



Ministry of
JUSTICE

Prison policy update

briefing paper

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Prison Reform – Next steps

In December, the Government set out its initial response to the report on prisons by Lord Carter of Coles. This background paper provides an update on the prison building programme we announced then, and outlines the further steps we are taking in the specific areas of:

- drugs;
- prison work;
- alternatives to custody.

This package of measures represents a major drive to cut crime by strengthening the work we do in prisons to tackle the causes of re-offending. As we drill ever further down on those causes, we will be able to deliver further reductions in re-offending, and safer streets as a result. As ever, our main priority is to protect the public.

The overall theme of this package is that of balancing the opportunities we give offenders to turn away from a life of crime with what the community expects of them in return. That means meeting certain standards while in prison and after release. It also means giving the community a greater role in setting out what it expects of those offenders who are given the chance to repay their debt to society in the community.

In return for offering opportunities for rehabilitation, whether it is through drug treatment programmes or training for the world of work, the community has a right to expect that as well as serving their sentences, offenders will repay the opportunities presented to them by turning away from crime, by taking the chance to join the law-abiding majority.

It is with this in mind that we are proposing a clearer “contract” between offenders and the community. Prisons Minister David Hanson has been asked to come forward with proposals which will set out how this contract could work. There will be incentives for those who take the chances offered to them, and there will be penalties for those who do not.

This balance of opportunities and responsibilities runs throughout the package we are putting forward today. We will provide more chances for offenders to benefit from training courses and work which prepares them for a life outside prison. But we will also look at ways of toughening prison regimes to rid them of drugs. We will continue to develop drug treatment programmes, but expect those who benefit to repay the opportunity they are given by not breaking the contract set out for them.

The announcements today signal a major drive to overcome some of the barriers to the rehabilitation of offenders. These measures are focused on tackling drug use among offenders and providing opportunities for offenders to learn the new skills which might help them to a life away from crime outside prison.

These build on the announcements we made in response to Lord Carter of Coles' review of prisons.

This paper also sets out how this new package will build on the steps we have already taken on drugs, work, employment and training, health and community justice.

Supply of prison places

Titan prisons

The Secretary of State for Justice announced on 5 December 2007 a programme for building 10,500 prison places to be delivered by 2014. This was in response to Lord Carter's review of prisons *Securing the Future* and is in addition to the 9,500 place programme previously announced. The programme includes building up to **three large 'Titan' prisons**, housing around 2,500 prisoners each, and closing old and inefficient prisons.

The estimated capital cost of the programme announced on 5 December is £2.3 billion.

The Titan model will draw on the best practice in the existing estate to introduce first-class, efficient working practices from the outset, ensuring that regime and facilities are available to provide satisfactory opportunities for purposeful activities, such as employment and training. The aim of providing such activities within a rigorous and tightly controlled regime is to aid rehabilitation of offenders, and in turn cut re-offending rates. We believe that they can be both efficient in operation and effective in playing their role in rehabilitation. Titans will not be 'warehouses' - we envisage that these complexes will be made up of separate units, with the potential for different regimes in each. As a result, they will be able to combine the best aspects of smaller prisons with the efficiency savings of centralised support services.

The Titan regime will continue to focus on the strong dynamic interaction between officers and prisoners. This will ensure that specific needs of individual prisoners are continually assessed and decency standards maintained.

The specified regime and design principles for Titan prison complexes will be the same as those prescribed for medium size prisons. Operating and construction economies will be made from the improved shared facilities (e.g. PE, Catering, Gate House) and time management over their utilisation rather than by lowering staff ratios on the wings.

It is envisaged that Titans will be placed in brownfield sites with good transport links to the areas that have the greatest demand for offenders therefore allowing reasonable easy access for family and friends to visit. We have started work on identifying suitable sites, looking at serving the major population concentrations in the South East, West Midlands, and the North West.

Titans represent significantly better value for money both in construction and operation when compared to smaller prisons and other forms of custody (e.g. temporary accommodation or police cells). A Titan prison is likely to last over 100 years with a capital cost per place per year of lifespan of £1,400. This compares to a house-block for example, which would last 60 years and cost £3,660 per place per year of lifespan.

