



## **WEST YORKSHIRE POLICE AND CRIME PANEL**

**13 September 2019**

### **ROLE OF THE PCC IN THE CRIMINAL JUSTICE SYSTEM**

#### **1. INTRODUCTION**

- 1.1 Criminal justice is delivered by a number of organisations including the police, the Crown Prosecution Service, the courts, probation, prisons and Youth Offending Teams.
- 1.2 The Police Reform and Social Responsibility Act 2011 set out in law the reciprocal duty on PCCs and other Criminal Justice partners to work together to provide an effective and efficient CJS within force areas. Under the Act, PCCs must also bring together community safety and criminal justice partners, to make sure local priorities are joined up.
- 1.3 The PCC does not however have any statutory authority over the criminal justice system from the decision to make a criminal charge, through to the award of a sentence.

#### **2. LOCAL CRIMINAL JUSTICE BOARD (LCJB)**

- 2.1 Forty two Local Criminal Justice Boards were created in 2003 and overseen by the Office for Criminal Justice Reform (OCJR). Through austerity measures, funding was removed under the coalition government with local areas required to decide if they still required an LCJB and if so, to self-fund. The Criminal Justice agencies in West Yorkshire decided in 2011 to continue with the LCJB as it provides an arena whereby each agency can have dialogue with the other agencies and provides the opportunity for integrated working and improvements in efficiency and effectiveness across the criminal justice system as a whole.
- 2.2 Recent national guidance has encouraged the role of PCC's as leaders of activity around Criminal Justice (CJ) issues, and the Police and Crime Commissioner (PCC) has been at the forefront of this area of business for several years.
- 2.3 It is the view of the National Criminal Justice Board that PCCs should chair local forums which should include engagement from all key CJS partners. The PCC has been involved with the West Yorkshire LCJB prior to the introduction of PCCs in 2012, whilst in his position as Chair of the Police Authority, and became the Chair of

the West Yorkshire LCJB, 2 years ago. The four main overarching priorities of the LCJB are to:

- Improve efficiencies
- Improve outcomes
- Work better together
- Reduce reoffending

- 2.4 The Board in West Yorkshire is a productive forum, with a high level of engagement. The PCC has ensured that members play a full part in influencing the local agenda, and has used the key relationships developed across this forum to support and encourage closer working and improvement to the delivery of services in a time of ongoing austerity. The board meets quarterly and is governed by national guidelines and requirements.
- 2.5 As Chair, the PCC has played an important role in ensuring Courts, CPS, Police and other CJS partners' efforts are aligned, and continues to hold key players to account on performance. The positive relationship between these CJ organisations within West Yorkshire, has been influenced by the ongoing efforts of the PCC and OPCC. As a result of the strong partnerships, the county has been host to a number of innovative pilot schemes, such as the **2 tier Out of Court Disposal scheme (OCDs)**, which Panel have received reports on at past meetings, and the development of **special measures for vulnerable victims at court, (S28)**.

#### **Development of Strategies and Other Supporting Boards**

- 2.6 As Chair of the LCJB, the PCC has assured ongoing accountability by developing complimentary forums, for example **the Victim and Witness Group, the Reducing Reoffending Board, and the Out of Court Disposal Scrutiny Panel**.
- 2.7 Over the past two years, the PCC has commissioned the development of two key strategies to focus and drive local work in the criminal justice arena, these being the **Reducing Reoffending Strategy and the Victims' Strategy**.
- 2.8 The development of services in line with the aspirations of these strategies, will ensure that processes are efficient and effective. They also, more importantly exist to ensure, that the individuals involved - victims, witnesses, families and communities, as well as those who have offended or are at risk of offending – are at the centre of our considerations, are supported towards positive change and recovery towards leading productive and pro-social lives.
- 2.9 The Panel have been consulted amongst other partners, on the content of these strategies and were represented at the launch and delivery workshop of the Reducing Reoffending Strategy during February 2019. There is a planned launch for the Victims' Strategy during November 2019 and governance of delivery against this strategy is jointly owned by the LCJB and Partnership Executive Group (PEG), attended by the Chair of the Police and Crime Panel.
- 2.10 To ensure that these strategies and Forums have the support needed to achieve the desired outcomes and encourage partnership working, there has been staffing investment within the OPCC to three advisor posts. Alongside a Safeguarding Advisor and a Victims and Witnesses Advisor, there now also sits a **Criminal Justice Advisor**. These three, work individually and together as a team, to ensure that all aspects of a victims, and offenders journey are understood and that work continues

through engagement with key partners, to improve these areas of business under the PCC's term of office.

