



# **Dorset criminal justice area**

**Report of the joint inspection**

**by**

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# Chief Inspector's foreword

On behalf of the Criminal Justice Chief Inspectors, I am pleased to publish this joint report on the inspection of the Dorset criminal justice area. This inspection is the first of two pilots of a new framework and methodology for joint inspections of criminal justice areas, building on the lessons of 12 previous joint area inspections. This shows the continuing commitment of the criminal justice inspectorates to working more closely together to help delivery of successful justice and public confidence in the criminal justice system (CJS).

The criminal justice inspectorates have, for some time, been placing greater emphasis on the effectiveness of relationships between those organisations that they are responsible for inspecting. In particular, they evaluate how successful those agencies have been in improving performance through co-operation, within a framework which recognises the inter-dependencies of the CJS, whilst respecting the separate and independent role of the agencies themselves.

Local Criminal Justice Boards (LCJBs) formally came into existence on 1 April 2003 and operate on a non-statutory basis. They represented a new way of doing business within the CJS, through better co-ordinated and more cohesive working arrangements. With the advent of the new Public Service Agreement (PSA) Delivery Agreement 24, which was announced just as this inspection was being completed, there will be even greater focus on LCJBs as agents of delivery within the CJS.

As the role of the LCJBs develops, so the inspection processes will likewise need careful and ongoing development. The pilot joint inspections are the subject of rigorous evaluation to ensure that there is a continuous improvement in our processes, and to ensure that we continue to offer insight to the inspected bodies to help them improve service delivery.

The framework used for this inspection has been developed and implemented following a review of previous inspections. It focuses on three objectives:

- leadership and partnership
- delivery of successful justice
- community engagement.

Within this framework we address issues of corporate governance arrangements and the strategies and policies of the Dorset Criminal Justice Board. The second part of the framework is aimed particularly at inspecting a specific strand of work to see how effective partnership working is in delivering successful justice. For this inspection, the strand chosen was domestic violence.

This inspection was carried out in accordance with the principles of inspection set out by the Office of Public Service Reform and examined issues, so far as practical, from a user perspective. Our intention is that this report will inform the people of Dorset about how effectively the local CJS works, by highlighting the strengths of interagency working and identifying where further improvements can be made. It will also inform the policies, strategies and delivery of the wider criminal justice community.

Finally, I would like to take this opportunity to thank the Chief Officers and staff of the criminal justice agencies in Dorset for the considerable assistance rendered by them during the course of this inspection. I would also like to thank those other users of the CJS who were able to give us their views and experiences during this inspection.

A handwritten signature in black ink that reads "Eddie Bloomfield". The signature is written in a cursive style with a long horizontal stroke at the end.

**Eddie Bloomfield**

*HM Chief Inspector of Court Administration*

May 2008

# Section 1

## Introduction

### Dorset

- 1.1 Dorset covers an area of 1,024 square miles, with a population estimated at 701,800 in 2005, 42% of whom live in the Bournemouth and Poole conurbation. Fifty-seven percent of the population are of working age (compared to a national average of 62%); and in 2005, the resident black and minority ethnic (BME) population was estimated to be 1.26% of the total population (compared to a national average of 8.69%).
- 1.2 Dorset is divided for administrative purposes, into two unitary authorities: Bournemouth Borough Council and the Borough of Poole; and Dorset County Council, which, together with six borough and district councils, administers the remainder of the county.
- 1.3 The criminal justice agencies (CJAs) are structured as follows:
  - Dorset Police is currently organised into four divisions – Bournemouth, Eastern, Poole and Western
  - there are two Youth Offending Teams (YOTs); one for Bournemouth and Poole and one for the Dorset County Council area
  - the Crown Court sits at Bournemouth and Dorchester, and there are magistrates' courts at Bournemouth, Poole, Weymouth, Blandford Forum, Wimborne Minster, Wareham, Bridport and Sherborne
  - the Crown Prosecution Service has offices in Bournemouth, and the Probation Service is based in Dorchester
  - there are four prisons in Dorset: Her Majesty's Prison (HMP) Dorchester is a local prison serving the Crown and magistrates' courts in Dorset and some in Somerset. HMP Guys Marsh is a Category C prison and closed Young Offender Institute (YOI). HMP Portland has been a YOI since 1988 and HMP The Verne is a Category C training prison for adult males.

### Dorset Criminal Justice Board

- 1.4 The Government has established 42 criminal justice areas. Each has an LCJB. The Dorset Criminal Justice Board (DCJB) formally assumed its responsibilities on 1 April 2003. All LCJBs are charged with establishing and delivering, at local level, targets to support the achievement of national objectives that are designed to improve the overall efficiency and effectiveness of the CJS. The national targets, which are drawn from the Ministerial PSAs, include:
  - improving the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by March 2008 (rolling target)
  - increasing the level of public confidence across England and Wales that the CJS is effective in bringing offenders to justice, from the 39% baseline for the year ending March 2003
  - reducing the proportion of ineffective trials to 14.2% in the Crown Court, and 19.4% in the magistrates' courts, by the end of March 2007

- ensuring that 83% of fines are paid in 2006/07, rising to 85% in 2007/08
- ensuring that all community breach penalties take an average of 35 working days from breach to resolution and 50% of all breach proceedings are resolved within 25 days of the relevant failure to comply
- a new target for 2007/08 for the speed with which offenders who breach their licences following a custodial sentence are returned to prison. For those offenders who pose the highest risk, the target is 75% to be back in prison within 48 hours. For the standard recall process, the target is 80% within 96 hours from the point of decision to recall.<sup>1</sup>

1.5 During the course of this inspection, a new PSA Delivery Agreement for criminal justice (PSA 24) was announced as part of the Comprehensive Spending Review. There will be five new indicators:

- Indicator 1: The effectiveness and efficiency of the CJS in bringing offences to justice.
- Indicator 2: Public confidence in the fairness and effectiveness of the CJS.
- Indicator 3: Experience of the CJS for victims and witnesses.
- Indicator 4: Understanding and addressing race disproportionality at key stages in the CJS.
- Indicator 5: Recovery of criminal assets.