Titans will provide centralised support services including catering, medical, visits and administration within a large establishment and optimal sight lines which would result in better staff utilisation. Also new technology can be built into the fabric of the building (e.g. biometric scanning, bar coding, electronic door operation etc) allowing improved security, operational effectiveness and greater efficiencies. This will deliver significant staff savings compared with many of the current prison operations.

There will be an absolute focus on providing the different regimes needed to reduce re-offending and improve the prospects of rehabilitation. We have the opportunity to build on our experience of the successful cluster of three prisons at Sheppey (currently housing 2,221 prisoners) by creating a number of separate sectors within a single secure perimeter to ensure that the right interventions will be available to reduce the risk that prisoners will re-offend. A second cluster, involving the merger of Blakenhurst, Brockhill, and Hewell Grange to create a single establishment is currently being put in place for April (1,427 places), and a third is being planned on the Isle of Wight, where the three prisons providing 1,617 places will be managed together. Running prisons in this way allows the costs of management and administration to be kept to the minimum so that more staffing and other resources can be made available for the vital frontline work of protecting the public, holding prisoners securely and safely, and reducing the risk of re-offending.

Lord Carter assumed the prisons would provide services for around 1,000 adult remand prisoners and up to 1,500 Cat C trainer places. He estimated that the first Titan prison would become operational by December 2012. He expected that a further 2 Titans would be operational by the end of 2014.

We will consult on Titans and their place in the wider strategy for the prison estate in April. We believe that Titans will be an important element in providing effective prison capacity more efficiently, but we are keen to ensure that all those who have ideas and proposals to contribute to defining the right specification have the opportunity to do so.

The current prison building programme

This continues apace, with over 2,500 places to be delivered in 2008, including over 950 which will become operational before the end of April. On the basis of current plans this includes:

| Prison | Location | Places | Date |
|----------------------|--------------------------|--------|------------|
| Acklington | Morpeth, Northumberland | 64 | April 2008 |
| Blundeston | Lowestoft, Suffolk | 60 | April 2008 |
| Erlestoke | Trowbridge, Wiltshire | 60 | March 2008 |
| Highdown | Sutton, Surrey | 60 | April 2008 |
| Isle of Wight | Isle of Wight | 40 | April 2008 |
| Kirklevington Grange | Cleveland, Durham | 60 | April 2008 |
| Lewes | Lewes, East Sussex | 176 | April 2008 |
| Portland | Portland, Dorset | 64 | Feb 2008 |
| Ranby | Retford, Nottinghamshire | 60 | Feb 2008 |
| Send | Woking, Surrey | 64 | March 2008 |
| Stocken | Stretton, Leicestershire | 64 | April 2008 |
| Wayland | Thetford, Norfolk | 180 | March 2008 |
| Total | | 952 | |

In line with Lord Carter's recommendations we are also launching a competition for a **prison ship** and have begun a consultation on the **conversion into a prison of the former RAF Coltishall airbase**.

Reducing re-offending

Reducing re-offending and protecting the public lies at the heart of the Ministry's work and is a priority for the Government, not least in terms of its important contribution to reducing the overall level of crime.

The announcements in this latest package are specifically aimed at building on our work to cut re-offending.

The UK Government, working with the Welsh Assembly Government and a wide range of other key partners, has undertaken an extensive programme of work in recent years to tackle re-offending in England and Wales.

Since 1997 the number of re-offenders has fallen by 6.9% against the predicted level¹.

In prisons, the number of core offending behaviour courses has risen by 28% since 2004/05, including a wide range of accredited programmes aimed at sexual and violent offenders, as well as programmes addressing cognitive behaviours and substance abuse. And there is evidence of real success. For example, a study into the Sex Offender Treatment Programme run in prisons found a significant reduction in sexual and violent offending for medium risk offenders completing Sex Offender Treatment Programme compared with the re-offending rates of untreated sexual offenders.

Furthermore, two year reconviction data for prisoners released from custody in 2004 provide indicative evidence of a positive treatment impact through comparison of actual reconviction against predicted reconviction rates. For prisoners serving over 4 years the improvement is 13.4%; prisoners serving 2 years to 4 years 10.1%; prisoners serving 1 year to 2 years 6.3%. These results which reflect the focus on decency and the results of investment in interventions indicate a much greater treatment impact than has ever previously been achieved.

There has been similar successful management of accredited programmes by the Probation Service. Last year nearly 20,000 offenders on probation successfully completed such programmes which are designed to tackle re-offending.

