

DESPERATE FOR A FIX

Using shop theft and a Second Chance Programme to get tough on the causes of prolific drug-addicted offending

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About the Centre for Social Justice

Established in 2004, the Centre for Social Justice (CSJ) is an independent think tank that studies the root causes of Britain's social problems and addresses them by recommending practical, workable policy interventions. The CSJ's vision is to give people in the UK who are experiencing the worst disadvantage and injustice every possible opportunity to reach their full potential.

Since its inception, the CSJ has changed the landscape of our political discourse by putting social justice at the heart of British politics. This has led to a transformation in Government thinking and policy. The majority of the CSJ's work is organised around five 'pathways to poverty', first identified in our ground-breaking 2007 report, *Breakthrough Britain*. These are: family breakdown; educational failure; economic dependency and worklessness; addiction to drugs and alcohol; and severe personal debt.

In March 2013, the CSJ report *It Happens Here* shone a light on the horrific reality of human trafficking and modern slavery in the UK. As a direct result of this report, the Government passed the Modern Slavery Act 2015, one of the first pieces of legislation in the world to address slavery and trafficking in the 21st century.

The CSJ delivers empirical, practical, fully funded policy solutions to address the scale of the social justice problems facing the UK. Our research is informed by expert working groups comprising prominent academics, practitioners and policy-makers. Furthermore, the CSJ Alliance is a unique group of charities, social enterprises and other grass-roots organisations that have a proven track record of reversing social breakdown across the UK.

The 13 years since the CSJ was founded has brought with it much success. But the social justice challenges facing Britain remain serious. Our response, therefore, must be equally serious. In 2018 and beyond, we will continue to advance the cause of social justice in this nation.

Acknowledgements

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We would also like to thank the sponsors of this report:



Executive Summary

Heroin and crack cocaine, along with the recent explosion in New Psychoactive Substances, are not only blighting communities but drive as much as 50 per cent of all acquisitive crime, and 70 per cent of shop thefts.

Police recorded shop theft topped 385,000 offences last year, but the true figure, based on Home Office assumptions, is closer to 38 million offences. In 2017, we estimate shop theft cost £6.3bn – equivalent to £270 for every household in the country – and more than the average household's monthly grocery shop.

At the same time, offenders with 36 or more previous convictions or cautions are responsible for an increasing proportion of theft offences dealt with by the criminal justice system – growing from 39 percent in 2010 to more than 60 per cent last year. Over the same period, the even more prolific cohort of offenders, with more than 60 previous convictions, has doubled.

At the root of this problem is a complete failure to tackle the addictions that fuel the bulk of theft, with offenders cycling through a criminal justice system that offers fines, community sentences, short prison sentences and threats, but nothing compelling in the way of true rehabilitation.

It is a broken system that demands fixing and this paper proposes a new sentencing option that would simultaneously offer the offenders a chance of long term recovery, while providing the victims of crime with respite.

The CSJ Second Chance Programme

Our proposals for a new intensive Second Chance Programme would see up to £250 million invested over five years, targeting up to 10,000 of the most prolific drug-addicted offenders. It uses shop theft as the trigger for tackling and reducing other more serious offending, such as burglary, and allows for a place-based approach to help clean up specific estates or towns blighted with crime and anti-social behaviour linked to prolific drug-addicted offenders.

The CSJ Second Chance Programme would:

- **Recommendation 1:** Create a two-year programme for the most prolific drug-addicted offenders, providing the immediate crime reduction benefits and addiction recovery of incapacitation through a Secure Phase followed by an intensive community-based Residential Recovery Phase and Supportive Phase.
- **Recommendation 2:** Build a Criminal Justice Transformation Fund (first proposed in *A Woman-Centred Approach*) incorporating a Second Chance component, providing up to £25 million per year in programme funding with the expectation that participating

Police and Crime Commissioners match this funding via their precept, usable reserves, and/or underspends.

- **Recommendation 3:** Expect Police and Crime Commissioners to work with their partners to identify localities and cohorts of prolific drug-addicted acquisitive offenders and target them through a Second Chance Programme pilot using shop theft as a trigger.
- **Recommendation 4:** Be enhanced through the piloting of problem-solving courts, making use of judicial monitoring to focus and drive improved outcomes in relation to the prolific drug-addicted cohort.
- **Recommendation 5:** Redirect any savings generated from the Second Chance Programme to the Justice Reinvestment component of the Criminal Justice Transformation Fund.

Assuming a modest 10 per cent reduction in the discounted lifetime social and economic costs associated with problematic Class A drug use, this combined investment of £250 million over five years could see savings of between £500 million and £1 billion in discounted lifetime costs.

With business crimes, like shop theft, accounting for more than 25 per cent of crime, we also make a number of recommendations that would both support the successful targeting and delivery of the Second Chance Programme and help tackle shop theft and related crimes:

Improving the reporting, prevention, and detection of crime

- **Recommendation 6:** Police forces and Police and Crime Commissioners should be clear on what a ‘good response’ looks like and what constitutes ‘good reporting’ from businesses and victims more generally. This work should be co-ordinated by the National Business Crime Centre, with sector-specific activity, such as “Op Retail”, a programme led by Hampshire Constabulary, to help develop clear and well-understood local protocols and standards.
- **Recommendation 7:** The Home Office should look favourably on Police Transformation Fund bids seeking to support the harnessing of technology to deliver improved reporting, detection, and intelligence around both individual shop theft offenders and the organised criminal groups active in this arena.
- **Recommendation 8:** The National Police Chiefs’ Council (NPCC) should develop open standards and a digital platform by which trusted partners can adequately verify the identity and eligibility of individuals for referral to other services – and help improve intelligence around crime and the safeguarding response to vulnerable individuals.
- **Recommendation 9:** HMICFRS should conduct a thematic review of the response to business and retail crime by police forces in England and Wales. HMICFRS should also incorporate specific consideration of the response to business and retail crime in their inspection framework and methodology.

Ensuring accountability and effective strategies for tackling crime

- **Recommendation 10:** The National Business Crime Centre should support Chief Constables in appointing a national network of dedicated full-time police force leads for business crime. Each force could then better support the development of Business Crime Advisory Groups, Business Crime Reduction Partnerships and Business Improvement Districts to help local police and responsible local businesses co-produce public safety and achieve reductions in crime.

- **Recommendation 11:** The Home Office should enhance police.uk to support the publishing of weekly and monthly crime statistics to help drive accountability of Police and Crime Commissioners and police forces for tackling crimes and trends in crime.

Helping sentencers get serious about a Second Chance

- **Recommendation 12:** Statements taken by police from victims of, and witnesses to, shop theft and related “low level” offending should always explain and accurately describe whether any force was used or threatened. The CPS should refuse to routinely accept guilty pleas which do not adequately reflect the use or threat of force recorded in such evidence.
- **Recommendation 13:** The Ministry of Justice should launch a review of Pre-Sentence Reports (PSR) and explore how they might be more effectively produced to better convey an accurate understanding of the root causes of offending, along with greater detail on the pattern of offending. Consideration should also be given to how technology might be used to help test the veracity of claims made by the defendant and to allow other agencies to feed into the PSRs.
- **Recommendation 14:** Quarterly Crime and Criminal Justice Briefings for the local judiciary, with inputs from police, probation, and the Police and Crime Commissioner.
- **Recommendation 15:** Locally, police forces and businesses should undertake to make greater and more effective use of both Community Impact Statements and Impact Statements for Business.
- **Recommendation 16:** Commence Section 151 of the Criminal Justice Act 2003 to allow courts to deal more appropriately with “low-level” offences by repeat offenders through the use of community orders, rather than fines, and to provide the potential for the root causes of offending to be tackled.

Making better use of new and existing arrangements to prevent crime

- **Recommendation 17:** The emerging standards for Business Crime Reduction Partnerships (BCRPs) should include consideration of crime reduction and public safety in the wider community, including so-called secondary locations. Business Improvement Districts (BIDs) should ensure they address issues of Crime, Safety and Security in their initial and renewal manifestos.
- **Recommendation 18:** PCCs should work with Chief Constables to develop packages of measures – incorporating Neighbourhood Watch, StreetWatch, BCRP/BID resources, CCTV incentives, and more – that can be offered proactively to smaller or more vulnerable retailers, businesses and communities, or reactively in the wake of repeated incidents, alongside any police response.
- **Recommendation 19:** Government and Police and Crime Commissioners, working with local authorities, should consider developing schemes for high-crime or vulnerable premises that would remedy the disincentives businesses can face in relation to installing or improving existing CCTV and other security measures.
- **Recommendation 20:** Government should commission the creation of a set of open standards relating to CCTV for the purposes of crime prevention, detection, and the promotion of public safety, and include a review of the Surveillance Camera Commissioner’s guidance to homeowners and businesses on the use of CCTV and coverage of public spaces.
- **Recommendation 21:** Government should ensure that every offender with an identified financial need leaves prison with access to a minimum of the Core Allowance of Universal Credit, helping reduce crime and reinforcing the pro-social expectation of resettlement into the community.

chapter one

Shop theft in modern Britain

Like the crunch of broken glass underfoot – from yet another car repeatedly broken into – or the “broken windows” that signal ungoverned spaces and communities in decay, shop theft speaks to similarly challenging and pervasive social ills among some of the poorest in modern Britain.