### **Victim and Witness Group**

- 2.11 Until recently this group was chaired by the Head of Delivery from the OPCC. Its main ambitions are to improve victim and witness experiences at court and through the criminal justice process. The group also observes agencies delivery of the Victim's Code and Witness Charter and reviews victims and witnesses 'performance'. Domestic abuse is a standing agenda item.
- 2.12 A key piece of work for this group has been to introduce a 'Live Link' facility where vulnerable victims and witnesses can provide their evidence to the court from locations outside the court environment. This has been driven by the OPCC and funding provided by the PCC. Provision in Calderdale is now available for use and further facilities are being progressed in Wakefield and as part of the development of an upgraded Sexual Assault Referral Centre (SARC). These are also locations where court closures have occurred.

### **Reducing Reoffending Board**

- 2.13 In order to achieve the **Reducing Reoffending Strategy, an Executive Board** sits quarterly, chaired by the Criminal Justice Advisor. In addition, 5 district based Reducing Reoffending Boards are now established across the county and these report into both the local Community Safety Partnerships and the strategic Reducing Reoffending Executive Board. Developing work streams include appropriate commissioning for substance misuse services, better pathways towards employment for ex-offenders and **Females at Risk of Offending**, which also has its own board, hosted and chaired on behalf of PCC. More recently the PCC has driven the development of a **Yorkshire and the Humber (YATH) Strategic Board**, which is focussed on reducing reoffending through **development of an integrated probation service**.
- 2.14 This latter provision across the region, is working proactively to develop key strategic partnerships, enabled through continued investment, from the PCC, for a part time role to drive this business. Now established, this group will work to address issues thrown up by the Government changes to probation, ensuring adequate business-as-usual delivery, over the next two years. It will also aim to provide opportunities for co-commissioning under the new model and will ensure that locally based agencies and partners are key to delivering diversion and support to offenders wherever possible.

### **Out of Court Disposal Scrutiny Panel**

- 2.15 The scrutiny panel is a group of representatives from across the criminal justice sector who come together quarterly to look at a sample of cases where an out of court disposal has been issued.
- 2.16 The intention of the panel is to provide transparency and accountability and increase public understanding, confidence and trust in how West Yorkshire Police use out of court disposals. There is a particular focus on the delivery of appropriate and proportionate justice, ensuring redress for victims of crime as well as addressing the root causes of offending behaviour.

- 2.17 It provides constructive scrutiny at an organisational and individual level to promote best practices, identify potential policy or staff development needs and more effective working practices between agencies.
- 2.18 It also works to ensure the voice of victims are heard through the out of court disposal process and provide challenge where it appears not to have been properly considered.
- 2.19 The scrutiny panel has no referral or appeals capability and is not intended to re-judge cases. It will assess the relevant processes, interactions and decisions to identify any continuous organisational learning.

### 3. Working with Partners

- 3.1 Working with **prisons, and Youth Justice Teams**, the PCC has supported the work of the **South and West Yorkshire Re-settlement Consortium**, which seeks to ensure that time spent in custody is as productive as possible and that re introduction back into communities is beneficial to all concerned. A representative from the OPCC attends the strategic board for this work.
- 3.2 The PCC encourages a **trauma-informed approach and is keen to raise awareness of Adverse Childhood Experiences (ACEs)**, in ensuring that all services are person centred, tackling the real causes of crime and criminality.
- 3.3 Recognising Mental Health issues as often being a driver for crime, the PCC chairs a **Criminal Justice and Mental Health Board**, which addresses issues around the treatment of individuals affected, by all CJ and health agencies involved. This work has ensured that those arrested under Section 136, are supported appropriately as soon as possible and spend a minimum of time being detained by police. A developing work stream is around the provision of Mental Health support services to Young People and will seek to ensure that early intervention is a priority.
- 3.4 Determined to ensure that partners in West Yorkshire take a holistic approach to improving Criminal Justice provision, the PCC has supported specific work streams to enable the voices of service users to be heard. Funding authorised through the **Partnership Executive Group (PEG) has allowed "User Voice"** to conduct in-depth research with service users around their experiences with a full report to be published later this year. In addition, the PCC has supported the **Care Leavers Association** who champion the rights and issues of those who have spent time in care. As a result of this work, all agencies sitting on the LCJB are reflecting on ways to improve service delivery to minimise the stigma and disadvantage which Care Leavers experience as they travel through the justice system.
- 3.5 To ensure processes are streamlined and information is appropriately shared, the Partnership Executive Group has also funded a data management expert to work with partners developing the **West Yorkshire Information Sharing Protocol (WYISP)**.
- 3.6 All of this work and progress over a period of years, has meant that West Yorkshire have been in a strong position to develop a comprehensive and successful bid for **Violence Reduction Unit (VRU)** funds from the Home Office, with plans now underway to develop an enhanced partnership approach to tackle serious violence,

over the next months and beyond. The organisational structure of the VRU recognises the important contribution from CJ partners and the LCJB.