The impact of the introduction of these new PSA indicators on the DCJB is referred to in the body of the report.

## Scope of inspection

1.6 The inspection was a joint inspection by HM Inspectorate of Constabulary (HMIC), HM Crown Prosecution Service Inspectorate (HMCPPI), HM Inspectorate of Court Administration (HMICA) and HM Inspectorate of Probation. This inspection was led by HMICA.

1.7 This is the thirteenth in a series of area inspections, although it is the first to pilot a revised framework and methodology. Inspectors looked at how well the CJAs in Dorset work together and with their partners, to deliver the outcomes necessary for them to achieve their PSA targets. In particular, we looked at the leadership and workings of the DCJB and at how they are delivering effective justice in domestic violence cases. Finally, we examined how well the DCJB engages with the community, in order to increase public confidence in the CJS.

## Methodology

1.8 The methodology included reading management information and other briefing material; attending a meeting of the DCJB and interviewing members of the board; interviewing and holding focus groups with other members of staff from the CJAs in Dorset and with external stakeholders; observing two court sessions at Specialist Domestic Violence Courts (SDVCs); and using questionnaires to gain the opinions of other stakeholders.

1.9 The Chief Inspectors are grateful to all those who gave their time to the inspection, whether in preparation of documentation or by making themselves available for interview. A list of individuals outside the CJAs, from whom we received comment, is set out at Annex A.

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<sup>1</sup> The key targets that all LCJBs are required to meet by the National Criminal Justice Board are: Bringing more offences to justice; public confidence in the CJS; reduction of the rate of ineffective trials in the Crown and magistrates' courts; fine enforcement; performance against the Persistent Young Offender pledge; the number of "failed to appear" (FTA) warrants outstanding; timeliness targets for both the notification and execution of FTA warrants; the average time taken to resolve breaches of community penalties; and the percentage of these breaches resolved.



## Structure of the report

- 1.10 An executive summary presents the main findings of the joint inspection at the outset of the report, followed by the area's Key Performance Results, with particular emphasis on the quantifiable progress made in meeting the Government's targets for the CJS. The main body of the report sets out the detailed findings of the inspection in relation to the topics inspected. These findings are based on an inspection framework that focuses on leadership and partnership, delivery of successful justice on domestic violence cases and community engagement.
- 1.11 We also make five recommendations, which we commend to the Board for urgent consideration. These recommendations identify the steps Inspectors consider necessary to address the significant areas for improvement identified during the course of the inspection and which are relevant to important aspects of performance.

## Context of this inspection

- 1.12 As well as this inspection being a pilot of a new framework and methodology, there are other contextual issues relevant to the inspection. There is a lack of co-terminosity<sup>2</sup> between the CJAs in Dorset and also between the CJAs and the local authorities. Her Majesty's Courts Service (HMCS), for example, has recently changed its structure, and Dorset has merged with Gloucestershire and Wiltshire to form a combined area. This means that the HMCS Area Director (who chairs the DCJB) now sits on three LCJBs; a substantial commitment in both time and resources, although this arrangement has also brought some benefits, such as those described in paragraph 3.6. There are also two YOTs in Dorset, and arrangements have been made to ensure good representation at board level.
- 1.13 This inspection was carried out while two new initiatives were being implemented in Dorset. These were the launch of the LIBRA IT project across magistrates' courts in Dorset – the first area to go live in its entirety at the same time; and the *Criminal Justice: Simple, Speedy, Summary (CJSSS)* programme, due for full roll-out in 2008.
- 1.14 There were also a number of developments that had been implemented by the DCJB so recently that it made it difficult to evaluate them fully and fairly. These include the creation of the virtual performance delivery board, the SDVCs and the change in community engagement arrangements.
- 1.15 The context in which the DCJB operates should be remembered. The DCJB, like all LCJBs, is not a statutory body and cannot hold member agencies to account. Thus, it has to rely on negotiation and the influencing of key stakeholders in order to achieve its delivery aims. Nor does it hold funds, relying instead on annual Government grants. This can make planning for the long term difficult and also affects the DCJB's ability to realign its structures if it feels this may be beneficial.
- 1.16 The constituent agencies of the DCJB operate within their own priorities and resourcing restrictions. At a time when agencies are often required to make efficiency savings, it is often difficult for Chief Officers to find the resources, whether human, financial or physical, required to effectively support cross-agency initiatives without affecting their ability to deliver their own services.
- 1.17 As the fieldwork phase of this inspection finished, the new priorities for LCJBs were announced as part of the Comprehensive Spending Review; these are captured under PSA 24. It is clear that delivery against these targets will place ever greater emphasis on collaborative joint agency working and performance delivery.

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2 Co-terminosity refers to agencies having the same geographical boundaries.



# Section 2

## Executive summary

### Overview

- 2.1 Dorset is a county that comprises a large conurbation (the total population of Bournemouth, Poole and Christchurch would rank in the top 10 British cities), and a largely rural aspect throughout the rest of the county. There are complex local government arrangements in place to administer the county, with unitary authorities for Bournemouth and Poole and two-tier governance elsewhere. Fifty-seven percent of the population are of working age, and the black and minority ethnic population is 1.26% of the total population – both of these figures are low compared to the England and Wales average.
- 2.2 Overall, recorded crime in Dorset has fallen steadily since 2003. Recorded crime in the period from April 2006 to March 2007 has reduced by 11.5% compared to the same period in 2002/03, with substantial reductions in vehicle crime (down 44.2%) and dwelling burglary (down 44.4%), their lowest for ten years. Detections of recorded crime recorded have risen, from 25.4% of recorded crime from April 2002 to March 2003, to 30.3% across the same period in 2006/07. More recently (April 2006 to March 2007) total violent crime has fallen by 1.8% compared with the same period in 2005/06, the first reduction in this category for seven years. When considering violence involving injury, this fell by 13% in 2006/07 compared with the previous year and has since fallen a further 11.8% between April 2007 and December 2007.