As part of our work we have heard evidence that shop theft can be bound up with poorly addressed mental health, while others use the mental health “card” to evade responsibility. In some cases, welfare reform – where it has seen individuals either face a period without benefits or receive reduced payments – is offered as explanation. Gambling has become more accessible, whether through “crack cocaine” fixed odds betting terminals (FOBTs) or virtual roulette wheels and bingo online, resulting in many developing gambling problems that see precious funds leave their pockets, leaving little to stock the fridge or pay the rent.

We have also heard how individuals with poor financial literacy find themselves taking out expensive payday and other loans. The desire for the latest mobile phone, gadgets, or paid-for television and entertainment packages simply outstrips what even a generous welfare system can sustain.

A lack of confidence or an unwillingness to cook at home, further erodes the real value of household budgets and welfare payments. Finally, we heard that the combination and compounding of these and related issues fuels a false narrative for some that their offending is driven by need, rather than the product of a lifestyle.

But these issues are themselves dwarfed by the problems of substance misuse and drug addiction. Traditional hard drugs, like heroin and crack cocaine, and the more recent explosion in New Psychoactive Substances (NPS), more commonly known as “Spice”, are blighting communities and driving a significant volume of acquisitive crime. Up to 50 per cent of all acquisitive crime is committed by those with a heroin or crack cocaine problem. The proportion increases to 70 per cent for shop theft.

Shop theft is not a victimless crime and nor is it one that should be readily dismissed

Shop theft is seen and dismissed by many as “low level” and “low harm” crime. There is a temptation to view it as “victimless” and to view the businesses themselves, whether smaller independent retailers or larger businesses, as the cause of the shop theft problem. Many find themselves being described, rather unflatteringly, as “crime generators”.

Others seek to apply a “Robin Hood”-style justification to such offending, in the misguided belief that the victim “being a business” somehow mitigates the harm of the crime. Indeed, a recent survey found that almost 1 in 10 teenagers aged 13–15 believe there is nothing wrong with shoplifting.¹

But we know that shop theft is not victimless. First, it’s a crime against the proprietor of a business that fundamentally denies their right to hold property free from unlawful interference. It also causes consumers to pay higher prices to cover the cost of stolen property along with the costs of security and crime prevention. The Association of Convenience Stores estimates around 7 pence is added to the cost of every transaction in convenience stores as a result of shop theft and related crime, hitting the poorest consumers the hardest.²

Our own estimates suggest shop theft cost £6.3bn last year (see p.15), equating to more than £270 per household, representing more than the £251.33 that the average household spends on food and non-alcoholic drinks in the average month.³

Victims – as businesses – might be more helpfully viewed as entrepreneurs, investors in local economies, employers, and providers of local services. Undermining these businesses has wider social and economic consequences.⁴

The consequences of either very serious incidents or simply very prolific offending can be to cause businesses to close, causing a loss of jobs and the loss of employment opportunities for those in the local area. Even where businesses avoid closure, many may seek to cut wages or jobs in a desperate bid to off-set the costs of crime.

1 *Should ethics be taught? A survey of the ethical values of 10,000 13–15 year olds in England and Wales*, Money & Morals, 2011 [Accessed on 2 May 2018 via www.moneyandmorals.org/resources/userfiles/Jabe%20MM%20Survey%20Web%202011%20-%20Printed%20version.pdf]

2 *The Crime Report 2018*, Association of Convenience Stores, 2018 [Accessed on 10 May 2018 via www.acs.org.uk/sites/default/files/acs_crime_report_2018.pdf]

3 *Family spending in the UK: financial year ending 2017*, Office for National Statistics, 18 January 2018 [Accessed on 1 May 2018 via www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/financialyearending2017]

4 *Estimates of Cost of Crime: History, Methodologies and Implications*, Jacek Czabański, 2008

Case study: Shop theft and crime causing the closure of a family-owned store

One small family retailer we spoke to described opening a store in the West Midlands. They found that crime was out of control in the area and report that it still is. The proprietor told us:

“The level of ingrained criminality was such that it was necessary to recruit staff from outside the area in order to prevent employee theft, and that a significant proportion of the local community would just walk in and expect not to pay.

“Each and every day significant quantities of stock would be lost, resulting in even more internal costs associated with daily stock-takes and related processes. Furthermore, the impact of this one store and the related crime issues placed a burden on the other shops and it reached a point where the bank was actively putting pressure on us to close and sell this business.”

After the culmination of several large break-ins – with the biggest one costing £16,000 – it became evident that the family would have to walk away from the store and endeavour to sell it at a distressed price.

Source: Case study supplied by retailer on condition of anonymity.

We know that work is the best route out of poverty and that the retail economy provides a wide range of entry-level opportunities for both young people, or people who are seeking to enter the job market for the first time, perhaps after a long period of unemployment. A great benefit of many charity shops – including the volunteering opportunities they provide – being the provision of an accessible opportunity for many to gain valuable experience before securing paid employment in retail or another industry.

The impact of such offending on communities – especially the poorest – is significant. The social costs of shoplifting are regressive – they hit the poorest in society hardest. Smaller retailers in deprived areas operating on tight margins are least able to absorb the direct and indirect costs and must pass them on to customers through higher prices. This increases the costs of everyday items for those already struggling, and ultimately impacts on the ability of smaller business to compete.

Shop theft should also be understood within the broader framework of signal crimes.⁵ These are offences that can have a significant impact on the fear of crime among communities, negatively impacting on the quality of life and local economic activity. It is a fact that some Police and Crime Commissioners and Chief Constables recognise.⁶

The knock-on victims include local people who come to feel less safe, fundamentally affecting their quality of life, especially for less mobile groups. As is so often the case, the costs and impact of crime disproportionately hit the poorest and most vulnerable in society.

5 Martin Innes and Nigel Fielding (2002) ‘From Community To Communicative Policing: ‘Signal Crimes’ And The Problem Of Public Reassurance ’ Sociological Research Online, Vol. 7, No. 2

6 Roycroft, M., *Police Chiefs in the UK: Politicians, HR Managers or Cops?*, Springer, 2017

Anti-social behaviour, abuse, threats and violence can seriously affect staff

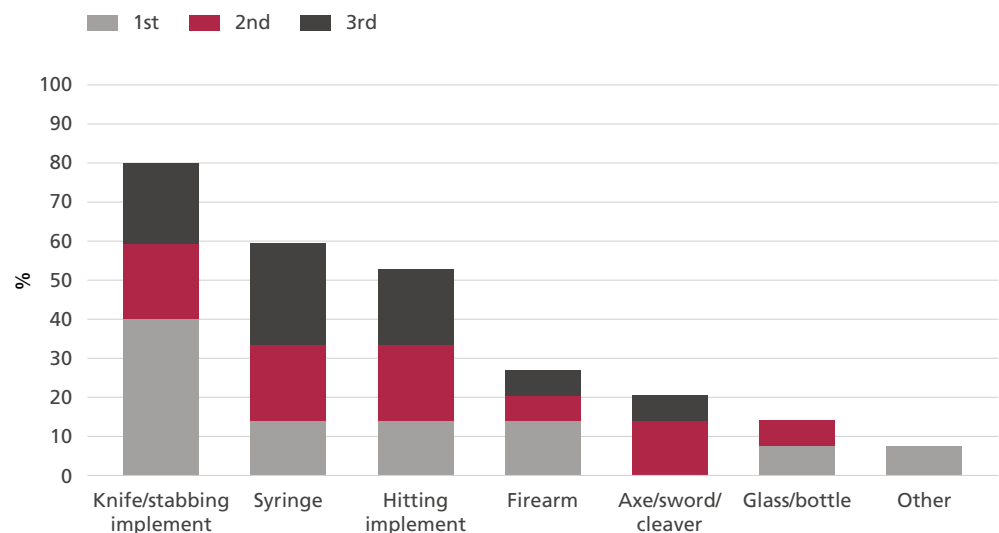
We also know that shop theft has an impact on those working in shops. The retail sector accounts for the largest proportion of employment in the UK (10 per cent) employing almost three million workers.⁷

Those individuals engaged in shop theft are increasingly resorting to violence, threats, intimidation, and abuse directed at staff. The rate of reported violence with injury has doubled in the last year to 6 per 1,000 workers according to the latest British Retail Consortium (BRC) Crime Survey, while the Association of Convenience Stores (ACS) reports that 72 per cent of convenience store staff have experienced verbal abuse.

Given the wider context of rising knife crime, gun crime and weapon possession, shop workers also find themselves threatened with, or attacked with, such weapons. The ACS found that 39 per cent of the 13,000 violent incidents in the convenience store sector resulted in injury. They also established that of the 3,690 incidents involving a weapon, the majority involved the offender using a knife.⁸

The BRC has also recently surveyed members to identify some of the most significant threats – finding that 80 per cent identified knives or other stabbing implements as one of their top three most significant threats, followed by 60 per cent identifying syringes or hypodermic needles, 50 per cent other hitting implements and 27 per cent citing firearms as one of their top three most significant threats.