An innovative programme of joint work between prisons and probation supported by the Government's crime reduction funding, led to the creation of a new system for assessing the risks and needs of offenders (OASys) and a full suite of accredited offending behaviour programmes to address offender risk and need.

¹ Details of how this is calculated are provided in re-offending of adults: results from the 2004 cohort page 16 <http://www.homeoffice.gov.uk/rds/pdfs07/hosb0607.pdf>

But as identified in the Social Exclusion Unit's 2002 report *Reducing Re-offending by ex-prisoners*, success depends on cross-agency collaboration. The report described the seven 'pathways' to reducing re-offending: accommodation; skills and employment; health inequalities; drugs and alcohol; children and families of offenders; finance, benefit and debt; and attitudes, thinking and behaviour. This important work provided the framework for the Government's *Reducing Re-offending Delivery Plans* in 2004 and 2005, and has focussed the action of both practitioners and policy-makers.

The launch of the *Prolific and other Priority Offender (PPO)* programme in 2004 followed the publication of the Joint Thematic Inspection report *Persistent and Prolific Offenders*. The report highlighted the crucial role of inter-agency partnership working in tackling this challenging group of offenders.

The continuing Multi-Agency Public Protection Arrangements (MAPPA) led by probation, police and prison services with partners, ensures plans are in place to manage those offenders who pose the most serious risk of harm to individual victims and communities.

The 2005 Green Paper: *Reducing Re-Offending Through Skills and Employment*, and subsequent Next Steps document, built on the Learning and Skills Council's (LSC) work to strengthen partnership relationships in supporting delivery, alongside an ambitious programme of reform to take us into the next decade. And the joint Welsh Assembly Government and NOMS Wales strategy, *Learning to Change: Developing Skills to Reduce Re-offending*, sets out expectation for the delivery of offender learning and skills provision in Wales by March 2010, and how it will be implemented.

The introduction of end to end offender management for the most serious and prolific offenders focuses on ensuring continuity of service provision across custody and into the community. The Offender Management Act which received Royal Assent last year enabled Probation Trusts to be established and consolidated the probation role as offender managers in the system. Probation Trusts will have a key role promoting the reducing re-offending agenda with support from partners in England and Wales.

The UK Government set up the cross Whitehall Reducing Re-offending Programme Board in 2004 and an Inter-Ministerial Group followed in 2006 to oversee national, regional and local development of work to reduce re-offending. Across England, Partnership Boards are in place with many examples of innovative work that we can draw upon in moving forward. A parallel approach is in place in Wales through the All-Wales Reducing Re-offending Strategic Board, co-chaired by the Welsh Assembly Government and NOMS Wales. At a local level in Wales multi-agency partnerships to deliver *Extending Entitlement* to all 11-23 year olds include Youth Offending Team managers and often NOMS representatives as well.

Looking ahead, the Government is now consulting on a **Strategic Plan for reducing re-offending for adults from 2008-11**² alongside the new Public Service Agreement (PSA) re-offending target. The plan will underpin the Crime Strategy: *Cutting Crime, A New Partnership 2008-11*, setting out how Government and its partners will work together to reduce both the volume and severity of adult re-offending, as well as supporting regional and local commissioning, joint commissioning and partnerships.

Although there will be a separate youth re-offending plan, the consultation considers the existing synergies between the adult and youth estates and asks how we can work more coherently together at a national, regional and local level to deliver an outcome common to both NOMS and the Youth Justice Board: a reduction in re-offending.

Alongside this consultation is the NOMS **Third Sector Action Plan** and the Department of Health's *Improving Health, Supporting Justice* consultation. These documents, whilst distinct, support one another and underscore the government's commitment to tackling re-offending holistically.

² http://noms.justice.gov.uk/news-publications-events/publications/consultations/RRSP_2008-2011/RRSP_2008-2011_eng?view=Binary

Work, employment and training

In 2006/07 36,501 prisoners went into training and employment at the end of their sentence, a critical factor in moving them away from crime. Spending on offender learning has almost trebled since 2001, and now stands at £164m. The Chief Inspector of Prison's recent report described the improvement in prison learning and skills as 'the most heartening success'.