### Dorset Criminal Justice Board

- 2.3 The DCJB was formed in 2003. Over the past 12 months, there has been a considerable change in membership of the Board and to the support team. Membership of the DCJB is currently limited to the CJAs and YOTs, primarily at Chief Officer level.
- 2.4 Shortly before the inspection, the DCJB introduced a virtual performance delivery board in order to ensure that performance issues were given appropriate priority at Board level. The Board also decided to disband its Community and Engagement sub-group in May 2007, as it was not meeting the needs of the Board in terms of addressing the confidence agenda. It has yet to finalise alternative arrangements.
- 2.5 Inspectors found that there is a clear vision and strategy in place for the future of criminal justice in Dorset and that Chief Officers are committed to this strategy. The strategy is supported by plans but they do not identify who is responsible for delivery. However, there are signs that there is increasing robustness in the way the Board functions to ensure barriers to delivery are removed, as exemplified by the good, collaborative approach to a number of recent projects.
- 2.6 However, commitment to joint working demonstrated by the Board is not always replicated at senior levels of management in the agencies. Inspectors received many comments from members of staff across the CJAs indicating that staff felt that messages from Chief Officers were not always acted upon, and that other agencies are not ‘signed up’ to joint working.

## Delivery of successful justice – domestic violence

- 2.7 The DCJB has recently implemented SDVCs at both Bournemouth and Weymouth magistrates' courts. This was achieved within a tight timescale set by the limited period in which funding for the project was available. The Board took the decision to proceed as they considered it to be in the best interests of justice in Dorset. However, the speed at which the SDVCs were introduced, albeit out of necessity, has meant that there have been some challenges during the initial phase of operation. A clear protocol is in place for all agencies except HM Prisons (but including Victim Support). The protocol underlines the Agencies' responsibilities in domestic violence cases. Inspectors found several instances where these expectations were not being met. This is explained more fully in paragraph 4.7 of the report.
- 2.8 Multi-Agency Partnership Protection Arrangements (MAPPAs<sup>3</sup>) are working well, as are the Multi-Agency Risk Assessment Conferences (MARACs<sup>4</sup>) for high-risk domestic violence cases. The Integrated Domestic Abuse Programme (run by HM Probation) is also now in place, and is available for all offenders assessed as suitable. However, there are some concerns about the funding of this programme in the future.
- 2.9 Inspectors found, during court observations, a disparity between the ways the SDVCs in Bournemouth and Weymouth operated. There were differences in the agencies which attended each court. Inspectors consider that this may lead to a difference in levels of service provided by the two courts. It was also noted that unsuccessful outcomes in domestic violence cases had risen slightly in the first quarter following the implementation of the SDVCs but that there had been a decline in the second quarter. Links between the agencies and Victim Support are weak at operational level and witness care is provided at a minimum level of service.

## Community engagement

- 2.10 The DCJB has a good communications strategy in place to assist engagement with the community. There have been some innovative attempts to engage the community, especially with groups that may be at risk of exclusion and discrimination. However, the DCJB needs to ensure that it engages effectively with the Dorset community.

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3 MAPPAs support the assessment and management of the most serious sexual and violent offenders. The aim of MAPPAs is to ensure that a risk management plan drawn up for the most serious offenders benefits from the information, skills and resources provided by the individual agencies being co-ordinated through MAPPAs (source: Home Office websites).

4 The MARAC brings key agencies together to agree joined up, risk-based action to prevent further harm to survivors of domestic violence and their children.

## **Recommendation 1**

That the DCJB ensure that all action plans identify both the person responsible for delivery of an action, and the timescale for completion or review of each action.

## **Recommendation 2**

That the DCJB ensure that the right structures are in place to ensure that it can meet its commitments, including a robust performance delivery system and appropriate support to the Board, and that these structures are reviewed on a regular basis.

## **Recommendation 3**

That members of the DCJB ensure that the Board's messages are delivered effectively to all appropriate staff in the agencies, and that these messages are acted upon.

## **Recommendation 4**

That the DCJB assure itself that all agencies are complying with the terms of the Dorset Area Domestic Violence Protocol, in particular those dealing with the survivors of domestic violence and, if they are not, address any areas of weakness.

## **Recommendation 5**

That the DCJB review its community engagement strategy to ensure it engages effectively with all parts of the community. In the light of that review, it should ensure its community engagement strategy provides for effective channels of communication that will deliver its messages to all parts of the community.



# Section 3

## Leadership and partnership

- 3.1 This section of the report deals with how effectively the DCJB is led and how partnership working has been successfully implemented. The standard defined in the framework is:

The behaviour, actions and visibility of all Chief Officers promote and inspire staff to achieve Area and National objectives. The Board identifies and engages with its strategic partners.

- 3.2 The DCJB has established a clear strategy and vision for what it is seeking to achieve. Its vision is: *“to make Dorset a safer place by working alongside and in partnership with the whole community to deliver fair and effective justice thus reducing crime and the fear of crime”*. The DCJB has been effective in increasing the number of offences brought to justice and in reducing crime. Indeed, the number of offences brought to justice, one of the key targets for LCJBs, in 2006/07 was 16,533, well in excess of the target of 14,906. When the reduction of crime is taken into account (see paragraph 2.2), it is clear that performance against the first part of the vision has been good.
- 3.3 The DCJB has, however, suffered in the past from having difficulty in aligning its own business plan with those of the individual agencies. This is largely because of differences in both planning cycles and performance indicators which can, for example, lead to agencies being required to produce business plans in advance of the joint plan and to prioritise single agency performance targets above those for which the DCJB is accountable. Paradoxically, Dorset Police’s success in ensuring that the Offences Brought to Justice target was exceeded, also exemplifies the difficulties that can ensue. While the drive to improve performance in this area was supported by all agencies, it has led to difficulties in agencies meeting other targets, for example the length of time it takes cases to come to court because of a lack of available space and personnel.
- 3.4 The DCJB strategy also lists a series of values and principles underpinning the vision but it is not clear how these will be implemented. The strategy includes a delivery plan, although this is weakened by a lack of identification of specific people to undertake these actions and a timescale by when actions should be delivered or reviewed. This leads to a lack of accountability for, and ownership of, actions, which inhibits delivery in some areas.