Figure 1: Ranking of most significant threats, 2018



Source: BRC Crime Report Survey 2018.

7 *Sector Skills Insights: Retail (Evidence Report 53)*, UK Commission for Employment and Skills, July 2012 [Accessed on 12 April 2018 via dera.ioe.ac.uk/15964/1/evidence-report-53-retail.pdf]

8 *The Crime Report 2018*, Association of Convenience Stores, 2018 [Accessed on 19 April 2018 via www.acs.org.uk/sites/default/files/acs_crime_report_2018.pdf]

The use of violence and weapons against staff has a huge impact on their wellbeing, whether through direct physical injury or the emotional and psychological harm. In the most serious cases, the trauma from such incidents can cause individuals to struggle to return to work and can impact on their quality of life both at work and beyond.

Case study: The impact of violence on shop staff

In late 2017, two masked males entered a store carrying a shotgun and a machete. Three colleagues were in the store at the time, including a store guard, who was knocked unconscious with a blow to the back of the head from the machete.

Directing their shotgun at store staff, the offenders threatened to cause significant bodily harm to them. The criminals made off with the contents of a till, some change and a few cigarettes. The store had CCTV and colleagues had been trained in avoiding conflict.

The Manager stated that “a lot of theft goes on in this store, so we have to challenge possible threats often. It happened so quickly I didn’t realise what was going on until it had already started. I’d been trained in avoiding conflict, which I think helped.”

A Store colleague remarked that “my manager and team have been super, but I had to take some time off work. I went back because I wouldn’t let them win and ruin my life. I’m still petrified whenever someone comes in with a scarf and hat on. The cold weather and winter are making things worse.”

Source: Case study supplied by British Retail Consortium.

The scale of shop theft is huge – amounting to more than 38 million offences last year

Shop theft is a crime that can be hard to quantify in aggregate, with a huge gulf between the volume of crimes reported to the police and the true dark figure of crime.

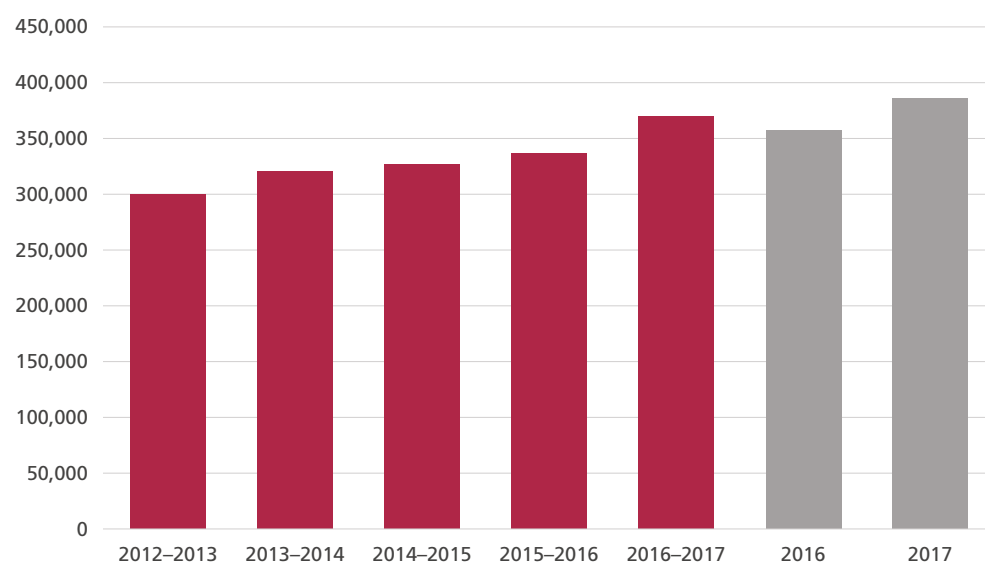
As with most discussions of crime today, there are those who attribute increases in recorded crime to improved reporting – and we should certainly wish to attain the best possible reporting rates in order to better understand the scale of the problem faced and to inform decisions around the use and deployment of the finite police resource available.

As with any crime reporting, it relies upon the victim or a witness making the report. In the context of shop theft – and other business crimes – the opportunity cost will often have a direct impact on the business. Taking an hour or more to report the crime, complete a statement, or assist the investigation comes at the expense of restocking or serving customers. It is time that stores and business owners may – rightly or wrongly – think is better utilised on other activities.

Other reasons for the gap in reporting include offences not being identified at the time. We also know that almost 1 in 3 retailers do not report offences because they believe the police could not have done anything, that the police would not be interested, or as a result of a past police experience.⁹

Nonetheless, last year more than 385,000 shop thefts were reported to police in England and Wales, representing an increase on 2016 and a continuation of the broadly increasing trend.

Figure 2: Police recorded shoplifting offences in England and Wales



Source: ONS Crime in England and Wales.¹⁰

The Home Office's Commercial Victimization Survey estimates that shop theft for the retail and wholesale sector included approximately 5.1 million offences in 2017.¹¹ However, even this is considered to be an underestimate, with estimates for shop theft reporting rates ranging from 1 in 100 to 1 in 1000.¹²

When the Home Office last published their estimates for the costs of crime associated with shop theft, back in 2000, they erred on the side of caution, assuming a reporting rate of 1 in 100, and concluded that some 31 million shop thefts occurred in 2000 at a cost of £3.1bn.¹³

9 Presentation on 'Estimating the true scale of shop theft in Nottingham and other Core Cities' by Dr Laura Garius and Dr James Hunter to the Crime Survey Users Conference, Royal Statistical Society, 8 December 2017 [Accessed on 14 May 2018 via www.ukdataservice.ac.uk/media/605039/garius.pdf]

10 Crime in England & Wales, year ending December 2017 – Appendix tables, ONS, April 2018 [Accessed on 5 May 2018 via www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesappendixtables/yearendingdecember2017/appendixtablesyearendingdec2017.xls]

11 *Crime against businesses: findings from the 2017 Commercial Victimization Survey*, Home Office, 3 May 2018 [Accessed on 10 May 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/704366/crime-against-businesses-2017-hosb0718.pdf]

12 Farrington, D.P. (1999) 'Measuring, Explaining and Preventing Shoplifting', in *Security Journal*, 12(1), pp. 9–27.

13 *Home Office Research Study 217: The economics and social costs of crime*, Home Office, 2000 [Accessed on 28 March 2018 via webarchive.nationalarchives.gov.uk/20110220105210/rds.homeoffice.gov.uk/rds/pdfs/hors217.pdf]

Applying the same rate to today's figures suggests at least 38 million shop theft offences occurred last year. Using the Home Office's best estimate for the costs of shop theft and updating for inflation, the aggregate cost of crime from shop theft last year could be as much as £6.3bn.

The "dark figure" of crime – the unreported and potentially undiscovered proportion – is clearly enormous. Whether recent increases in recorded shop theft reflect increases in recording or an increase in the aggregate crime volume is not clear. However, we can be confident that the true scale of shop theft, like many other crimes, is different, by a quantum, to the police recorded levels.

Shop theft has low barriers to entry and increasingly faces lower risks

Compared to other acquisitive crime types – such as car crime, burglary and fraud – there are relatively low barriers to entry. There is little or no specialist knowledge required to commit the offences, and the offence itself is generally straightforward.

Shop theft is not just attractive due to its accessibility, the low risk of detection is also appealing. The average risk of being caught is estimated to be around 1 in 500.¹⁴ This is a reality backed up by the words of one prolific offender who stated: "I can honestly say I have gotten away with thousands and thousands of shoplifts, thousands."¹⁵

Even when caught and processed by the police, the expected sanction is generally not a serious one. With the first few detected offences likely to involve an out of court disposal (OCD) – such as a Penalty Notice for Disorder (PND) or a caution – the consequences are not especially significant. Even, when an offender is charged and receives a disposal from the court, the most significant aspect for many will be the creation of a conviction on their criminal record.