We now plan to **increase the range of constructive work available to offenders** inside prison, and in turn their job opportunities on the outside. We have an existing corporate alliance with more than 70 employers, in addition to those working in individual prisons and probation areas, but the Government is now committed to expanding this programme significantly.

With Ministerial Colleagues from the Department of Innovation, Universities and Skills, Prisons Minister David Hanson will shortly host a forum with leading figures from the private and third sectors to **bring in more partners to provide prison training workshops**.

We are also announcing the **launch of a major new scheme at HMP Wandsworth**, (with Cisco, Bovis Lend Lease and Panduit) to train prisoners in installing voice and data cabling. Providing enhanced vocational training to prisoners is instrumental to helping offenders turn away from crime, and giving them back a sense of stability, discipline and responsibility.

Prison industries:

- provide employment places for some 10,000 prisoners in 370 workshops;
- provide some 12 million hours of activity per year;
- have an estimated value of production of over £30 million at market pressures, largely saving the Service external procurement and therefore releasing resources for other priorities;
- generate income of some £6.5 million per annum from external sales – mainly through contract services workshops.

This has a number of roles:

- provision of goods and services as efficiently and effectively as possible;
- aiding good order and control by employing significant numbers of prisoners;
- aiding resettlement through skills and qualifications;
- raising funds to offset the high cost of imprisonment.

The focus in the past few years has been a drive to increased efficiency, modernisation and the introduction of commercial disciplines such as internal hard charging. This has established a strong platform in which to further develop both the training of prisoners and expansion in the provision of goods outside the Service. Both are interlinked. Because of their size, importance in providing regime places and financial benefits to the Service, prison industries have to be seen as an integral part of the offender management package that the Prison Service can supply.

[Other activities \(e.g. catering, land based activities, laundries & commercial cleaning\)](#)

Prisoners are engaged in a real production environment (for example the public sector Prison Service supplies some 75 million meals a year). There have been some real achievements in this area:

- 60% of production kitchens run NVQs for prisoner workers. DIUS and the Prison Service are working together to explore how Train to Gain funding might be available for some prisoners employed in catering, in line with commitments in the Next Steps document. In doing so, we will take advantage of the very recent approach from a large catering organisation who are looking for trained caterers;
- approximately 1,400 prisoners are currently involved in training in land based skills in accordance with City and Guilds National Proficiency Test Council (NPTC) qualifications. The industry recognises these qualifications as a no-nonsense indication of competence in the detailed activities;
- industrial cleaning is closely linked to the British Institute of Cleaning and from this year prisons will be taking part in a national cleaning competition organised under Working Ventures UK. The prize for the winning team of prisoners will be job interviews with a major industrial cleaning organisation.

[Training workshops in partnership with the private sector](#)

This is an increasing area of development and includes several strands:

- Prison Information and Communications Training Academy (PICTA) is a partnership between the Prison Service and Cisco systems. PICTA has over 20 workshops within prisons delivering recognised ICT qualifications. The aim is to provide prisoners with an opportunity to follow an individual self paced vocational study programme in a modern vocational skill, providing opportunities for employment in a growth market sector – computing. There are a diverse range of skills required in this industry at various levels. HMPS have also started to develop industries alongside the PICTA workshops where prisoners with the relevant qualifications can diagnose, repair and upgrade IT machinery;

- at HMP Lindholme an in-house bakery employed a total of 84 prisoners in 2006 - 2007. Of these prisoners 49 were registered for an NVQ and 64 NVQs (in food and drink manufacturing as well as bakery) were awarded. Four prisoners were released into full-time employment;
- at HMP Springhill there was an old boiler house that needed total refurbishment to enable it to be used. Springhill could not afford the refurbishment costs, so a partnership was set up with Get Training which involved them paying for all of the materials and Springhill supplying prisoner labour to refurbish the building. When completed the building would be lent to Get Training (still owned by the prison) to operate as their southern area training centre. As part of the contract, Get Training would guarantee twenty places for the prisoners on the Pathway to Gas course in year one and then a minimum of forty places every subsequent year. Prisoners achieving the Pathway to Gas certificate are qualified to the required level for applying for CORGI Registration. Get Training also supply the work placement needed for the prisoners to achieve the qualification and have very recently said they would like to create another joint venture in another prison;
- six prisons are involved in Track Works and are being trained in rail-track maintenance where there is a real skills shortage.

