probation and the potential referral to determine if the offender is eligible and suitable to be referred to Clear Track. ➤ Clear Track has the relevant assessment protocols in place to monitor offenders from the initial pre-sentence meeting. ➤ A young person's guide is in place to offer advice and guidance to newly referred participants.

Table R4: Clear Track Requirements and Activities

Clear Track Requirements and Activities	Recommendations	Progress made by Clear Track
<p>In order for Clear Track to be able to effectively reduce re-offending it would need to ensure the delivery of a wide range of interventions tailored to address the needs of young adult offenders.</p>	<ul style="list-style-type: none"> ➤ The different partners involved in the delivery of interventions and activities need to work closely together to maximise the range, quantity and quality of care. ➤ For Clear Track management team to regularly monitor and review the development and progress of its participants. ➤ To closely monitor and measure client satisfaction through the implementation of evaluation questionnaires. ➤ To devise and implement an ‘exit’ strategy to ensure positive re-integration into society including progression into education, employment and accommodation. 	<ul style="list-style-type: none"> ➤ Clear Track has developed Individual Action Plans (IAP) and reviews to monitor and review the progress of the offender. ➤ Questionnaires are in place to give offenders an opportunity to anonymously feedback to staff, as well as a complaints structure. ➤ An exit strategy is in place to assist with offender related needs as they exit the programme. This will include multi-agency partnerships to tackle issues such as education, accommodation, training and employment needs.

Table R5: Staffing and Staff Development

Staffing and Staff Development	Recommendations	Progress made by Clear Track
<p>In order to maximise potential benefits of the project, Clear Track will need to consider levels of basic and related training needed for the development of staffs’ professional skills.</p>	<ul style="list-style-type: none"> ➤ To ensure all staff are sufficiently skilled in working with the demands of the project and its participants. ➤ To ensure all staff have sufficient training and are confident to undertake their role and responsibilities. 	<ul style="list-style-type: none"> ➤ The training needs of Clear Track staff have been carefully identified, alongside the recent development of a training manual. ➤ Practitioner specialist will be recruited when needed to deliver in-house training sessions.
<p>As part of the pilot of Clear Track, the management team could consider implementing an in-house audit. The benefit here is in providing evidence-based practice identifying the range of available staff skills, experience and staff training needs. This will help in creating and sustaining a culture of work suited to the objectives of Clear Track and future projects, as well as task-appropriate allocation in maximising the utilisation of the diverse skills available.</p>	<ul style="list-style-type: none"> ➤ To explore and analyse staff application forms to identify staff skills. ➤ To monitor and analyse staff training needs to identify areas of expertise needed to implement the project. 	<ul style="list-style-type: none"> ➤ Sessional workers have been carefully recruited through an application process and an interview panel to meet the needs of both the project and its participants. ➤ Many of the sessional workers were selected due to their previous experience of working with offenders and young people with challenging and emotional needs. ➤ Clear Track has explained the current delay with ‘going-live’ to sessional workers. ➤ Clear Track has compiled a through data base of its staff, including their qualifications and experience describing areas of strengths and weaknesses.

14.2 In the absence of referrals, the progress made primarily relates to the process and structures of the project's development; whereas the delivery of recommendations which refer to the implementation of the project have been unachievable targets, as opposed to the project failing to achieve them. Thus, it is deemed feasible to maintain these recommendations in the interests of providing Clear Track with an opportunity to deliver them once the project commences and the first client has been referred.

14.3 The progress made by Clear Track in relation to the recommendations made in the bi-annual report can be seen in the following tables:

- Accommodation and supervision,
- Multi-agency partnerships,
- The referral process,
- Clear Track requirements and activities,
- Staffing and staff developments.

15 Clear Track: Next Steps?

15.1 This section looks at the overall results and outcomes of the pilot to determine if there are sufficient benefits to warrant taking Clear Track forward as a pilot project.