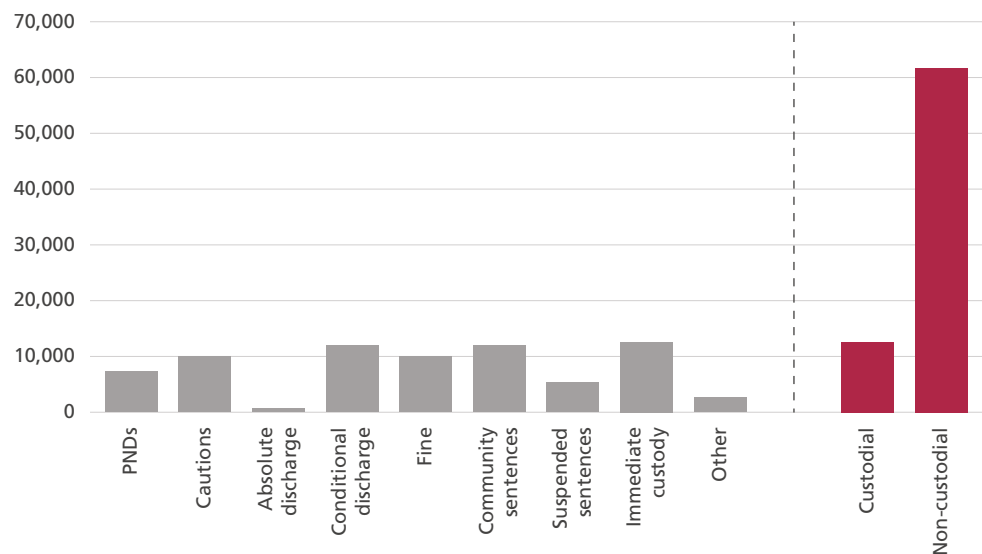
Fewer than 1 in 5 (17 per cent) of shop theft detections results in an immediate prison sentence. Such sentences will often be preserved for particularly persistent or aggravated cases, but assuming an even distribution of disposals, the risks of incapacitation by means of a prison sentence – even for a short spell – are broadly 1 in 3,000.

These facts help make shop theft an extremely attractive proposition: low risks, limited or no immediate incapacitation, and the ability to generate cash quickly from the onward sale of largely untraceable stolen property.

¹⁴ Based on an estimated 38.5 million offences and the approximately 75,000 Penalty Notices for Disorder (PNDs), cautions and convictions for shop theft last year.

¹⁵ Presentation on 'Estimating the true scale of shop theft in Nottingham and other Core Cities' by Dr Laura Garius and Dr James Hunter to the Crime Survey Users Conference, Royal Statistical Society, 8 December 2017 [Accessed on 14 May 2018 via www.ukdataservice.ac.uk/media/605039/garius.pdf]

Figure 3: Outcomes for shop theft, 2016



Source: Ministry of Justice.¹⁶

It is therefore of little surprise that organised criminals seek to capitalise on the opportunity it affords for profit. While we know that 70 per cent of shop theft is committed by users of heroin and crack cocaine, there is also growing evidence of vulnerable people being exploited into, and other offenders voluntarily engaging in, organised acquisitive crime. Even in 2012–13, the NCA believed that organised acquisitive crime cost £1.75bn.¹⁷

The National Crime Agency (NCA) has – in successive annual Strategic Assessments for Serious and Organised Crime – specifically highlighted the criminal exploitation of vulnerable individuals in relation to theft.¹⁸

We have also heard evidence of young girls, already victims of child sexual exploitation, being trafficked around the country to commit shop thefts. We also know that urban street gangs engage in organised shop theft – often focussing on designer fashion items and are prepared to use serious violence in that endeavour. It has also been described to us how victims of modern slavery can find themselves initially engaged in labour exploitation, before subsequently being forced into committing thefts, with control often being maintained through debt bondage, physical intimidation and promoting a psychological dependency on the offender.

¹⁶ *Criminal justice statistics outcomes by offence tool*, Ministry of Justice, 18 May 2017 [Accessed on 10 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/614418/cjs-outcomes-by-offence-tool-2016.xlsx]

¹⁷ *Serious and Organised Crime Strategy*, HM Government, October 2013 [Accessed on 12 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/248645/Serious_and_Organised_Crime_Strategy.pdf]

¹⁸ *National Strategic Assessment of Serious and Organised Crime 2018*, National Crime Agency, 2018 [Accessed on 14 May 2018 via www.nationalcrimeagency.gov.uk/publications/905-national-strategic-assessment-for-soc-2018/file]

The most recent Global Retail Theft Barometer made explicit reference to the growing awareness of, and concerns around, the link between trafficking and organised retail crime:

It has been noticed that teenagers from Eastern Europe are being forced by human traffickers into forming organized retail crime (ORC) crews in Scotland for shoplifting. It is believed that Lithuanian gangsters are driving such operations across Scotland with a focus on popular shopping areas, such as Glasgow, Edinburgh, and Aberdeen.¹⁹

A recent academic study examined the extent of organised crime in shop theft and theft-related offences in Coventry over a two year period. The study found that “despite high volumes of offending these groups have rarely been a priority for the police where there has been a much bigger focus on drug-related offending.” It found that 27 per cent of such offences were “organised”, and that a disproportionate number of foreign nationals were linked to organised shoplifting and theft.

More than half (58 per cent) of offences committed by Romanian offenders were classified as organised, with networks ranging in size from three to twelve offenders. Similar patterns were seen with offending by Latvians (43 per cent), Lithuanians (32 per cent) and Somalis (38 per cent).

The study also found that:

Certain locations in the UK were described as magnets for these networks due to the ‘availability of work, cheap housing and established communities.’ These OCGs are often highly mobile groups and move people around quickly which requires access to accommodation across the country; one group was believed to be in control of up to 400 properties nationwide...²⁰

Indeed, the government and the National Crime Agency is aware of the linkage between human trafficking and organised theft.²¹ In its Modern Slavery Awareness Booklet, the Home Office stated that forced acquisitive crime, “such as shoplifting and pickpocketing,” is one of the main types of modern slavery.²²

Estimates for the prevalence of forced theft in a 2012 study conducted by the UK Human Trafficking Centre found that of potential trafficking victims forced into criminality nearly 14 per cent of adults and 5 per cent of children committed theft.²³ A more recent estimate by the National Crime Agency, puts the figure at 9 per cent of all potential victims of trafficking having been criminally exploited.

19 *The Global Retail Theft Barometer 2015, The Smart Cube*, November 2015 [Accessed on 2 May 2018 via www.odesus.gr/images/nea/eidhseis/2015/3.Global-Retail-Theft-Barometer-2015/GRTB%202015_web.pdf]

20 Ruth Crocker, Michael Skidmore, Sarah Webb, Sarah Garner, Martin Gill, John Graham; *Uncovering Organized Shoplifting and Theft Networks, Policing: A Journal of Policy and Practice*, pax048, [Accessed on 10 May 2018 via academic.oup.com/policing/advance-article-abstract/doi/10.1093/police/pax048/4100668?redirectedFrom=fulltext]

21 *Modern Slavery and Human Trafficking*, National Crime Agency [Accessed via: www.nationalcrimeagency.gov.uk/crime-threats/human-trafficking]

22 *Modern Slavery Awareness Booklet*, Home Office, 2017 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655504/6.3920_HO_Modern_Slavery_Awareness_Booklet_web.pdf]

23 *A Strategic Assessment on the Nature and Scale of Human Trafficking*, UK Human Trafficking Centre, August 2013 [Accessed via: www.nationalcrimeagency.gov.uk/publications/15-ukhtc-strategic-assessment-on-human-trafficking-in-2012/file]

Over the next few years, leaving the European Union offers the potential to adopt measures to better tackle such offending at the border. This could potentially help reduce the extent of this offending. While it is not within the scope of this paper to consider, this should be an important focus for the Government when they rightly consider future crime, border, and immigration policy.

Tackling shop theft will require work to tackle the root causes

Traditionally the focus on tackling the problem of shop theft and related acquisitive crime has been through a focus on frameworks such as that outlined in Lord Birt’s review of reducing crime in 2000 and the Victim Offender Location triangle.²⁴

Table 1: Lord Birt’s Three Factors of Crime

Crime		
A motivated offender	An available victim or property	Reduced security/ guardianship
<ul style="list-style-type: none"> • Increase of risk factors associated with offending: reduced family controls, increased school exclusions, reduced jobs and roles for the least skilled, decline in communal activity. • Increased relative deprivation: increased social exclusion set against general increases in prosperity, creating an “underclass”. • Changing moral climate, reduction of traditional forms of authority and discipline, increased individualism. • Increased levels of drug-taking. 	<ul style="list-style-type: none"> • Increased stock of goods, especially portable, high value and desirable goods (e.g. mobile phones). • New technology and transaction methods (e.g. internet and credit cards). • More people, more often vulnerable. Increased social and geographical mobility brings offenders and victims into contact. 	<ul style="list-style-type: none"> • Reduction of jobs which provided direct or indirect guardianship (e.g. park keepers, bus conductors). • Increased pressure on police to fill the gap which stretches their resources and reduces effectiveness. • Changes in work and social patterns: more women in the labour force and therefore more empty homes, especially in day time, valuable mobile property not always guarded, lack of community ownership of public space and buildings. • Decline of shared values, offences less likely to be challenged by fellow citizens.

The role of drug addiction – as the driving force behind many “motivated offenders” – was well understood at the time of Lord Birt’s review and, alongside Tony Blair’s declaration of “being tough on crime and tough on the causes of crime” – contributed to the development of that government’s focus on tackling priority and prolific offenders (PPOs).²⁵

24 For more on the Victim Offender Location triangle and related approaches see: www.popcenter.org/about?p=triangle and www.app.college.police.uk/app-content/intelligence-management/analysis/#problem-analysis-triangle

25 Labour Party (1997), The Labour Party manifesto 1997.

It is clear from today's levels of shop theft that there is still much to be done, both through traditional approaches to crime prevention – such as target-hardening – but also by reinvigorating approaches to tackle the underlying causes of offending in the lives of individual offenders.

