



Understanding the Criminal Justice System

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The criminal justice system

- ‘The purpose of the criminal justice system is to deliver justice for all, by convicting and punishing the guilty and helping them to stop offending, while protecting the innocent. It is responsible for detecting crime and bringing it to justice; and carrying out the orders of court, such as collecting fines, and supervising community and custodial punishment.’
(http://www.cjsonline.gov.uk/aims_and_objectives/).
- There were 4.7 million recorded crimes in 2008, 1.3 million offences were ‘solved’ and 1.69 million offenders were found guilty or cautioned.

Government departments

- The Home Office – responsible for policing, antisocial behaviour and drugs policy.
- The Ministry of Justice – responsible for the courts, prison and probation services, and for criminal law and sentencing policy.
- Office of the Attorney General - responsible to Parliament for the Crown Prosecution Service.
- The Office for Criminal Justice Reform - a cross-departmental team that supports all criminal justice agencies in working together.

The police

- 43 police forces in England and Wales.
- In 2009 there were a record 142,151 police officers (15,337 more than in 1998), over 16,000 Police Community Support Officers and more than 14,000 Special Constables.
- The overall detection rate in 2008 was 28%.
- Police expenditure grew in real terms from £9.83 billion in 1998/99 to £14.55 billion in 2008/09.

The Crown Prosecution Service

- The CPS is headed by the Director of Public Prosecutions, Keir Starmer QC.
- The CPS has 42 Areas across England and Wales, divided into 15 regional groups. Each Area is headed by a Chief Crown Prosecutor.
- As of March 2006, the CPS employed a total of 8,775 people. About 30% were qualified prosecutors.
- CPS's role: 'to prosecute cases firmly, fairly and effectively when there is sufficient evidence to provide a realistic prospect of conviction and when it is in the public interest to do so'.

The courts

- Magistrates' courts
 - Over 95% of all cases are dealt with exclusively in a magistrates court.
 - Sentence of up to six months imprisonment or a fine of up to £5,000 can be given.
 - Cases are heard either by three lay magistrates or one District Judge.
- Crown Courts
 - Deal with more serious cases.
 - Trial by a judge and jury.

National Offender Management Service

- Created in 2004 and became an executive agency of the Ministry of Justice in July 2008.
- Brings together the prison and probation services.
- Statement of purpose: 'We work to protect the public and reduce re-offending by delivering the punishment and orders of the courts and by helping offenders to reform their lives'.
- 10 Directors of Offender Management, responsible for services in a geographical region.

Prison service

- There are 138 prisons in England and Wales. The total current capacity of the prison estate is 87,533 (although many of these places are in overcrowded conditions).
- There are 85,009 people in prison - 80,693 men and 4,316 women.
- The former Government had committed to increasing prison capacity to 96,000 by 2014.
- In 2008, 134,148 people entered prison in England and Wales (compared to 125,880 in 2007).

The probation service

- 42 probation areas.
- In 2008, 205,000 people started probation service supervision.
- On 31 December 2009, there were 241,504 offenders being supervised by the probation service.
- Probation staff also provide pre-sentence reports and contribute to decisions about the early release of prisoners.

The youth justice system

- The Youth Justice Board oversees the youth justice system in England and Wales, working to prevent offending and reoffending by young people under the age of 18.
- There is a youth offending team in every local authority in England and Wales. They are made up of representatives from the police, probation service, social services, health, education, drugs and alcohol misuse and housing officers.
- Three types of secure accommodation in which a young person can be placed: Secure training centres, secure children's homes and young offender institutions.

Local Authorities and LAAs

- Complex structure at local level
 - Crime and Disorder Reduction Partnerships
 - Local Criminal Justice Boards
 - Local Strategic Partnerships
- Local area agreements
 - Sets out the “deal” between central government and local authorities and their partners to improve the quality of life for local people.
 - 198 indicators of which local areas prioritise up to 35.
 - Include priorities on crime and community safety.

The involvement of the private and third sectors

- Eleven private prisons, delivering over 9,000 places.
- Limited role for private and third sector in directly providing probation services.
- More prominent role for the voluntary and private sectors planned in the future.
- Private-voluntary sector consortia have recently won two prison contracts.

Key issues (1): Cost and sustainability

- In 2007-8 the UK spent just under £31.4 billion on public order and safety.
- In real terms, UK expenditure on public order and safety has doubled in the last 20 years.
- The UK spends more on public order and safety than any other OECD country.
- Investment in prisons since 1997 has increased in real terms by 42%.

Key issues (2): Localism and accountability

- Disconnect between local and national systems.
- Lack of transparency and accountability to the public.
- Lack of public confidence in the criminal justice system.

Key issues (3): The prison population and prison overcrowding

- The number of prisoners in England and Wales has increased from 44,552 in 1993 to more than 85,000 today.
- The increase in the prison population is not a result of a significant increase in people being sentenced by the courts.
- The prison system as a whole has been overcrowded in every year since 1994.
- Nearly 60% of prisons in England and Wales are officially overcrowded.
- During 2008-9, an average of 20,452 prisoners were either doubled up in cells designed for one or held three in a cell designed for two at any one time.