

## **21. PROLIFIC AND OTHER PRIORITY OFFENDERS**

### **21.1 INTRODUCTION AND DEFINITION**

#### **Reducing the nature and volume of crimes committed by prolific and other priority offenders**

The Narrowing the Justice Gap initiative (autumn 2002) first established a core definition of a persistent offender as 'someone who is 18 years or over and has been convicted of 6 or more recordable offences in the last 12 months'. While this definition continues to be developed both nationally and locally, the fact is that, however defined, relatively few offenders commit a large proportion of all crime.

Research evidence on the offending behaviour of males born in 1953 indicates that approximately a third of males were convicted of a standard list offence by the age of 46. Eight percent had at least four convictions and approximately 0.2% had 30 or more. The earlier the onset of offending, the greater the probability of it continuing into adulthood and middle age, with the familiar revolving door of repeated arrest, conviction and sentence.

Analysis of the prison population shows that approximately one third of adult male prisoners have 11 or more previous convictions. Home Office reconviction studies of this group show that 58% were recommitted to custody within two years. For males under 20 with 11 offences, the proportion returned to prison is as high as 96%<sup>1</sup>.

The Government White Paper 'Criminal Justice – The Way Ahead' suggested that 100,000 offenders commit 50% of all crimes. Furthermore, this cohort tends to include those who commit the more serious offences within the volume of their overall offending.

There is little doubt that efforts to catch, convict and rehabilitate the hard core of offenders will offer an efficient way to gain significant reductions in the overall volume of crime.

### **21.2 NATIONAL CONTEXT**

The government has set a target to increase the number of offences brought to justice by 2005/06 to 1.2 million and, in the autumn of 2002, introduced the Narrowing the Justice Gap programme and associated guidance as one of a number of initiatives to enable the achievement of this objective.

While the guidance<sup>2</sup> is not prescriptive, it aimed to ensure that each agency had an enhanced focus on persistent offenders at every stage of the criminal justice process. The guidance allowed for the inclusion of locally defined persistent offenders.

In April 2003, therefore, the national Persistent Offender Scheme came into effect. The aim of the Scheme is to more effectively catch, bring to justice and rehabilitate the core group of prolific offenders who are responsible for a disproportionate amount of crime.

In October 2003, a thematic inspection of local (ad-hoc) schemes already targeted at prolific offenders (commissioned by the Criminal Justice Chief Inspectors Group) produced findings which in general, led to the view that:

- The criteria for persistent offenders should be clearly defined in order to identify a limited number of priority offenders to whom resources should be targeted

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- A national performance management framework that reflects both national and local needs and priorities should be developed
- Responsibility for the development of work with priority offenders should be located within the Crime and Disorder Reduction Partnerships and consultation with representatives from the courts and Crown Prosecution Service should be integral to any local schemes. The view was that local CDRPs are better placed than local criminal justice boards to deliver the necessary range of rehabilitative services locally.

In the summer of 2004, central government issued guidance which laid down a strategic framework within which all Crime and Disorder Reduction Partnerships are required to establish Prolific and Other Priority Offender Schemes. The national framework has three strands – prevent and deter, catch and convict, and rehabilitate and resettle.

### Prevent and Deter

This strand has a focus on three specific target groups within the overall objective of preventing those most at risk becoming the prolific offenders in the future:

- young offenders, who are not yet prolific
- older children and young people at high risk of criminality
- children who need early intervention programmes

Local CDRPs are also required to consider emerging legislation, as well as the national framework, when establishing local schemes. These new and additional government proposals are set out in the Green Paper 'Every Child Matters'<sup>3</sup> and the Children Bill.

### Catch and Convict

This strand requires that the criminal justice agencies work together to ensure effective investigation, charging and prosecution of prolific and priority offenders. Specifically, it refers to the timeliness within which offenders are brought to justice and attrition rates.

### Rehabilitate and Resettle

This strand is about presenting the prolific and priority offenders with a simple choice – the opportunity to reform or face a very swift return to court should they re-offend or fail to comply with the conditions of court orders. This approach is to be supported within the context of locally agreed and implemented rehabilitation plans which manage statutory and voluntary interventions to prevent re-offending. These plans for the resettlement and rehabilitation of offenders will be developed in the context of the Reducing Re-offending National Action Plan, published by the government in August 2004.