Other employer partnerships

As set out in the *Reducing Re-Offending through Skills & Employment: Next Steps* plan, we aim further improvements by involving more employers, from the corporate, public and voluntary sectors, in training offenders before release and subsequently offering them employment. We will do this through our Corporate Alliance for reducing re-offending, which all of the employers listed above, and many others too, are signed up to.

As well as involvement with prisons, Alliance members are also involved in other developments which will increase opportunities for offenders. For example, Bovis Lend Lease launched last week their "Be Onsite" initiative to provide employer-led training to address skills shortages in the construction industry. The initiative will target, among others, offenders in custody and the community and will offer them job brokerage, supported employment and skills training. This provides 'through the gate' employer engagement as well as work within the prison.

Be Onsite will identify where emerging skills through technological advance and sustainability are not integrated into the current training provision. This collaborative approach working with Industry, Government, Sector Skills councils and training providers looks to ensure the industry gets the training provision it needs, the individual gains sustainable careers, and the UK remains competitive within a global economy.

This is the culmination of eleven years of linking local people to construction training and jobs resulting in almost 10,000 people finding construction employment, and a further 11,000 people going into retail jobs.

To give one more example, Wessex Water provides training and employment in the water industry to offenders in the south west. The programme mainly deals with prisoners from the open and resettlement estate. The offenders are released on temporary licence to attend a 12 week pre-release training course with the company's own staff, leading to a secure job on successful completion and release. Training is provided both on site and in the company's own training centre when required, leading to nationally recognised qualifications. It is not a soft option and the offender has to show real commitment to complete the 12 week training course with long hours and hard work for no more reward than they would receive in prison. Throughout the training and initial employment period, the company appoints a mentor to help the offender through the transition into working life. The programme has been so successful that Wessex Water is working with NOMS to encourage the other water companies to copy the programme as part of national framework.

Drugs

There has been a ten fold increase in investment in drugs work in prisons in recent years and a two-thirds fall in the number of prisoners testing positive for drugs in prison (from 24% in 1996/97 to 8.8% in 2006/07). To build on this we are taking further steps to tackle drug use in prison and in the community. This drive against drugs will cover both the drug treatment programmes in prisons, and the control of drugs in prisons.

Ministers are now **urgently considering what further measures we need to take over controlling the supply of drugs into prisons**, such as reviewing the criteria for open/closed visits across the prison estate, with a particular focus on local prisons. This will be intrinsically linked with the "contract" we will create between offender and the community. It will look at introducing more rigorous searches, including the provision of more sniffer/search dogs. In spite of significant falls in the level of drugs detected by random mandatory drug tests in prison - our prisons should be drug free.

As well as stamping out the supply of drugs, we are helping offenders kick the habit in prison. By April, **29 prisons will have introduced the Integrated Drug Treatment System (IDTS)**, and with the Department of Health we will be extending this scheme to a further 20 prisons over the next 12 months. IDTS provides better clinical services funded by the Department of Health, such as improved detoxification programmes and greater continuity of care between the community and prisons, between prisons, and on release into the community, as well as helping offenders to address some of the deeper roots of their drug abuse. Alongside this, we will also consider extending the number of drug-free wings where prisoners can access increased rehabilitation and support separate from known drug users.

In the community, **we are increasing the provision of current community sentences that specifically target and intensively supervise offenders with a drug misuse problem by 1000 next year**. These are known as Drug Rehabilitation Requirements (DRR). The aim of the DRR, which involves treatment, regular testing and court reviews of progress and rigorous enforcement, is to get offenders to stop offending, with the longer term aim of getting them off drugs for good.

Many offenders come from chaotic backgrounds, their lives ruined by the pernicious cycle of crime and drug abuse. Subject to the current evaluation of the Leeds and West London pilots, **we will extend our successful dedicated Drug Courts to four further areas**, in which courts look to address the causes of offending along with the offence.

Reducing drug use

The level of drug positives detected by the random mandatory drug testing programme in prisons has fallen by nearly two thirds since its introduction in 1996/97, from 24.4% then to 8.8% in 2006/07. This is the result of a number of initiatives, including the introduction of mandatory drug testing, better detox, better treatment, CCTV surveillance of visits, increased use of closed visits, more drug dogs, development of passive drug dogs searching visitors and improved security performance on searching and intelligence.