Here we focus on those offenders motivated to commit crime by an addiction to hard drugs. With 70 per cent of shop theft attributed to frequent users of heroin, crack cocaine and powdered cocaine, it is evident that the potential for dramatic reductions in crime could come from a reconsideration of the response to these offenders, designed to tackle their addiction and to help offenders move into recovery and lead drug- and crime-free lives.

We also know from the growing evidence base around adverse childhood experiences (ACEs) that the risks of becoming an injecting drug user increase based on the number of ACEs experienced. When injecting drug users are estimated to commit upwards of 250 offences per year, the costs and importance of tackling root causes through early intervention becomes clear.²⁶ Therefore, wider efforts to improve social justice and protect children can be expected to help contribute to lower levels of crime.

It should therefore be apparent that those who describe shop theft – and related acquisitive crimes – as “victimless” deny not only the impact of such offences on the victims, but also dismiss the misery and poverty in the lives of many of those committing offences. It is an attitude that risks providing a free pass to those organised criminals who exploit others into committing offences and the drug dealers who peddle misery while lining their pockets with the proceeds of crime. Tackling shop theft is a social justice issue, spanning victims, communities, vulnerable offenders and wider society.

Now, more than ever, there is a need for fresh thinking that deals with the underlying causes of crime, making the most of key opportunities to tackle some of the most prolific and persistent offenders.

²⁶ Drug-related crime, *Institute for Social and Economic Research*, July 2013 [Accessed on 10 April 2018 via www.iser.essex.ac.uk/research/publications/working-papers/iser/2013-08.pdf]

chapter two

The persistent problem of prolific offenders

Heroin and crack cocaine addicts are generally considered the most prolific offenders in relation to acquisitive crime, accounting for 70 per cent of shop thefts – and significant proportions of burglary, car crime, robbery, and fraud.

The size of the prolific offender cohort varies

The size of the prolific offender cohort is entirely dependent upon the definitions applied. Both Lord Birt’s review and the more recent experimental statistics published by the Ministry of Justice estimate the prolific offender cohort as being in the region of between 100,000 and 200,000 offenders, depending on the time period covered and definition adopted.

Table 2: Defining the prolific and repeat offender cohort

Cohort	Offenders	Description
Active Persistent Offenders (Lord Birt Review)	100,000	Estimated to be responsible for 50 per cent of serious crimes, with each offending committing on average 90 crimes per year. Two thirds of this group started offending by age 15, two thirds are hard drug users and one third were in care as children.
High Rate Offenders (Lord Birt Review)	150,000 men 5,000 women	Each year collectively responsible for 18.4 million low trauma crimes in a given year, 8.1 million crimes without a direct victim, 6.2 million medium trauma crimes and 1.0 million high trauma crimes.
Adult Prolific (MoJ Experimental)	211,945 (2000–2016)	Aged 21 or older, with a total of 16 or more previous convictions or cautions, and 8 or more previous convictions when aged 21 or older.
Young Adult Prolific (MoJ Experimental)	118,482 (2000–2016)	Aged 18–20, had a total of 8 or more previous convictions or cautions, and had at least 4 previous convictions or cautions when aged 18–20; or aged 21 or older, had a total of 16 or more previous convictions or cautions, had less than 8 previous convictions or cautions when aged 21 or older, and had 4 or more previous convictions or cautions when aged between 18 and 20.

Source: Lord Birt’s Review of Reducing Crime and Ministry of Justice.²⁷

²⁷ Prolific offenders: experimental statistics, Ministry of Justice, February 2018 [Accessed on 10 March 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681553/prolific-offenders-15-feb-2017.pdf]

The pioneering work on prolific offenders in the UK during the 2000s has gone on to be emulated by a number of other jurisdictions, including Canada and Australia. With a broad recognition that prolific offenders – also known as chronic, repeat or habitual offenders – are those who:²⁸

- Appear repeatedly before the courts with relatively low-level offences;
- Continue to offend on release from prison or at the conclusion of another sentence;
- Are not usually confined to one specific type of crime;
- May have very complex issues and needs; and
- Are not necessarily motivated by profit in their offending.

Our own analysis of the most recent experimental statistics published by the Ministry of Justice suggests that the figure for active adult prolific offenders lies somewhere in the region of 140,000, across a wide range of offences.²⁹ It is likely that a subset of this group represent the most prolific drug-addicted offenders.

Hard drug addiction drives the bulk of volume crimes like shop theft and burglary

The issue of addiction and use of hard drugs – specifically heroin and crack cocaine – is inseparable from discussions of tackling acquisitive crime. The reality that an injecting heroin user commits as many as 260 offences per year speaks to both the persistent and prolific nature of such offending.³⁰

A recent Home Office report highlights the fact that more than 70 per cent of all shop thefts and 69 per cent of burglaries are attributed to heroin and crack cocaine users.³¹ At an aggregate level, they account for approximately half of all acquisitive crime.

There is also growing evidence that a large proportion of fraud offences are being committed by drug users, with 38 per cent of offences committed by individuals using heroin or crack cocaine at least once per week. This proportion increases to 42 per cent when including the users of cocaine powder.

Both the National Crime Agency and the UN Office on Drugs and Crime have identified the UK as the largest cocaine market in Europe and with use of the drug growing we should anticipate a longer-term trend towards individuals committing offences in order to fund cocaine addictions.³²

28 Priority Prolific Offender Program, Alberta Solicitor General and Public Security, 2012 [Accessed on 10 April 2018 via congres.societecrimino.qc.ca/2011/actes/pdf/ate_18_01.pdf]

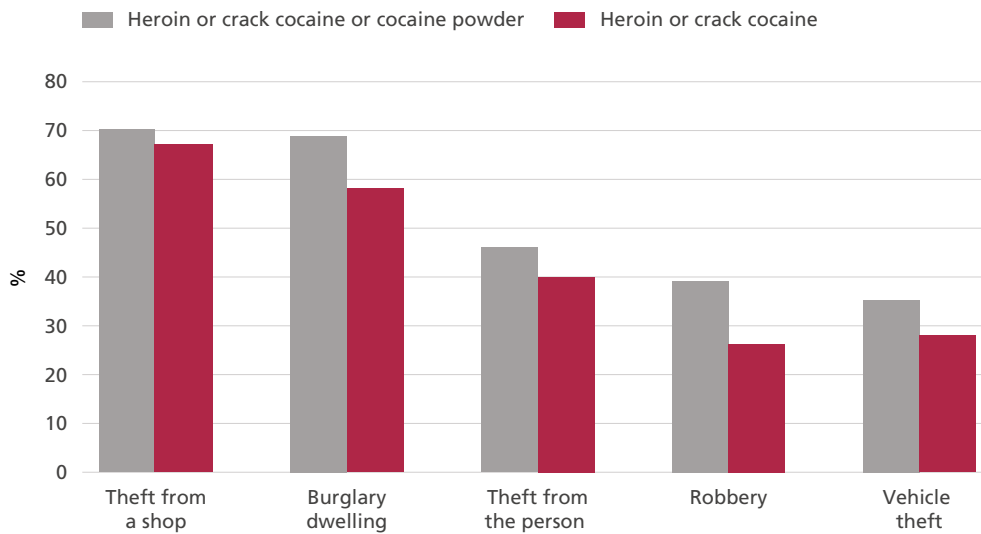
29 We examined the the distribution of offenders in Figure 1 and the average gap since last sanction in Table 2 of the MoJ's Prolific Offenders: Experimental Statistics publication to arrive at c.140,000 active adult prolific offenders [Accessed on 4 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681553/prolific-offenders-15-feb-2017.pdf]

30 *Drug-related crime*, Institute for Social and Economic Research, University of Essex, July 2013 [Accessed on 7 April 2018 via www.iser.essex.ac.uk/research/publications/working-papers/iser/2013-08.pdf]

31 *Understanding organised crime: estimating the scale and the social and economic costs*, Home Office, 2015 [Accessed on 24 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf]

32 The UK represents 23 per cent of all cocaine-users in Europe, next to Spain (21 per cent) and Italy (19 per cent). The Transatlantic Cocaine Market, United Nations Office on Drugs and Crime, April 2011 [Accessed via: www.unodc.org/documents/data-and-analysis/Studies/Transatlantic_cocaine_market.pdf]

Figure 4: Proportion of offences committed by drug users who report using specified drugs at least once a week



Source: Home Office.³³

It has also been established that heroin or crack cocaine users not in treatment are estimated to commit crime costing an average of £26,074 per year.³⁴ More broadly we know that the economic and social costs of problematic Class A Drug use are significant, both in terms of annual and lifetime costs.