### Recommendation 1

That the DCJB ensure that all action plans identify both the person responsible for delivery of an action, and the timescale for completion or review of each action.

- 3.5 The DCJB identified in 2007 that its structures did not focus sufficiently on performance delivery and introduced a Performance Delivery Board. This is intended to act as the main conduit between the Board and the sub-groups to ensure they deliver their responsibilities effectively and that the DCJB meets its performance targets. The Delivery Board meets virtually, with issues being resolved

through the use of email. Other sub-groups are based around specific issues – for example, Victims and Witnesses, Community and Staff Engagement, and performance on subjects such as Persistent Young Offenders. This structure is still being developed and Inspectors were unable, at this stage, to make a judgement on the effectiveness of these arrangements.

- 3.6 Inspectors were pleased to see that the DCJB was taking opportunities to look outside the area for ideas on how to improve its existing practice. This has been a benefit, especially, in the merger of the three HMCS areas, now under the leadership of the Chair of the DCJB. Examples of improvements include a joint agency conference held with Wiltshire and Gloucestershire staff to discuss ways for Dorset to improve on its end-to-end enforcement targets for breaches of community penalties.
- 3.7 The support structure for the DCJB currently comprises a Performance Officer and a Communications Officer. Arrangements are in place to recruit further administrative support. A Chief Inspector had been on loan from Dorset Police to act as a Public Confidence officer but has recently retired. Inspectors are concerned that the existing support structure may be insufficiently resourced to accommodate the demands placed on the Board. While obtaining the funds in order to effect change in this area may well be difficult, Inspectors would encourage the DCJB to look at how it can ensure that delivery is not compromised because of a shortage of support, particularly with the impending and increased demands of the PSA 24 targets.
- 3.8 The DCJB currently comprises the Chief Officers of the CJAs. While they have taken this as a conscious decision to keep the focus on performance delivery, an external perspective, such as a representative from the defence community or victim support, would help the Board to question why there are barriers to delivery and to identify ways in which these might be overcome.

## Recommendation 2

That the DCJB ensure that the right structures are in place to ensure that it can meet its commitments, including a robust performance delivery system and appropriate support to the Board, and that these structures are reviewed on a regular basis.

- 3.9 While the Chief Officers have demonstrated a keen commitment to the strategy and to joint agency working, Inspectors found that this commitment had not translated into proactive working at all levels throughout the agencies. Staff in all agencies stated that, while they believed Chief Officers worked closely together, the effects of the close working failed to manifest themselves when working with colleagues in other agencies at their level. Comments included references to relationships being “*too cosy*”; that senior managers “*do not put enough pressure on their seconds*”; and “*agencies at senior level [DCJB] are responding and are committed – we get good messages, but this is not displayed or acted on at the necessary levels of urgency and at the next level down*”. It is clear that staff do not believe that all messages from the DCJB are being actioned by the agencies and this presents a serious barrier to delivery.

## Recommendation 3

That members of the DCJB ensure that the Board’s messages are delivered effectively to all appropriate staff in the agencies, and that these messages are acted upon.



### 3.10 The overall assessment against this standard is:

The DCJB is composed of Chief Officers of the CJAs who are committed to the strategy of the Board. However, that commitment is not replicated throughout the individual organisations. There is a clear vision and strategy in place but the Board's plans do not state how the delivery will be achieved and by whom. There is also a lack of co-ordination between the plans of the DCJB and those of the single agencies. There have been barriers to delivery but there is evidence that the DCJB is now taking action to address these. The structure of the DCJB and its sub-groups has not been entirely effective in managing performance issues, however, the Board has taken steps to address this through the introduction of a new Performance Delivery Board.



# Section 4

## Delivery of successful justice – domestic violence

- 4.1 This section of the report deals with how effectively the agencies deal with domestic violence cases in Dorset and how well partnership working helps them to deliver an effective service. The standard for this objective is described as follows:

*“The area delivers a co-ordinated and effective approach to domestic violence cases.”*

- 4.2 SDVCs are a recent innovation. The SDVC programme “*was developed following several independent evaluations. These included the two evaluations of seven specialist domestic violence court systems, which demonstrated that by adopting particular working practices, significant improvements could be made to the outcomes of domestic violence cases*”.<sup>5</sup> It is a national programme run by HMCS.
- 4.3 In 2006, the DCJB made the decision to seek SDVC status for magistrates’ courts in East and West Dorset<sup>6</sup>. The decision to grant this status gave the DCJB considerable challenges in terms of resources and timescale. In order to deliver the project, effective multi-partnership arrangements were essential, especially as the project had to be delivered in a short timeframe in order to ensure that resources were available. A steering group was established, with a membership comprising representatives from the CJS and, importantly, other key stakeholders such as local authorities, Crime and Disorder Reduction Partnerships, health providers and voluntary sector organisations. A project manager was appointed and the two SDVCs commenced operation as planned in April 2007. The decision to proceed with this project, in spite of the compressed timescale available, was believed to be in the best interests of justice in Dorset. Furthermore, the wide-ranging nature of the steering group has ensured that there has been input from all interested parties and that the SDVC process has focused these parties on ensuring effective co-operation. While staff members in the agencies commented that they had concerns about the size of the project, they also spoke highly of the objectives of the project and praised the way it encouraged them to work more closely. Inspectors encourage the DCJB to review the implementation of the SDVC project and to take note of any lessons that may help implement projects in the future.
- 4.4 In setting up the SDVCs, the project group established a Domestic Violence Protocol, which sets out what each agency is expected to deliver in order to provide an effective service to victims of domestic violence. One of the key features of the protocol is that the agencies involved agreed to use the Inter-Ministerial Advisory Domestic Violence Group’s definition of domestic violence:

*“...any incident of threatening behaviour; violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality.”*

This should ensure that there is consistency between the agencies on what they record as domestic violence cases.