## **21.2.1 National Performance Management Framework**

In November 2004, a national Performance Management Framework was published by the Home Office<sup>4</sup> within which local CDRPs are required to 'map the journey' of the PPO through seven stages, from liberty and basic monitoring, voluntary rehabilitation and proactive targeting by the police through to entry into the criminal justice system, under supervision in the community, in custody and subject to enforcement proceedings. The final stage is the removal of PPOs from the list because of a reduced risk to the community.

The Framework also sets out key indicators which measure progress and effectiveness of action taken within each of the three strands. For example there are seven indicators within the catch and convict strand which include, numbers of PPOs charged, brought to justice, timescales from arrest to sentence and those that do not result in a conviction because the last trial was ineffective. The Framework also covers 'cross cutting' themes. For example, the percentage of individuals that are drug tested that are PPOs.

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Within the rehabilitate and resettle strand, the key indicators include the amount of accommodation sustained, education, training and employment, mental/physical health, drugs and alcohol, finance, benefit and debts, children and families, and attitudes to thinking and behaviours (ie. the numbers successfully completing an accredited Offending Behaviour Programme).

### **21.3 LOCAL CONTEXT**

The Steering Group of the Prolific and Priority Offender Scheme recognise that there are 650 adult offenders in Sussex who fall within the national definition of having been convicted of 6 or more recordable offences in the last 12 months. Of those, at least 400 live or operate within Brighton & Hove.

An analysis of those 400 offenders recorded on 'J Track' was undertaken during mid November 2004 (for the purposes of this Audit and for target setting). The period analysed was November 2003 – November 2004. It was noted that:

- The 400 offenders have 3453 convictions during the previous 12 month period with an average of 8.63 convictions per offender
- the 'worst' offender had 43 recorded convictions
- the top ten offenders has a total of 232 recorded convictions in the 12 month period and an average number of convictions per (top ten) offender is 23.2 convictions
- The top ten percent of the 400 offenders are responsible for 691 convictions out of the 3,453 total
- 117 offenders who have 6 convictions in the twelve month period are responsible for 702 convictions out of 3,453 total

An analysis of young offenders was undertaken by the Youth Offending Team in November 2004 - to the same definition, ie. young offenders who have been convicted of 6 or more offences in the last 12 month period. It was noted that:

- There are 31 such young offenders and they committed a total of 271 offences out of a total of 1068 offences; this is 25% of crimes committed by young people and brought to justice

This audit has not yet identified the numbers of PPOs who are – or are not – engaging with the statutory and voluntary services that will assist the offender to rehabilitate and resettle. However, that monitoring will commence in December 2004 in line with the National Monitoring Framework.

The risk factors associated with increasing the potential to offend are identified within the current Youth Justice Plan, the Crime and Disorder Audit 2001 and are most recently confirmed in the Child Safety Strategy of 2004. These documents clearly set out the range of risk factors and make recommendations for their delivery targeted at those young people most likely to offend.

### **21.4 LOCAL WORK AND ITS IMPACT**

#### **21.4.1 Prolific and Priority Offenders Supervision Scheme**

Brighton & Hove's Crime and Disorder Reduction Partnership are in full agreement with the rationale to concentrate finite resources on the most prolific and identified priority offenders. The (combined) Responsible Authorities Partnership and Drug and Alcohol Action Team have

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now considered and approved an outline of a local scheme – and a strategic group to lead its development and monitor outcomes – which includes and is based upon the three strands of the national framework. The overall objectives of the scheme are:

**‘To reduce the nature and volume of crimes committed by prolific and priority offenders’** and

**‘To prevent those most at risk of becoming the prolific offenders of the future, from doing so’.**

The first phase of that scheme – the Prolific Offenders Supervision Scheme, targeting adult offenders – was launched in September 2004, and subsequently a wider Prolific and Other Priority Offenders Group has been established. The target group are those prolific and priority offenders who are recorded on ‘JTrack’ as having committed six or more offences within the previous 12 months (see data in Local Context) as well as young offenders identified by the YOT. It is anticipated that both adult and young offenders are likely to have committed a high number of drug, vehicle, burglary, shoplifting, anti-social behaviour and low level violent crimes.