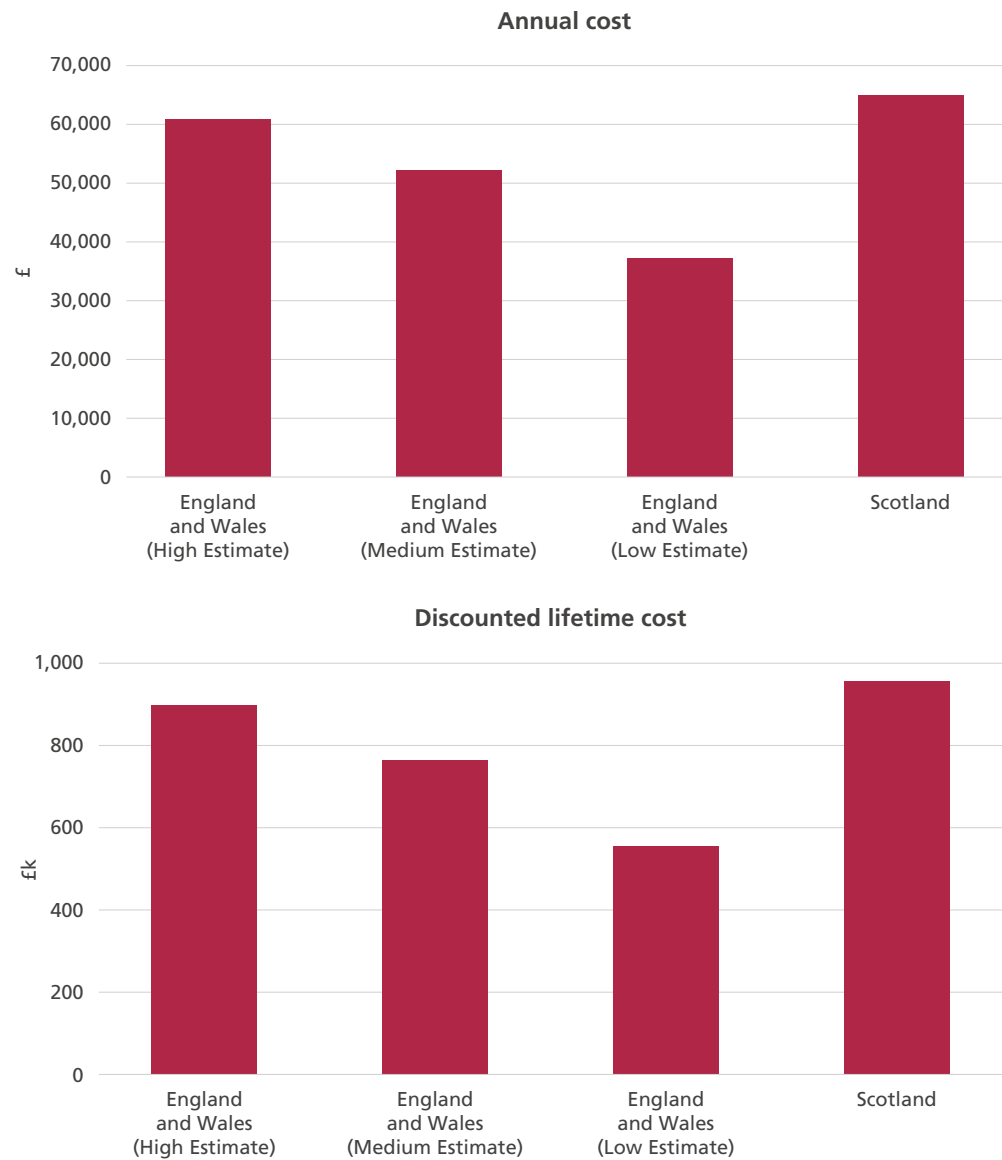
The best estimates for the economic and social costs of problematic adult drug use in England and Wales range from £37,416 per year to £61,109 per year, equating to discounted lifetime costs of between £550,000 and £899,000. Similar analysis examining the costs in Scotland estimates an annual cost of £65,184 and a discounted lifetime cost of almost £1million.³⁵

33 *Understanding organised crime: estimating the scale and the social and economic costs*, Home Office, 2015 [Accessed on 24 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf]

34 *Alcohol and Drugs Prevention, Treatment & Recovery – Why Invest?*, Public Health England, September 2015 [Accessed on 12 April 2018 via [webarchive.nationalarchives.gov.uk/20170807160924/http://www.nta.nhs.uk/uploads/alcoholanddrugswhyinvest2015.pdf](http://www.nta.nhs.uk/uploads/alcoholanddrugswhyinvest2015.pdf)]

35 *Specialist drug and alcohol services for young people – a cost benefit analysis*, Frontier Economics, February 2011 [Accessed on 27 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/197952/DFE-RB087.pdf]

Figure 5: Economic and social costs of problematic adult Class A drug use



Source: Frontier Economics.³⁶

Prolific offenders often start with shop theft – but go on to commit multiple types of offences

The Government's own research has stated that "prolific offenders were most likely to have started their criminal career with more minor offences, such as theft (mainly shoplifting)".³⁷ Their analysis finds that 45 per cent of prolific offenders start their formal criminal careers with theft.

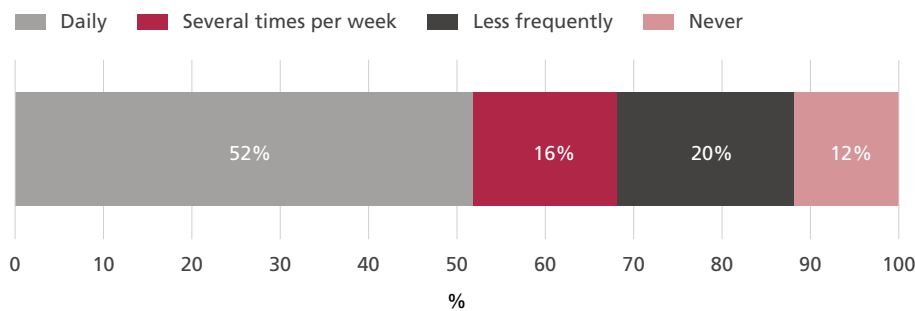
³⁶ *Specialist drug and alcohol services for young people – a cost benefit analysis*, Frontier Economics, February 2011 [Accessed on 27 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/197952/DFE-RB087.pdf]

³⁷ *Prolific Offenders: Characteristics of Prolific Offenders*, Ministry of Justice, 2017 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681553/prolific-offenders-15-feb-2017.pdf]

It is also important to recognise that while prolific offenders will often have a preferred modus operandi, this does not preclude them from committing other types of offence.³⁸ For example, the prolific car criminal who targets specific vehicles and enters them in a specific way, can be expected to engage in other criminality to fund their addiction, such as through opportunistic theft from the person.

A study published in 2005 identified the instrumental role played by shop theft in the offending patterns of prolific burglars.³⁹ The study interviewed prolific burglars and found that 88 per cent admitted to having committed shop theft.

Figure 6: Prolific burglars and frequency of shop theft offending



Source: British Journal of Criminology.⁴⁰

More than half of the prolific burglars admitted committing shop theft on a daily basis, while 16 per cent stated they committed shop theft “several times per week” and a further 20 per cent stated they committed shop theft “less frequently”. Just 12 per cent denied committing shop theft.

The work – as other studies have found – highlights the reality that many of those who engage in more serious criminality also commit less serious offences.⁴¹ The study concluded by proposing that “shop thieves be policed as though they were burglars on their day off rather than as shop thieves pure and simple.”

By committing minor offences more serious offenders can therefore be seen to “offer themselves up” for legitimate police interest and potential criminal justice sanction.⁴² Minor offences also tend to be easier to identify and detect than more serious ones. The message is simple: “catch more shoplifters and you will catch more burglars.”