15.2 In assessing whether the Clear Track project has delivered the expected outcomes, it has not been possible to undertake a rigorous analysis of raw data to identify the projects effectiveness and efficiency. This is due to the project's delay in 'going-live' which is subsequently influenced by the Probation Board, the limitations of the Criminal Justice Act 2003 and NOMS, as discussed earlier.

15.3 With this in mind, the progression of Clear Track is dependent upon the crucial steps taken by the project's

management team in a bid to implement Clear Track as a 'third sentencing option'.

15.4 Firstly, Clear Track's management team needs to carefully consider its position with regard to negotiating a referral process and a service level agreement with the local Probation Service. All of which lends itself to the questions, can progress be made with respect to negotiations between Clear Track and probation? Can such discussions be finalised unaided, or would negotiations benefit from an external mediator in the interests of making progress? Furthermore, how much time would need to be allocated to make sufficient progress given that Clear Track is working within a predetermined timeframe?

15.5 Secondly, in the interests of providing a cost-effective and efficient service, the project's management team would benefit from entering into discussions with the Prison Service to determine the scope for Clear Track as a Custody Plus sentencing provision. Should this prove to be a viable and credible option, Clear Track would be in a position to demonstrate its readiness and ability in delivering a community custodial sentencing option aimed at reducing re-offending. This could be achieved whilst developing negotiations with the Chief Officer of the Probation Service.

15.6 In considering the outcome of these action-points Clear Track would place itself in a position whereby progress could be made, taking the project forward to the next phase of its development.

15.7 However, such developments would need to be achieved within a specified timeframe as directed by the project's business plan. Thus, the following recommendations would support Clear Track by improving upon the delicate situation with which they are faced. These recommendations are presented in the following tables: table R6, Clear Track's business plan, and table R7, Custody Plus.

Table R6: Clear Track’s Business Plan

Clear Track’s Business Plan	Recommendations
<p>A business plan would assist Clear Track and its stakeholders to determine its goals and targets in order to effectively monitor the project’s progress and development.</p>	<ul style="list-style-type: none"> <li data-bbox="799 376 1431 488">➤ To devise a business plan with clear and achievable goals and targets, both long-term and short-term. <li data-bbox="799 501 1431 573">➤ To monitor the project’s progress in relation to each goal and specified targets.

Table R7: Custody Plus

Custody Plus	Recommendations
<p>Clear Track as a Custody Plus provision would be able to demonstrate the project’s potential as a community-based element to the sentence.</p>	<ul style="list-style-type: none"> <li data-bbox="799 810 1431 922">➤ To initiate negotiations with the Prison Service with regard to developing the project as a Custody Plus prototype. <li data-bbox="799 936 1431 1115">➤ To continue in the development of negotiations with the Chief Officer of the Probation Service with a view to developing a referral process between Probation and Clear Track

▪ ***Abbreviations***

CNA	Certified Normal Accommodation
CJS	Criminal Justice System
CSV	Community Service Volunteers
ICCP	Intensive Control and Change Programme
ISB	Invest to Save Budget
NOMS	National Offender Management Service
NPS	National Probation Service
PSR	Pre-Sentence Review
ROMs	Regional Offender Managers
RSUs	Regional Secure Units
VSU	Voluntary Sector Unit
YOTs	Youth Offending Teams