5 Source – Specialist Domestic Violence Court Programme Resource Manual, March 2006.

6 Held at Bournemouth and Weymouth magistrates’ courts, respectively.

- 4.5 Inspectors noted that Dorset Police, HMCS, the CPS and HM Probation had agreed the protocol and that Victim Support had also been included. However, HM Prison Service is not included in the protocol. There are systems in place for Dorset prisons to share information before domestic violence offenders are released, including for early release and home detention curfew (HDC)<sup>7</sup> prisoners: lists are sent on a fortnightly basis to the Police and Probation Service and release dates are discussed at MAPPA meetings. This is monitored by the DCJB Victims and Witnesses sub-group and most agencies feel this the system is working well, but there are some who feel the absence of an effective case tracking system is leaving some victims at risk. While Inspectors understand that there are issues over co-terminosity, in that prisoners from Dorset will not necessarily serve sentences in Dorset prisons and vice versa, Inspectors feel that it would be beneficial for the role of HM Prisons in domestic violence cases to be formalised and included under the provisions of the protocol.
- 4.6 Inspectors observed SDVC hearings in both Weymouth and Bournemouth. At both, the cases that were presented clearly fitted the criteria of the definition used above and it was noted that, in two of the nine cases presented at Weymouth, the defendant was female.
- 4.7 Inspectors noted, however, that cases coming before the SDVCs were often poorly prepared, with the following examples:
- evidence not served on the defence in several cases
  - CCTV evidence not yet reviewed by the prosecution because of late file availability from the police
  - CPS prosecutor not having a case file
  - lack of police witness availability leading to a delayed trial date
  - late special measures applications being made.

Indeed, at Weymouth, there were issues with all of the cases presented, although it was clear that all parties to hearings (including the defence) were making every effort to ensure that cases stayed within the timescales laid down in the domestic violence protocol as much as possible. For the SDVCs to be truly effective, it is important that all sides co-operate and that all agencies challenge each other openly, and with the support of the court if necessary, if they are not meeting their commitments under the protocol.

- 4.8 Inspectors also noted a difference in the personnel available at each court. At Bournemouth, there was a Police Liaison Officer in place to make enquiries if required, and thus ensure that cases could be progressed on the day, while in Weymouth, a Probation Officer was on hand. Colleagues said that this officer was especially useful during sentencing hearings. This does lead to a potential difference in the level of service provided by the courts and Inspectors suggest that the area should look to ensure equal provision of service at both courts.

## Recommendation 4

That the DCJB assure itself that all agencies are complying with the terms of the Dorset Area Domestic Violence Protocol, in particular those dealing with the survivors of domestic violence and, if they are not, address any areas of weakness.

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<sup>7</sup> The HDC scheme applies to prisoners who are serving sentences of between three months and under four years. It allows prisoners to live outside prison providing they do not breach the rules of their curfew and is designed to help prisoners prepare for life after their release (source: HM Prison service website).

- 4.9 Since the introduction of the SDVCs, there was initially a slight rise in the percentage of acquittals, discontinuances or withdrawals in domestic violence cases, as recorded by the CPS. However, as this report was being written, the figures for the second quarter of 2007/08 were released, and show an improvement – the percentage was of these cases being reduced to 29.4% compared with a national average of 31.7%. Inspectors note, however, that the reasons for these outcomes are being monitored and that action is taken to resolve issues as they are found.
- 4.10 Inspectors found that the MAPPA<sup>8</sup> are in place and are working well, as are the MARACs for high-risk domestic violence cases. These partnerships are key in ensuring that survivors are protected from any further offences. Inspectors note that, in the annual MAPPA report, the Lay Advisor to MAPPA was *“satisfied that the Multi-Agency Arrangements are organised well in Dorset and that continuous improvement is being sought”*.
- 4.11 The provision of support for domestic violence cases is the key element when dealing with survivors. Links between the CJAs and the other main agencies such as the Dorset County Council Domestic Violence Co-ordinator are weak at operational level and witness care is provided at a minimum level of service. Case conferences provide the opportunity to identify who should be the main and constant source of information and support to an alleged domestic violence survivor; this may be the Independent Domestic Violence Advisor (IDVA), police or Victim Support. Victim Support will only contact a survivor after referral has been made to them by the police. However, there are no mechanisms in place to ensure all appropriate referrals are made, leaving some survivors without this important source of support and information. As a consequence, survivors may not hear that their alleged assailant has been released on bail pending their trial. Inspectors consider this to be a significant gap in domestic violence services, which the DCJB will wish to address as soon as possible.
- 4.12 All Probation Service offender managers in Dorset have received training on dealing with domestic violence offenders. The Probation Service currently runs the Integrated Domestic Abuse Programme (IDAP). IDAP is a national initiative aimed at reducing re-offending in high-risk cases and was introduced in Dorset early in 2007. While a formal evaluation is yet to be undertaken, views gathered by the local Women’s Safety Worker (who is supplied by HM Probation and is part-funded by the DCJB) have shown that the survivors of domestic violence view the programme positively. With multi-agency involvement and some financial support from the DCJB, the programme has seen 24 offenders complete the programme successfully (about a 70% completion rate). All offenders considered appropriate for the programme are enrolled on it. Concerns were raised by some agencies about the capacity of the programme. At the time of the inspection, there was no waiting list, although HM Probation confirmed that all places were full. The programme is a rolling one and places become available at different times of the year so it is likely that there will be some offenders waiting for a place. HM Probation Service is aware of these concerns but this is a resourcing issue and the programme has to compete with other initiatives. There are also good provisions in place for the multi-agency monitoring of offenders place on the IDAP, which are modelled on the MAPPA arrangements.