38 Roach, J. and Pease, K. (2014), Police Overestimation of Criminal Career Homogeneity. *J. Investig. Psych. Offender Profil.*, 11: 164–178. doi:10.1002/jip.1405

39 Jacqueline L. Schneider; The Link between Shoplifting and Burglary: The Booster Burglar, *The British Journal of Criminology*, Volume 45, Issue 3, 1 May 2005, Pages 395–401, doi.org/10.1093/bjc/azh101

40 Jacqueline L. Schneider; The Link between Shoplifting and Burglary: The Booster Burglar, *The British Journal of Criminology*, Volume 45, Issue 3, 1 May 2005, Pages 395–401, doi.org/10.1093/bjc/azh101

41 Roach, Jason and Pease, Ken (2013) Police overestimation of criminal career homogeneity. *Journal of Investigative Psychology and Offender Profiling*. ISSN 1544-4759

42 Roach, J., ‘Those who do big bad things also usually do little bad things: identifying active serious offenders using offender self-selection’, *International Journal of Police Science and Management*, Vol. 9 No. 1, 2007, pp. 66–79 journals.sagepub.com/doi/pdf/10.1350/ijps.2007.9.1.66

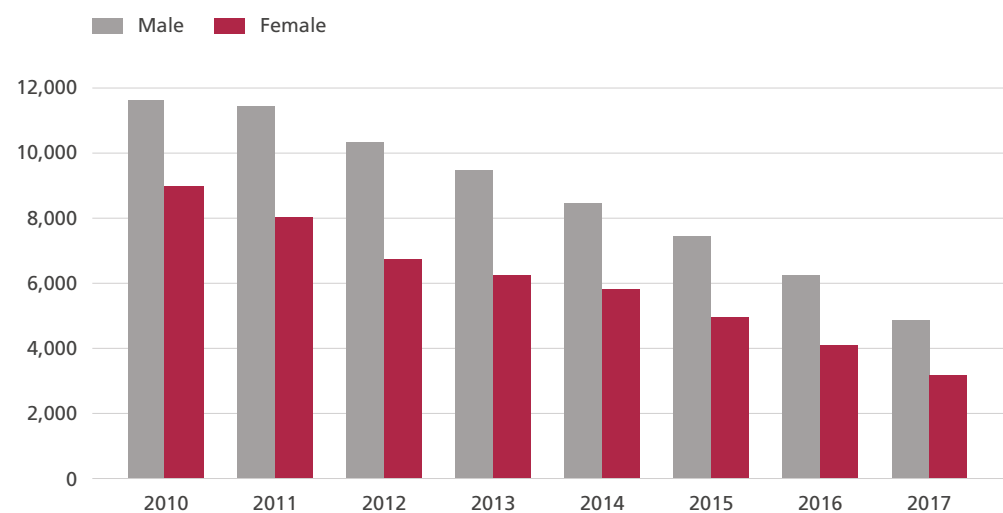
Given that offences like shop theft mark the starting point for the criminal careers of 45 per cent of prolific offenders and continue to feature in the criminal careers of more serious offenders, including burglars, we should recognise that getting the response to shop theft right has benefits to crime reduction and public safety beyond the individual offence and beyond the shop theft category too.

Recent trends in relation to theft and prolific offenders

The lack of a consistent definition for prolific offenders and policy changes – such as the removal of the Offences Brought to Justice target – make it hard to definitively identify whether the prolific offender population is really changing in size.

However, we do know that adults entering the criminal justice system for the first time via theft offences have reduced by more than 60 per cent since 2010, from 20,000 per year to just over 8,000. This may be due to a change in the pattern of offending, or changes in the police and criminal justice response to shop theft.

Figure 7: Adult first time entrants for theft offences

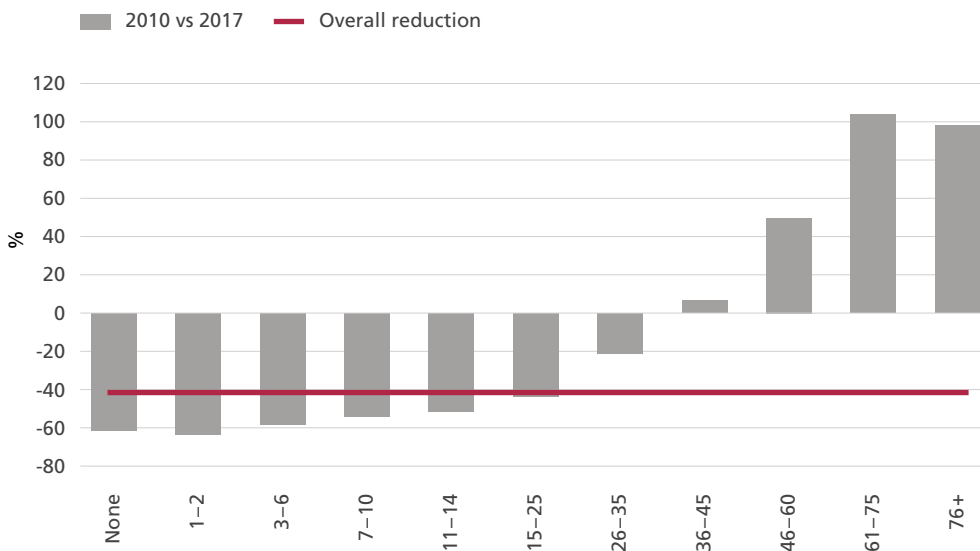


Source: Ministry of Justice.⁴³

In addition, the number of adult male theft offenders in England and Wales fell by 42 per cent between 2010 and 2017, with even greater reductions in the number of offenders with 25 or fewer previous cautions or convictions.

⁴³ *Offending History Data Tool: first time entrants statistics*, Ministry of Justice, 15 February 2018 [Accessed on 10 May 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/681279/ft-e-pivot-tables-sept-2017.xls]

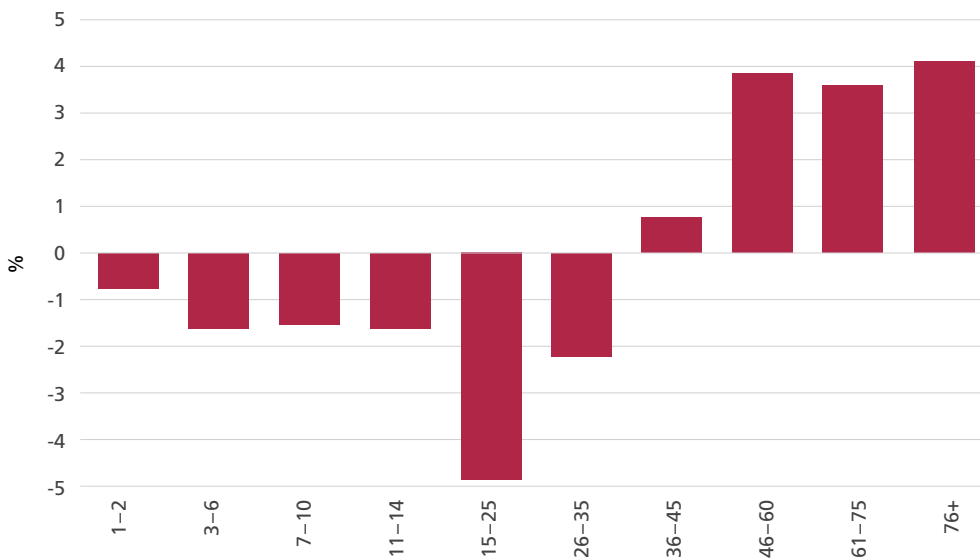
Figure 8: Adult male theft offenders by previous convictions/cautions (2010 vs 2017)



Source: Ministry of Justice.⁴⁴

Those offenders with 26–35 previous cautions or convictions saw a below average reduction of 21 per cent, while more prolific offenders more than doubled between 2010 and 2017.

Figure 9: Change in share of theft disposals by previous convictions/cautions (2010–2013 vs 2014–2017)



Source: Ministry of Justice.⁴⁵

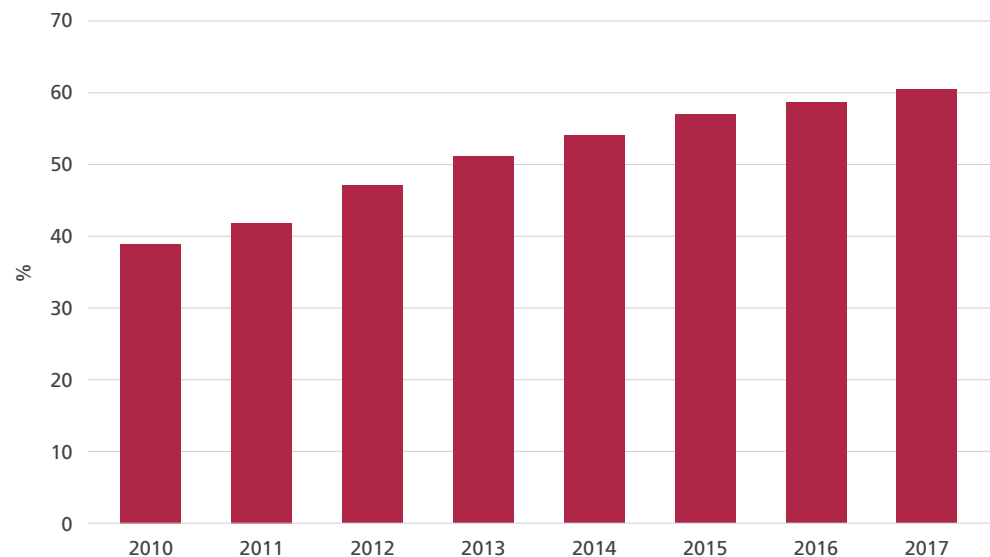
44 *Offending History Data Tool: previous offence statistics*, Ministry of Justice, 15 February 2018 [Accessed on 11 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/681281/criminal-history-first-all-pivot-table-sept-2017.xls]

45 *Offending History Data Tool: previous offence statistics*, Ministry of Justice, 15 February 2018 [Accessed on 11 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/681281/criminal-history-first-all-pivot-table-sept-2017.xls]

We can also look at how the share of theft disposals for individuals with different numbers of previous cautions or convictions has changed. While those with up to 35 previous saw their share of theft disposals fall between the period 2010–2013 and 2014–2017, those individuals with more than 36 previous saw their share grow. The most prolific bandings – 46–60, 61–75 and 76 or more previous – each experienced a 4 percentage point growth in their share of disposals.