References

- Campbell E and Lewis DM (2005), *An Evaluation Proposal of Clear Track, Phase I Report EP/11/05, November 2005*, Newcastle University
- Campbell E and Lewis DM (2006), *An Evaluation Report of Clear Track, Phase I Report ERI/03/06, March 2006*, Newcastle University
- Carter P (2003), *Managing Offenders, Reducing Crime: A New Approach*. Report of the Correctional Services Review, Strategy Unit, London
- Coulsfield Lord (2004), *Crime, Courts and Confidence: Report of an Independent Inquiry into Alternatives to Prison*, Esmee Fairbairn Foundation, London
- Crime and Disorder Act (1998), <http://www.nationalarchives.gov.uk/ERO/records/ho415/1/cdact/index.htm>, viewed 17/08/06
- Crime Concern (ND), *Setting and Using Targets*, Swindon, Crime Concern
- Criminal Justice Act 2003, chapter 44, <http://www.opsi.gov.uk/acts/acts2003/20030044.htm>, viewed 08/08/06
- Criminal Justice and Courts Service Act 2000, Chapter 43, <http://www.opsi.gov.uk/acts/acts2000/20000043.htm>, viewed 09/08/06
- Her Majesty's Inspectorate of Prisons (2002), *Probation Service Workload Prioritisation Report*, <http://inspectors.homeoffice.gov.uk/hmiprobation/docs/workload.pdf?view=Binary>, viewed 14/08/06
 - Her Majesty's Inspectorate of Prisons (2004), *Her Majesty's Chief Inspector of Prisons, report 2003-2004*, The Stationary Office, London
- HM Prison Service (2006), *Population Bulletin, Monthly June 2006*, http://www.hmprisonservice.gov.uk/assets/documents/10001DF1pop_bull_june_06.doc, viewed 16.08.06
- Home Office (2001), *The Halliday Report-Making Punishments Work: A Review of the Sentencing Framework for England and Wales*, London, Home Office Communication Directorate, <http://www.homeoffice.gov.uk/documents/halliday-report-sppu/>, viewed 13/08/06
- Home Office (2002), *Justice for All*, London. The Stationary Office
- Home Office (2004), *Reducing Crime – Changing Lives: the Government's Plans for Transforming the Management of Offenders*, London, Home Office
- Home Office (2005a), *Re-offending of Adults: Results from the 2002 Cohort*, Statistical Bulletin 25/05, London, Research Development and Statistics Directorate, Home Office
- Home Office (2005b), *National Standards 2005*, Probation Circular, 15/2005, London, National Probation Directorate, Home Office
- Home Office (2005c), *The Government's National Reducing Re-offending Delivery Plan*, London, National Offender Management Service, Home Office
- Home Office (2005d), *Offender Management Caseload Statistics 2004*, Home Office Statistical Bulletin 17/05, England and Wales, London, Research, development and statistics directorate, Home Office
- Home Office (2006a), *A Five Year Strategy for Protecting the Public and Reducing Re-offending*, Cm 6717, London, The Stationary Office
- Home Office (2006b), *Business Plan 2006-07*, London, National Offender Management Service, Home Office
- Home Office and NOMS (2005), *Restructuring Probation to reduce Re-offending*, Consultation Paper, London, Home Office
- House of Commons (1997), *Hansard, Written Answers to Questions [18th February 1997], Column 528*, <http://www.publications.parliament.uk/pa/cm199697/cmhansrd/vo970218/text/70218w23.htm>, viewed 14/08/06
- House of Commons (2005a), *Hansard, Written answers to Questions, [12th December 2005], Volume No 440, Part No 82 Column 1715W*, <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm051212/text/51212w38.htm>, viewed 30/07/06