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8 For further information about the Dorset MAPPA, see their annual report at <http://www.probation.justice.gov.uk/files/pdf/Dorset%20MAPPA%202007%20Report.pdf>

4.13 The overall assessment against this standard is:

*“The DCJB has sought to deliver a co-ordinated and effective approach through the implementation of the Domestic Violence (DV) Protocol and the SDVCs. However, agencies are not meeting all the expectations within the protocol and not all DV cases are dealt with in a timely and appropriate manner. The concentration on SDVC has meant that wider issues of co-ordination and integration in respect of DV cases have received insufficient attention.”*

# Section 5

## Community engagement

- 5.1 This section of the report deals with how effective the DCJB is in engaging with the community the CJAs serve. The standard for this section of the inspection is as follows:

*“The area is engaging effectively and positively with the communities it serves, and confidence is improving.”*

- 5.2 At the time of the inspection, LCJBs were measured on their effectiveness in increasing public confidence in the CJS. The measure is defined as the *“proportion of those questioned in the British Crime Survey expressing confidence in the CJS bringing offenders to justice, across Local Criminal Justice Board areas”*. Dorset’s performance, as at June 2007, was 43%, ahead of the England and Wales average of 42% but below the baseline figure of 47%.<sup>9</sup> The inspection did not look at performance against this measure but at the wider question of how effectively the DCJB engages with the community in order to promote the CJS and potentially increase the levels of public confidence.
- 5.3 The new PSA 24 indicator for public confidence will be measured at a national level. LCJBs will, however, have a key role to play in the targets being achieved, and PSA 24 states that *“LCJBs will be expected to produce and deliver clear plans for improvements in community engagement”*<sup>10</sup> This part of the inspection is therefore timely for the DCJB and recommendations are made with the intention that they will help them fulfil their obligations under this indicator.
- 5.4 The DCJB has a clear communication strategy in place. The strategy has a stated objective, to *“assist the DCJB in its aim of improving public confidence in Dorset’s Criminal Justice System”*. This objective is supported by several aims, which seek to ensure that there are good links to the local media, that negative stories are responded to, that special attention is given to raise awareness of the DCJB with those most likely to have a poor perception of the DCJB and that staff are fully engaged through effective internal communications.
- 5.5 The strategy contains clearly identified audiences, the channels through which communication will be undertaken, the methods of delivery and, vitally, how the success of the strategy will be monitored. All of these are essential factors in ensuring that communications are effective. Inspectors consider this approach to communications to be carefully thought through and planned.
- 5.6 Inspectors also note that there is active media monitoring in place to ensure that the DCJB and the agencies have a high profile in the local press. This is co-ordinated by the DCJB Communications Officer, who produces a monthly report assessing how many significant news stories related to the CJS had appeared in the Bournemouth Daily Echo and the Dorset Echo, and whether these were positive or negative in tone. While it is difficult to make any definitive link between press coverage

9 All LCJBs’ performance was originally measured against a baseline figure measured at the end of March 2003. They were then given a three-year target to increase confidence levels by a further 6%. In the next planning cycle, the baseline was recalculated to the March 2005 figure and areas asked to increase performance by a further 7%. Dorset has made a 6% improvement against the original baseline figure.

10 PSA Delivery Agreement 24, page 11.

and public confidence, this proactive approach ensures that the DCJB can gauge how successful it has been in delivering positive messages through the press.

- 5.7 Inspectors also found that the DCJB has formed a good relationship with the broadcast media in Dorset; one of the local radio stations was particularly complimentary about the availability of CJS staff to discuss issues of local importance. The DCJB may wish to consider extending media monitoring to the broadcast and web-based media, as these are vital ways to communicate quickly to a large audience.
- 5.8 The strategy also sets out key messages that each agency should incorporate into its own communications. These key messages relate to joint agency working and were tailored to each specific agency. Inspectors saw evidence of these messages in use and believe they are an effective method of ensuring a consistent approach to working with media outlets. An example of the success of this approach was seen in the Bournemouth Daily Echo, with a report coinciding with the publication of the MAPPA annual report.<sup>11</sup>
- 5.9 The DCJB has developed a number of successful and worthwhile initiatives that have helped the wider community to engage with the CJS. Some of these have been developed in partnership with local firms – for example, the brewery *Hall and Woodhouse* has sponsored a course organised by HM Probation to rehabilitate drunk drivers and a car repair centre, *CCL UK*, has sponsored a scheme providing teddy bears to young victims of car crashes. This scheme was shortlisted for a national award. Other important schemes have included programmes to engage with taxi drivers, to make them more aware of criminal justice issues, and promotion of the ‘Take Away Racism’ scheme, aimed at reducing racist incidents.
- 5.10 The DCJB also ensures that successes in the CJS are promoted effectively. The chief medium for this is the annual Dorset Criminal Justice Awards, which took place during the inspection. Members of all the key agencies, as well as Victim Support, received awards for both specific achievement and long service and there was good coverage of the event in the local media. In the past two years, winners of awards have gone on to win further awards, or be runners-up, at the National Justice Awards. The Chair of the Board also opened the event by rating the current success of the Board in key areas, giving updates on important projects and establishing the agenda for the forthcoming year. As the audience largely comprised members of the Board’s Consultation Group (see paragraph 5.14) and employees of the agencies, this was an effective way to ensure the Board communicated its priorities to key stakeholders.
- 5.11 In line with other Boards, there is also an ‘Inside Justice Week’ held annually in the autumn, and this has enabled the Board to use the local media to run stories profiling issues in the CJS. As an example, the Dorset Echo ran a feature on the Dorset Youth Offending team as part of their coverage of the 2007 ‘Inside Justice Week’, and the opening paragraph of the feature clearly linked the event to raising confidence in the CJS.
- 5.12 The DCJB has set up a Criminal Justice Information Network (CJIN), which is intended to enable the smooth communication of CJS initiatives to various groups. While this is still being developed, Inspectors received some positive comments from people representing minority groups and those at risk of being excluded by, and discriminated against in, the CJS. These included a group representing people with learning difficulties in Bournemouth and another group representing interpreters in the area, who are key stakeholders in ensuring that the rights of defendants, victims and witnesses are maintained.