Specifically, investment in prison treatment is up from £7m in 1997/98 to £80m in 2007/08, a rise of over 1000%, with record numbers engaged in treatment:

- clinical services entrants to maintenance-prescribing/detox programmes are up from under 14,000 in 1996/97 to over 51,500 in 2006/07;
- entrants to drug rehabilitation programmes up from under 1,000 in 1996/97 to over 11,000 in 2006/07.

Drug Interventions Programme

The Drug Interventions Programme (DIP) was established in April 2003, to channel drug-misusing offenders into treatment – and to keep them there – at all stages of their progress through the criminal justice system. In order to do so, it built on the best existing interventions, such as arrest referral, and has introduced some new laws and working practices (drug testing in relation to selected, mainly acquisitive crime, offences, required and follow up assessment for those testing positive, Restriction on Bail, Conditional Cautioning etc) to put tough choices before those offenders who were not engaging in treatment

These individual interventions have been brought together to create an integrated approach which enables appropriate and continuing engagement with an individual at arrest, on charge, in court, during and on completion of community and custodial sentences or statutory supervision in the community and on leaving treatment.

Benefiting from effective case management and information sharing, offenders are able to pass more easily along their treatment journey regardless of which CJS partner is currently responsible for them – with an emphasis on ensuring robust throughcare and aftercare arrangements are achieved. Over 3,750 offenders a month are now entering treatment through the Programme.

DIP engages with a broad range of drug misusing offenders, who are at different stages in their drug misuse and offending careers. It aims to prevent crime through the right interventions as well as reduce offending levels by engaging the most problematic and prolific offenders. Its main focus, however, given the need to target resources most effectively and given the evidence base around links between certain types of drug use and offending behaviour, is on those who use Class A drugs, in particular, Heroin/Opiates, Cocaine and Crack Cocaine. Recently published research into the levels of offending before and after contact with DIP shows that around half the offenders who came into contact with the DIP via the custody suite displayed a reduction in offending of around 79% in the 6 months following contact. The overall volume of offending was 26% lower following DIP identification.

Reducing supply

We have adopted a co-ordinated package of measures to reduce the supply of drugs in prison, including:

- passive and active search dogs (around 440 in total); with passive dogs available to all prisons for use during visits. Active dogs are used to search all prison areas including cells, vehicles and goods;
- CCTV surveillance of all social visits' areas and low-level fixed furniture in Category C prisons and above;
- comprehensive measures to tackle visitors who smuggle or attempt to smuggle drugs – closed visits, visit bans and police arrest;
- Mandatory Drug Testing – each year around 60,000 random and 40,000 targeted tests are undertaken;
- intelligence systems – including monitoring of telephone traffic through the PIN-phone system;
- close working with police – targeting serious criminals outside who are increasingly involved in supply – each prison has access to a Police Liaison Officer;
- deployment of mobile phone detectors and analysis of recovered phones;
- use by all prisons of the Supply Reduction Good Practice Guide, enabling effective measures to be replicated nationwide;
- clearly-defined searching policies in accordance with National Searching Strategies.

Reducing drug use by offenders in the community

Work in prisons has been mirrored in respect of offenders serving community sentences:

- the introduction of the Drug Testing and Treatment Order (DTTO) in 2000/01 (and its successor the Drug Rehabilitation Requirement (DRR) in 2005) has been a success. The number of DTTO/DRRS orders has increased from 1,256 orders in 2000/01 to 15,798 in 2006/07;
- the quality of delivery of the DRR is improving all the time (the DRR is one of 12 requirements that can be included in a Community Order and is targeted at problem drug misusers who commit acquisitive crime to fund their drug habit and show a willingness to co-operate with treatment);
- the proportion of offenders who successfully complete a DRR or DTTO has risen significantly (from 28% of those who start in 2003 to 44% in 2006/07). We know from DTTO research that offenders who complete the order have significantly lower reconviction rates (53%) than those that don't (91%), although it is not possible to calculate exactly how much of this difference is due to the programme;
- 85% of offenders are being retained on the DTTO/DRR for at least 12 weeks, which is the minimum treatment period reported by the National Treatment Agency and the Drugs Interventions Programme as having some impact on drug use and offending;
- recent international reviews analysing large numbers of evaluations of drug treatment programmes have concluded that, on average, drug treatment programmes reduce re-offending;
- recent research indicates that accredited substance misuse programmes used both by probation and prisons can result in significant reductions in re-offending;
- there is a comprehensive programme of drug testing for prolific and priority offenders while subject to a post-custody licence;
- Community Orders are already rigorously enforced by probation - up from 53% compliance with national standards in 2000/01 to 92% in 2006/07. The increasing numbers of offenders who complete DRRs, unpaid work, and accredited offending behaviour programmes is testimony to the good work done by the probation service. The continuing expansion of provision and use by sentencers of the DRR accredited substance misuse programmes indicates sentencers have confidence in these aspects of the community order.