### Rehabilitate and Resettle

Offenders to be specifically targeted by the Scheme will be identified using a matrix assessment which is a combination of their criminal record, police intelligence and assessments by the YOT and Probation Services. An operational group of key agency representatives is in place to implement that prioritisation process – and to draw in the package of criminal justice and supervision interventions with those to access offenders into drug/alcohol treatment, resettlement/rehousing, training/employment and other activities which have the best chance of breaking the cycle of serious repeat offending.

### Prevent and Deter

A strategy to prevent the most at risk young offenders from becoming prolific offenders in the future is being led by the Youth Offending Team manager. The Strategy combines community based and youth justice interventions and targets those interventions towards:

- Current offenders who are most at risk of becoming prolific and priority offenders but are below the threshold under the ‘catch and convict’ and ‘rehabilitate and resettle’ strand
- Children and young people who are most at risk of offending and entering the criminal justice system.

The YOT is putting in place systems to identify which young offenders are to be targeted, using the ASSET assessment tool. It is anticipated that twenty to twenty-five named offenders will be monitored through the YOT management team and put forward for priority consideration by the operational group.

The YOT will prioritise appropriate youth justice interventions for this group. Currently there are no additional resources provided for the YOT to do this. It is anticipated that gaps in services and/or resources will be identified as a result as well as issues in accessing mainstream services or other resources for these young offenders. However, every opportunity will be made to utilise current arrangements with schools, Connexions and the Learning and Skills Council. Exit strategies for those completing YOT interventions may need to be drawn up to ensure that presenting risk factors are addressed.

Targeted Preventative Programmes which are already in place include:

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- A Youth Inclusion and Support Project (YISP) in the Hangleton and Knoll area targeting 8 –13 year olds at risk of offending or school exclusion. The YISP is jointly managed by the YOT, the Partnership Community Safety Team and the Children's Trust.
- A Youth Inclusion Programme (YIP) in East Brighton which targets 13 – 14 year olds, works closely with the Community Safety Team in the eb4U area. This project is also being extended to create a junior YIP to meet local demand.
- Positive Activities for Young People (PAYP) and Positive Futures programmes provide activity based interventions and support for those young people identified as most at risk.
- The Anti-Social Behaviour Teams within the Partnership Community Safety Team and East Brighton provides targeted support for those young people who also are the subject of Acceptable Behaviour Contracts and Anti-Social Behaviour Orders.

It will be a key aim to extend the models described above into neighbourhoods through the Neighbourhood Renewal process.

Work is also in progress in developing family support teams and clusters of preventative services in geographic areas driven by the development of the Children's Trust. Consistent systems of referral, assessment and intervention are also in development to ensure that those most in need and identified as a high priority will receive resources.

### **21.4.2 Targets and monitoring**

The adult offenders will either be on 'active supervision' or will be 'tracked and monitored'. The latter group will include those who are in prison and soon to be discharged into the Brighton & Hove area. In total, it is currently anticipated that the project is likely to work with a total of 100 adult offenders in the first year (as well as with a number of young offenders).

Baselines for the number of offenders and the number and nature of offences are based upon the data set out in the Local Context section above. Setting targets and key indicators to measure progress will accord with the National Performance Management Framework and while yet to be finalised, are likely to be:

- Convictions per offender ratio to be monitored on a monthly, quarterly and annual basis (through JTrack)
- Reduction of 7.25% in the total of 3,453 convictions, that is a reduction of 250 convictions to 3,203 convictions for the 400 offenders. Should the resources of the LPSA become available, then this target will be stretched to a 15% reduction, that is a reduction of 517 convictions to 2,936.
- Improved personal circumstances of offenders. This will be assessed through scoring methods called 'ASSET' or 'OASIS'; these methods are those approved by the Youth Justice Board and by the Probation Service.
- Improved status and engagement in the areas of housing, health, and education.
- Reduction in total crime as an outcome.

#### Young Offenders:

A reduction of 7.25% in the number of offences committed by young offenders.

A new prevention target will be set for 2005, based on numbers entering the criminal justice system; this will reflect on all preventative activity within the 'prevent and deter' strand.

The current Final Warning target is to intervene with 80% of all young people receiving a Final Warning; there could be a stretch of this target to a further 5%.

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The current Education, Training and Employment (ETE) target is that 90% of all young people will be in full time ETE by the end of their intervention. This could be extended to 100% of the (young) prolific and other priority offenders provided with ETE placements.