- House of Commons (2005b), *Hansard, Written Answers to Questions*, [30th June 2005], Volume No 435, Part No 26, column 1671W, <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm050630/text/50630w10.htm>, viewed 30/07/06
- House of Commons (2005c), *Hansard, Written Answers to Questions* [16th March 2005], Volume 432, Part 55, column 332W <http://www.parliament.the-stationery-office.co.uk/pa/cm200405/cmhansrd/cm050316/text/50316w23.htm>, viewed 14.08.06
- House of Lords (2005) *Management of Offenders and Sentencing Bill*, <http://www.publications.parliament.uk/pa/ld200405/ldbills/016/2005016.htm>, viewed 15/08/06
- House of Lords (2006), *Lords Hansard, Volume 681, Part No. 140*, <http://www.publications.parliament.uk/pa/ld199900/ldhansrd/pdvn/lds06/text/60504-01.htm>, viewed 13/08/06
- Morgan R (2003), Thinking about the Demand for Probation Services, *Probation Journal*, 50(1), 7-19
- Napo (2004), *A Risk too Far – Napo’s Response to Consultation Paper on NOMS Organisational Design*, [http://www.napo2.org.uk/Napo2docs/NapoResponseRestructuringProbation/iii.%20A_Risk_Too_Far - Napo’s response to consultation paper on NOMS organisational design.doc](http://www.napo2.org.uk/Napo2docs/NapoResponseRestructuringProbation/iii.%20A_Risk_Too_Far_-_Napo's_response_to_consultation_paper_on_NOMS_organisational_design.doc), viewed 08/08/06
- Napo (2005), *Napo’s Response to Consultation Paper “Restructuring Probation to Reduce Re-offending”*, [http://www.napo2.org.uk/Napo2docs/NapoResponseRestructuringProbation/i.Restructuring_Probation - What%20Works - Napo](http://www.napo2.org.uk/Napo2docs/NapoResponseRestructuringProbation/i.Restructuring_Probation_-_What%20Works_-_Napo), viewed 08/08/06
- National Probation Board (2006), *Business Planning 2006-07*, Probation Circular 06/2006, London, National Probation Directorate, Home Office
- NOMS (2006), *Monthly Bulletin*, January 2006, London
- Northumbria Probation Service (2006), *Northumbria Probation Area, Our Priorities 2006/07*, <http://www.northumbria-probation.co.uk/whats%20new/pdf/Business%20Plan%20summary%202006-7.pdf>, viewed 15/08/06
- Prison Reform Trust (2005), *Home Secretary Speech to the Prison Reform Trust, 19th September 2005, Where Next for Penal Policy*, Prison Reform Trust Annual Lecture, <http://www.prisonreformtrust.org.uk/pdf%20files/Where%20Next%20for%20Penal%20Policy.pdf>, viewed 08/08/06
- Prison Reform Trust (2006), *Bromley Briefings Prison Factfile*, London, Prison Reform Trust
- Rethinking Crime and Punishment (2003), *Rethinking Crime and Punishment: What You Really Need to Know about the Criminal Justice*, Rethinking Crime and Punishment, London http://www.rethinking.org.uk/informed/pdf/need_to_know.pdf, viewed 30/07/06.
- Sentencing Guidelines Council (2005), *Custodial Sentences of Less than 12 Months*, Discussion Paper, <http://www.sentencing-guidelines.gov.uk/docs/CustodyPlus-discussion-paper.pdf>, viewed 13.08.06
- Social Exclusion Unit (2002), *Reducing Re-offending by Ex-prisoners*, Social Exclusion Unit, London
- West Midlands Probation Service (2006) *Gearing Up! Annual Business Plan Summary 2006-07*, <http://www.westmidlands-probation.gov.uk/wmps/pandp/Probation%20West%20Midlands%20Annual%20Plan%20Summary%202006-07.pdf>, Viewed 15/08/06

Contact Details

Dr Elaine Campbell
Senior Lecturer in Criminology
Degree Director for Sociology Masters Programmes
University of Newcastle
School of Geography, Politics and Sociology
Claremont Bridge Building
Claremont Road
Newcastle upon Tyne
United Kingdom
NE1 7RU

Telephone: +44 (0)191 2225030
Fax: +44 (0)191 2227497
E-mail: elaine.campbell@ncl.ac.uk

Miss Danna-Mechelle Lewis
Research Associate/Doctoral Student
University of Newcastle
School of Geography, Politics and Sociology
Claremont Bridge Building
Claremont Road
Newcastle upon Tyne
United Kingdom
NE1 7RU

Telephone: +44 (0) 191 2227540
E-mail: danna-mechelle.lewis@ncl.ac.uk