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<sup>11</sup> Bournemouth Daily Echo, 23 October 2007, “Sex Offenders Shock”.



- 5.13 Arrangements for more formal engagement with the public were found to be in a state of flux. The DCJB had established a Community Engagement Group, designed to be outward facing and to help the DCJB both increase public confidence in the CJS and to reflect the views of the communities it serves. In May 2007, the DCJB decided to disband this body as it was felt that it was not fulfilling its stated aims. At the time of the inspection, the DCJB were considering what the replacement structure might be. Inspectors encourage the DCJB to ensure that the new arrangements include a robust method through which the views of the community can be fed back to the DCJB.
- 5.14 There is also a wide-ranging Consultation Group in place, which meets twice yearly. It involves stakeholders not only from the CJS but also from key partners such as local authorities, health providers, politicians and academics with an interest in criminal justice matters. It is commendable that the DCJB has ensured that it provides information to, and seeks the views of, so many stakeholders and that it seeks to make use of these contacts when it is appropriate. As an example, while setting up the SDVC project, the project team included a criminologist specialising in domestic violence matters. More formal and transparent arrangements as to which issues are placed in front of the Consultation Group is needed if confidence and true community engagement are to be achieved. Inspectors expect the DCJB to build on the potential strength of the Consultation Group as it seeks to develop its links with partners and the community more widely.
- 5.15 The individual agencies also continue to engage with the community outside of the LCJB. Inspectors have seen evidence of some innovative attempts to engage the community through targeting specific groups, for example taxi drivers. The minutes of the Community and Staff Engagement sub-Group (CSEG) show that members of this group have many ideas on how engagement can be taken forward, although it is not always clear from the minutes whether these initiatives are always taken forward or what the outcomes are. Inspectors believe that, with greater co-ordination between the agencies and the DCJB staff, there is potential for each agency to deliver both its own message and that of the CJS as a whole and to make the most of each contact opportunity. As an example, if one agency is attending an event, they should consider whether it would be appropriate or beneficial if a representative from another agency attended. The DCJB, through the Communications Officer and the CSEG is well placed to co-ordinate this.
- 5.16 Inspectors received feedback from certain groups that they did not feel that the DCJB engaged with them effectively. In some instances, this may be because one of the CJAs already had an effective relationship with the group or was in a better place to establish it. Inspectors believe, however, that this would be an appropriate time for the DCJB to review its community engagement strategy to ensure that it engages effectively with all parts of the community.

## Recommendation 5

That the DCJB review its community engagement strategy to ensure it engages effectively with all parts of the community. In the light of that review, it should ensure its community engagement strategy provides for effective channels of communication that will deliver its messages to all parts of the community.

5.17 The overall assessment against the standard is as follows:

*“The DCJB has a clear communications strategy in place for engagement with the community. There is evidence of some innovative attempts to engage the community and the DCJB has engaged with many groups at risk of exclusion and discrimination. However, this engagement is not comprehensive and it is not clear how the DCJB intends to ensure that it addresses the concerns of the whole community. A key structure, which was put in place to make the organisation outward facing, has been disbanded, and it is not yet clear what will replace it.”*