### **21.5 MAIN FINDINGS AND RECOMMENDATIONS**

- There are at least 400 adult offenders in Brighton & Hove who have committed 6 or more recordable offences in the last twelve months; these convictions are for 3,453 crimes, with the worst offender having 43 convictions and 10% of the 400 offenders responsible for 691 convictions.
- There are 31 young offenders who have committed 6 or more recordable offences in the last twelve months; this represents a total of 271 offences, which is 25% of offences committed by young offenders (a total of 1,068 offences).
- A small number of offenders commit a disproportionate amount of crime in the city, and targeted action towards reducing their re offending rate has the potential to make a significant contribution towards achieving crime reduction overall.
- There are substantial and widespread risk factors identified in the Child Safety Strategy (undertaken in the summer of 2004) and which confirms the findings of the previous Audit and the Youth Justice Plan.

## **R**ecommendations for the Strategy

- 1. That the Community Safety, Crime Reduction and Drugs Strategy 2005-08 includes a priority, the overall objective of which is to i) reduce the nature and volume of crimes committed by prolific and priority offenders and ii) prevent those most at risk of becoming the prolific offenders of the future from doing so.**
- 2. That the Strategy sets out an action plan to achieve this objective within the national framework and in the areas of: prevent and deter; catch and convict; and rehabilitate and resettle.**
- 3. That the Steering Group already established (August 2004) continues to lead the Prolific and Priority Offender Project and identifies resources from April 2005 to enable it to continue. The Project is to deliver the objectives set out above.**
- 4. That the Police, Probation Services, Youth Offending Team and Brighton & Hove City Council as partners within the CDRP develop a Local Public Service Agreement for 2005-08 to deliver stretch targets against the above objectives.**
- 5. That the Steering Group which leads the Prolific and Priority Offender Project sets targets for 2005/06 in the areas of:**
  - **a reduction in the total number of offences committed by the 400 adult offenders. A reduction of 7.25% will be sought (a reduction of 250 convictions) with a stretch to 15% through the LPSA (a reduction of 517 convictions)**
  - **improved personal circumstances of offenders which is assessed through approved scoring methods**

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- **improved status and engagement by offenders in the areas of housing, health and education**
  - **a reduction in total crime as an outcome of achieving the above targets**
- 6. That the Steering Group and the Youth Offending team set targets in the areas of:**
- **A reduction of 7.25 in the number of offences committed by young offenders who are persistent**
  - **A ‘prevention’ target to reduce then numbers of young people entering the criminal justice system.**
  - **An increase in the numbers of young people who receive interventions at the Final Warning stage. The current target is to intervene with 80% of all young people; this could be stretched by an additional 5%.**
  - **The current Education, Training and Employment (ETE) target is that 90% of all young people will be in full time ETE by the end of their intervention. This could be extended to 100% of the (young) prolific and other priority offenders provided with ETE placement.**
- 7. That Prolific and Priority Offenders be prioritised through the criminal justice system and that the court service, police, Crown Prosecution Service, Youth Offending Team, probation and prison service work together to deliver the approach of improving the timeliness of those being processed through the criminal justice system. A Premium Service Protocol is being agreed through the Sussex Criminal Justice Board.**
- 8. That targets are considered which aim to reduce the rate of PPOs who are released without charge and the number of PPO cases that do not result in a conviction because the last trial was ineffective.**
- 9. That targets be set in relation to rehabilitation and resettlement and that local departments and agencies prioritise provision for Prolific and Priority Offenders where this is part of an agreed rehabilitation plan.**
- 10. That targets are set in the areas which are cross-cutting themes, for example, seeking an increase in the number of PPOs who are drug tested.**
- 11. That in order to increase the effectiveness of the prevention and deterrence activities, that the YOT and CDRP work with the Children’s Trust to ensure that the development of family support services and early interventions includes the targeting of these services to the ‘at risk’ group of young offenders.**

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<sup>1</sup> **Audit Commission (2004)**, *Joint Inspection Report into Persistent and Prolific Offenders*, Home Office Communications Directorate, London

<sup>2</sup> **Home Office Directorate (2002)**, *Narrowing the Justice Gap Guidance*

<sup>3</sup> **Department of Health (2001)**, *Keeping Children Safe*, London

<sup>4</sup> **Home Office (2004)**, *Prolific and other Priority Offenders Strategy Performance Management Framework*