Drugs courts

The Dedicated Drug Court (DDC) Project was launched in December 2005 with the aim of establishing a new framework for Magistrates' Courts in dealing with drug-misusing offenders who persistently commit low level crime. It is one of a number of problem-solving approaches currently being developed within HMCS, which also include work in areas such as domestic violence and mental health, as well as community justice.

Two drug court pilots have been running in West London and Leeds since December 2005.

The DDC model establishes a new framework in dealing with drug-misusing offenders committing low level crime to fund their drug addiction, aiming to reduce their drug-misuse and therefore their associated offending behaviour. The model encourages a more effective response to dealing with drug-misusing offenders through a focused interagency approach.

The pilots operate within the existing legislative and procedural framework that underpins the courts' handling of drug related offending, extending a specialist approach to reviews. Under this framework, a drug-misusing offender who is convicted of a low-level acquisitive offence will be referred to the DDC for sentencing. The same District Judge or panel of magistrates who sentence the offender provide continuity and stability in reviewing the offender's progress on drug treatment orders. The pilot is exploring the effect of continuity on an offender's motivation to stay in treatment and so reduce drug use and related offending.

Subject to the evaluation currently being completed, we propose to extend the model to up to four more pilot sites in October 2008 in order to allow exploration of this approach across more sites and enabled the model to be tested further. Findings from the evaluation will be fed into any plans for further rollout.

Alternatives to custody

For many offenders on sentences of less than 12 months community-based punishments are proven to be more effective at reducing re-offending than short prison terms. Therefore, **we will fund at least 6 intensive alternatives to custody projects with new investment of £13.9 million over the next 3 years.** The first such project will begin in Derbyshire in March, and will include a combination of unpaid work, electronic monitoring, behaviour programmes, mentoring, and help with resettlement, all under intensive supervision. More than 6 million hours of unpaid work are already carried out in the community each year. With the Department of Communities and Local Government we will further build on Community Payback, such as through options like **citizen's panels to decide on which projects offenders should undertake in their local area.**

Community Payback programme

These developments will build on our Community Payback programme. The number of hours of unpaid work imposed by the courts has risen steadily with an increase of over 26% between 2002 and 2006. Last year over 55,500 unpaid work sentences were successfully completed. As well as providing an effective punishment, it also enables offenders to make reparation to their local communities, by benefiting those communities with their labours. Last year offenders sentenced to unpaid work requirements or community punishment orders worked over 6 million hours to the advantage of society:

- in Wigan the mayor has backed a project which has involved offenders revitalising a community centre which is used by many local people;
- in North Tyneside the mayor has backed a project involving offenders decorating and clearing the gardens of void social housing stock to promote quicker occupation;
- in Merthyr-Tydfil the major has backed a project which involves offenders clearing a trail for use by the local community which follows the original route of an historic railway line;
- in Derby the mayor promoted a number of projects, which included constructing footpaths, patios and a summer house at a sheltered housing project. Another project involved offenders making bird and bat boxes from timber donated by local timber merchants, for use by people in Derby to encourage wildlife in the city. The mayor held a reception to celebrate the construction of the 1,000th box.