# Annex A

## List of those who assisted the inspection

HH Judge Harvey Clarke, Liaison Judge to the DCJB

HH Judge Richard Price, Liaison Judge for this inspection

Chairs of benches for East and West Dorset Magistrates' Courts

HMCS Courts Board for Dorset, Gloucestershire and Wiltshire

Dorset Crime and Disorder Partnerships

Dorset Domestic Violence Strategic Group

Dorset County Council

Poole Local Strategic Partnership

Bournemouth Local Strategic Partnership

Neighbourhood Watch groups across Dorset

Government Office for the South West

Bournemouth Churches Housing Association

Bournemouth Interpreters Group

Bournemouth People First

Department of Criminology, University of Portsmouth

Dorset Victim Support and Witness Service

Wessex FM

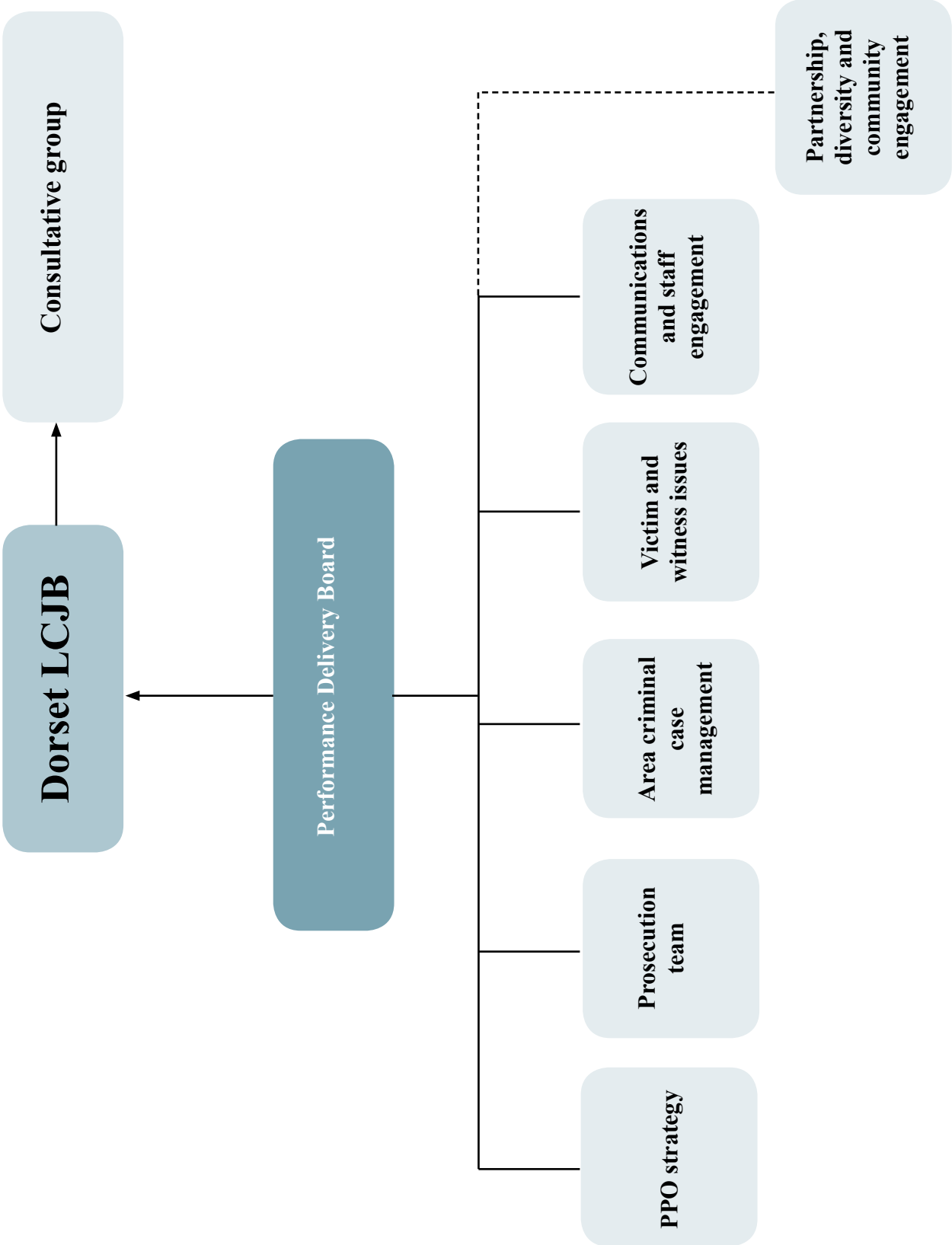
ITV Meridian

and staff from the Criminal Justice Agencies



# Annex B

## Dorset criminal justice area organisational chart





# Annex C

## Headline Performance Summary

CJS Targets	2007/08	Previous quarter (unless stated)	Current quarter (unless stated)	Projected Status
<b>Offences brought to justice</b> – Number of offences brought to justice	<b>14,906</b> (r/y March 2008)	15,907 (r/y September '07)	15,850 (r/y November '07)	
<b>Ineffective Trials – Magistrates' court</b>	<b>No formal LCJB target</b>  <b>HMCS Key Performance Indicator – 21%</b>	24.2% (q/e September '07)	32.5% (q/e December '07)	
<b>Ineffective Trials – Crown Court</b>	<b>No formal LCJB target</b>  <b>HMCS Key Performance Indicator – 12%</b>	6.5% (q/e September '07)	5.9% (q/e December '07)	
<b>Increasing Public Confidence in the CJS – British Crime Survey: Effective at bringing offenders to justice</b>	<b>&gt; 47%</b> (BCS: March 2008)	43% (BCS: y/e June '07)	43% (BCS: y/e September '07)	
<b>Financial Penalties - achieve the national target for the average payment rate for financial imposition</b>	<b>90%</b>	111% (q/e September '07)	128% (q/e December '07)	
<b>Warrant Enforcement – reduction of overall FTA warrants held by Dorset</b>	<b>344</b> (y/e March 2008)	414 (y/e September '07)	385 (y/e December '07)	
<b>Confiscation Orders – increase the volume of confiscation orders achieved</b>	<b>45</b> (y/e March 2008)	14 (April-September '07)	20 (April-December '07)	
<b>Confiscation Orders – increase the value of confiscation orders achieved</b>	<b>£1,007,000</b> (y/e March 2008)	£1,357,503 (April-September '07)	£1,472,248 (April-December '07)	
<b>Confiscation Orders – increase value enforced</b>	<b>£1,000,000</b> (y/e March 2008)	£460,744 (April-September '07)	£930,521 (April-December '07)	
<b>Confiscation Orders – increase the number of restraint orders secured</b>	<b>8</b> (y/e March 2008)	5 (April-September '07)	7 (April-December '07)	

<b>Community Penalties –</b> <i>average number of working days from second unacceptable absence to resolution of the case</i>	<b>35 days</b>	55 days (q/e September '07)	69 days (q/e December '07)	
<b>Community Penalties –</b> <i>percentage of community penalties resolved within 25 working days from second unacceptable absence</i>	<b>60%</b>	14% (q/e September '07)	12% (q/e December '07)	
<b>Licence Recall –</b> <i>From the decision to recall to arrest</i> <i>Emergency – percentage within 74 hrs</i> <i>Standard – percentage within 144 hrs</i>	<b>Emergency 75%</b>  <b>Standard 80%</b>	54% (q/e September '07)	60% (q/e November '07)	
		50% (q/e September '07)	55% (q/e November '07)	
<b>Persistent Young Offenders</b> <i>– average time from arrest to charge</i>	<b>71 days</b> <i>(Stretch Target of 65 days)</i>	59 days (q/e September '07)	71 days (q/e November '07)	

(y/e = year ending) (q/e = quarter ending) (r/y = rolling year) Status: **Green** – On course to achieve target; **Amber** = Marginally off course; **Red** = Significantly off course