- 3.7 The PCC continues to lobby for sustained support for such initiatives, through his role as APCC Chair over 18/19, and moving forward, as national lead for Serious Violence and Modern Slavery.

#### 4. Safer Communities Fund

- 4.1 The Safer Communities Fund has awarded £180,205.65 to 40 projects which have indicated their project will meet the outcome of "Make sure the criminal justice system works for communities" in grant rounds 10-15 which have recently been mapped. Breakdown by district; Bradford 9, Calderdale 6, Kirklees 8, Leeds 9, Wakefield 5, Across West Yorkshire 2.

Some projects to highlight include:

- **Support after Rape and Sexual Violence Leeds (SARSVL)** received funding in Grant Round 13 and supports women and girls affected by rape and sexual violence and any physical or mental distress they are facing. They operate a number of services including a helpline offering a confidential listening and signposting service, email, face to face and text support; a 1:2:1 advocacy service and advice on woman's legal rights and the police reporting process. This project includes translating SARSVL resources into Punjabi, Farsi, Arabic, Polish and French; which have been identified as the top 5 languages other than English in Leeds. They were distributed to support non-English speaking female sexual violence victims, which allowed them to access the services. The project will also allow SARSVL to streamline their referrals so that women can quickly refer themselves to SARSVL using a simplified online form, submitted information in a secure way, which will help reduce risks to vulnerable women.

This project met the outcome 'Make sure criminal justice works for communities' as several service users remained engaged in the criminal justice process through provision of their ISVA support which has resulted in the perpetrator pleading guilty close to trial. There is a strong possibility that these service users would have dropped their police reports had they not had dedicated, specialist ISVA support in a women-only service and resources in their own language.

- Working in the Bradford District **Mary Magdalene CiC** is a community hub with the aim of being inclusive and welcoming to local residents of all faiths, ethnicities and age. Their work includes delivering sessions and groups that will specifically target young people at risk of offending or those released on temporary licence (ROTL) from custody, unemployed adults, older people facing isolation and supporting vulnerable families. They received funding in Grant Round 10 for their Offender community re-engagement programme and then again in Grant Round 15 for the second round of the same programme. This second project which is currently still running allows them to take direct referrals from HMP Leeds and HMP Wealstun to run a range of sessions aimed at reducing re-offending, breaking the cycle of offending and equipping the offenders with the skills and motivation they need to re-enter society with a more positive frame of mind. Some of the activities include supervised voluntary work in the community, sessions on healthy eating and exercise classes, learning about the consequences and the effects on victims and support to write a CV and search for opportunities.

This project met the outcome 'Make sure criminal justice works for communities' as it works with offenders and aims to support reducing re-offending.

- **Alpha House Calderdale** is a specialist supported housing scheme for forensic mental health which also provides a comprehensive recovery programme for those with a history of offending compounded by substance misuse. They work with a range of partners in the criminal justice system, mental health professionals and statutory housing organisations to provide residential and non-residential pre-detox programmes, abstinence programmes, as well as one to one tutoring and vocational programmes, schemes and work experience opportunities. Alpha House works in partnership with probation, the police prolific offender team, prisons and CRC's but due to stretched resources planned releases which give partners time to plan appropriately are becoming rare. This grant will contribute to the costs of providing out of hours staff available until 9pm to induct someone collected from prison at 6pm. When staff aren't available to provide immediate support upon release the risk of reoffending or accessing drugs are much higher.

This project met the outcome 'Make sure criminal justice works for communities' as it works with offenders and aims to support reducing re-offending.

- Again in Calderdale the **Basement Recovery Project** aims to improve the health and wellbeing of the people of Calderdale who are affected by addiction and to develop support networks around them to help individuals maintain their recovery. They develop community based opportunities to support recovery through volunteering, enterprise, participation and networking and to reduce stigma attached to those affected. This grant will allow them to extend their existing weekly social evening into the weekends; which has been identified as the most vulnerable time for those suffering with addictions as other services are closed. They will be able to provide a safe environment that promotes companionship and positive diversionary activities with the aim of decreasing the likelihood of relapse, involvement in criminal activities and victimisation.

This project met the outcome 'Make sure criminal justice works for communities' as it works with offenders and aims to support reducing re-offending.

## 5. Summary

- 5.1 The role of the PCC within the wider Criminal Justice System is evolving. Further opportunities around strategic governance are being explored through the Association of Police and Crime Commissioners (APCC) and a national sub-committee, which the PCC is also a member of.
- 5.2 However whilst further investment is required for a stretched police service, appropriate investment is also needed to ensure an effective and efficient criminal justice system for the benefit of our victims and our wider communities.