In addition, there are many projects that demonstrate the spirit and intentions of Planet Payback – an environmental version of our Community Payback programme:

- unpaid work teams have been working with Boston Woods Trust, providing a much-needed recreational area for walking, bird watching, horse riding and cycling. To date it has created 45 acres of new woodland. Work undertaken by offenders paying back to their local communities includes woodland management tasks such as laying mulch and creating pathways, as well as planting trees across three woods in Boston, namely Grange wood, Beech Wood and Westgate Wood;
- the Carbrooke Millennium Green at Thetford was purchased by the Millennium Green Trust from a local farmer, using Lottery funding as a community area. It covers ten acres and contains a newly planted orchard, a wild flower meadow and wildlife pond area. Offenders maintain the area enjoyed by the local community; strimming footpaths, trimming hedges, clearing brambles, upkeep of the hedging of the children's maze, pruning and cutting back trees, and painting fences and playground equipment;
- Gloucestershire has a long standing partnership with Westonbirt Arboretum. Each week unpaid work teams help to maintain the conservation areas, helping it not only look attractive but conserving it as a space for wildlife as well as learning new skills;
- working in partnership with the Green Business Network, unpaid work teams help to run and maintain a sustainable fish farm based on land donated by the local water company. They are also preparing the site to become an education centre, constructing paths for a nature trail and installing educational 'pods'. The project is also looking into setting up a healthy eating kitchen on site which will use the food grown by the offenders.

[Intensive alternatives to custody](#)

We will be using new funding of £13.9m over the next three years to fund a minimum of six intensive alternative to custody demonstrator projects, each expected to run for around two years. These projects will use existing legislation to develop innovative intensive community sentences, specifically targeted at those offenders who currently receive less than 12 months in custody.

We have invited expressions of interest to take forward this work. We are particularly seeking projects that add extra value through partnerships, or through innovative ways of working with the courts, or delivering the sentence, or through a focus on substance misusing offenders.

The Ministry of Justice Penal Policy paper, published in May 2007, outlined the Government's intention to develop a higher intensity community orders as an alternative to short term (under 12 months) custody. This approach is being developed initially in Derbyshire for implementation in March 2008.

We envisage that these projects will test two main concepts:

Intensive Control Sentence demonstrators: these might include supervision, programme and activity requirements, plus other requirements as necessary. We envisage bids will emphasise new aspects such as peer mentoring, judicial monitoring, engagement with the police and resettlement work.

Intensive Punitive Sentence demonstrators: made up of unpaid work and curfew adapted to provide a short intensive community punishment as an alternative to very short term custody (6 months and under), including a supervision requirement where appropriate. This could involve a set number of hours of physically demanding unpaid work to be served immediately following sentence and within a short space of time, combined with supervision appointments and curfew restrictions to last for 3-6 months.

Improving health, supporting justice

Although the package today focuses on drugs, work and alternatives to custody, it is important to set this out in the context of our continuing cross-government work on improving health and social care services for people subject to the criminal justice system.

A consultation is currently underway of a joint initiative - Improving Health, Supporting Justice, between the Department of Health, the Department for Children, Schools and Families, the Ministry of Justice, the Youth Justice Board and the Home Office to develop a strategy for this important element of our work.

The proposals include making a range of alternatives to custody available, including sufficient secure acute services and packages of non-residential support capable of meeting offenders' mental health and social care needs and of protecting the public.

The initiative also proposes an assessment of the potential impact of mental health and drug courts, and the development of guidelines for sentences and training for sentencers in mental health, substance misuse and personality disorder to guide sentencing decisions.

In addition, the Government has asked Lord Keith Bradley to undertake a review of the appropriate diversion of offenders with mental health problems or learning disabilities from prison, and to consider diversion at every point of the offender pathway. The review is due to report jointly to the Department of Health and the Ministry of Justice this summer and will examine the extent to which offenders with mental health problems or learning disabilities could, in appropriate cases:

- be diverted from the criminal justice process;
- be diverted from prison on disposal to other services;
- the barriers to such diversion.

Two pilot projects are currently being undertaken: to improve the service available to defendants appearing in court who are presenting as having mental health difficulties, and, to develop a framework for promoting local service level agreements for the provision of psychiatric reports to Crown and Magistrates courts. The Department of Health is currently developing comprehensive guidance for criminal justice liaison and diversion schemes.

We are consulting on improving assessment of offenders' mental health while in police custody, building on existing assessment arrangements in prisons.

We will **bring forward pilots of models for court diversion and reviewable community orders based on models of mental health courts** in the American and Australian jurisdictions. Problem solving approaches applied to mental health builds upon experience developed within HMCS relating to community justice, domestic violence courts and drugs court pilots, all aimed at ensuring that the courts respond effectively to problems in the criminal justice system.

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