The abolition of the Offences Brought to Justice (OBTJ) target will have likely played a part in stemming both the flow of first-time entrants and potentially benefitting the more junior prolific cohort. However, with the total number of theft offence disposals at broadly the same level across these two periods, it is hard to deny that the share committed by offenders with 36 or more previous has grown from 45 per cent for 2010–2013 to 57 per cent for 2014–2017. The growth in share is even more evident when examining the annual figures, showing growth from 39 per cent in 2010 to 61 per cent last year.

Figure 10: Share of theft offence disposals – offenders with 36 or more previous convictions/cautions



Source: Ministry of Justice.⁴⁶

The criminal justice system is increasingly dealing with prolific and persistent acquisitive offenders. On the face of it, it would appear that the system is failing to prevent further offending and to effectively tackle the root causes.

46 *Offending History Data Tool: previous offence statistics*, Ministry of Justice, 15 February 2018 [Accessed on 11 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/681281/criminal-history-first-all-pivot-table-sept-2017.xls]

chapter three

Our criminal justice system delivers too little, too late

The current approach to prolific offenders is not working

The criminal justice system is not working. It especially fails the victims of high volume crimes where proven reconviction rates – to say nothing of undetected reoffending rates – remain high and where very often even the respite afforded through the incapacitation of a prison sentence is limited to the infrequent use of short prison sentences. The average custodial sentence for a shop theft is just 1.7 months, equivalent, with automatic release, to at most 26 days.⁴⁷ A largely inconsequential amount of time in a life ravaged by addiction and prolific offending.

It also fails prolific drug-addicted offenders. The cycle of repeated offending is rarely broken and the system simply iterates through the range of available sentences, technically satisfying the criminal justice process – but failing to tackle the root causes of offending behaviour or the intergenerational replication of crime and poverty.

The sorry state of our prisons – awash with drugs, beset with violence, and self-harm – coupled with the failure of community sentences to evidence themselves as being effective for this most prolific cohort, creates an unenviable position for those charged with the awesome responsibility of sentencing.

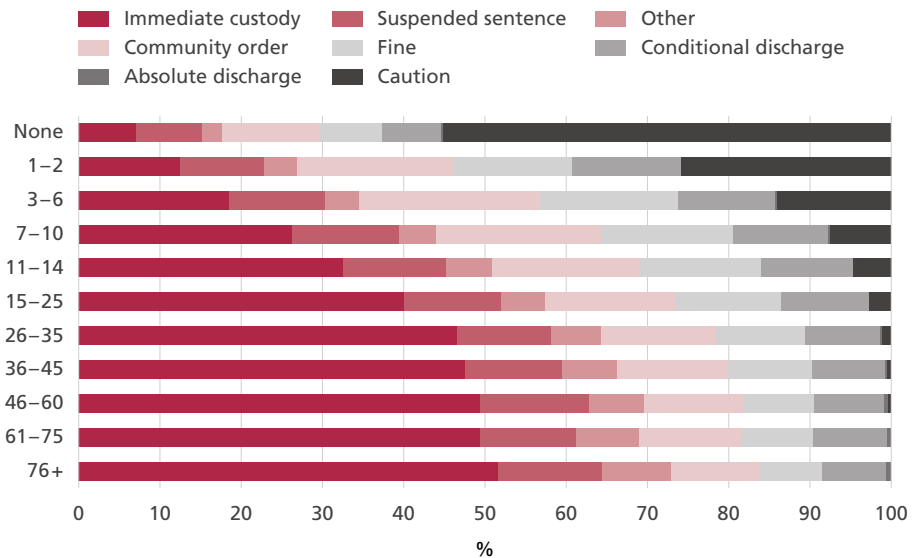
A disconnect between the providers of community sentences and the sentencers themselves further undermines efforts to build confidence or make known the options that are available. The decline in the use of community orders speaks to their failure to win over sentencers and to have the crime-fighting and life-changing results we wish to see.

⁴⁷ Criminal justice statistics outcomes by offence tool, Criminal Justice System Statistics Quarterly, Ministry of Justice, 18 May 2017 [Accessed on 11 April 2018 via https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614418/cjs-outcomes-by-offence-tool-2016.xlsx]

The reality is that current disposals fail to cut crime by failing to tackle the root causes

The failure of community sentences to effectively tackle prolific offenders is evident from the sentences imposed by the judiciary on adult male theft offenders last year. Sentencers invariably find themselves increasingly drawn to the sanction of immediate custody as the volume of previous offending increases.

Figure 11: Share of theft offender disposals by previous convictions/cautions (adult males, 2017)



Source: Ministry of Justice.⁴⁸

The apparent growth in the prolific offender cohort, the routine and perfunctory collection of convictions, and high rates of reconviction speak to the failure of the current system to tackle the root causes of offending and to cut crime.

The reality that sentencers choose to impose prison on more than half of the most prolific offenders speaks to a desire to cut crime – and a recognition that, on the journey to accruing more than 75 previous convictions “nothing has worked”.

As victims pick up – or give up picking up – the phone to report the latest crime, offenders that do get detected find themselves processed through a largely unthinking system. Innovations and improvements often being blocked by those who cite a “lack of evidence”, even as the largely unevidenced machine continues to push on, untested and largely unchallenged.

For offenders and their families, the system appears to prosper – police, legal representatives, prosecutors, judges, probation staff, and prison officers all get paid – but with near-certainty, defendants remain addicted, often poorly-educated, unemployed, or otherwise in poverty. And so the cycle repeats, and not just for the offender – but so often for their children too.

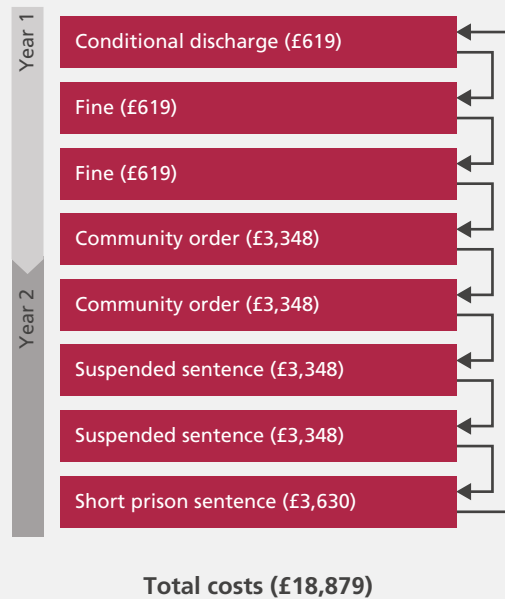
⁴⁸ *Offending History Data Tool: previous offence statistics*, Ministry of Justice, 15 February 2018 [Accessed on 11 April 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/681281/criminal-history-first-all-pivot-table-sept-2017.xls]

Case study: The offender journey for a drug-addicted prolific thief

Daniel (not his real name) is in his early 30s and has been addicted to heroin and crack cocaine for over a decade. During that time he has predominantly paid for his addiction through acquisitive crime in the form of shop theft and other opportunistic theft.

The items he steals are generally 'to order'. He has a mix of buyers for the property he steals. These include baby milk for a local unregistered nursery that accepts the goods in return for looking after his own children. He also takes orders from a minority of irresponsible retailers who are happy to receive stolen branded goods, such as chocolate, sweets, alcohol and household products, as they can be obtained at a lower cost from him than their legitimate wholesale supplier.

Figure 12: Illustrative criminal justice costs



Source: Ministry of Justice.

On arrest he regularly tests positive for the use of opiates. However, Daniel repeatedly cycles through the range of criminal justice disposals over a multi-year period. Receiving fines, community orders, suspended sentences, and eventually a short-term prison sentence, before often beginning again with fines.

Over the course of such sentences, Daniel rarely – if ever – receives the intervention and support necessary to both stabilise his situation and to begin tackling the root causes of his offending.

On the basis of the activity required to generate at least eight court cases and the resultant disposals, we estimate that the illustrative cycle has a cost over the course of the time period of almost £19,000 – to little positive effect.⁴⁹ We consider this to be a conservative estimate of the costs – and excludes a wide range of costs associated with undetected offending.

Daniel is far from alone in having such an experience. The MoJ's reoffending statistics tell us that 50.8 per cent of theft offenders reoffend within a year and average more than 4 re-offences.

⁴⁹ The costs assume that for each court appearance, a theft offence was reported to police (£165) and the police investigated and arrested the suspect (£300), the suspect was charged and appeared in court (£154), where the specified sentence was imposed without a pre-sentence report. We apportion no additional cost for the imposition of a fine. We apply a 33 per cent reduction on 2011–2012 average unit costs for Community Orders and Suspended Sentence Orders (£2,729). We calculate the custodial sentence for shop theft based on the average sentence length and automatic release at the half way point (£3,011).

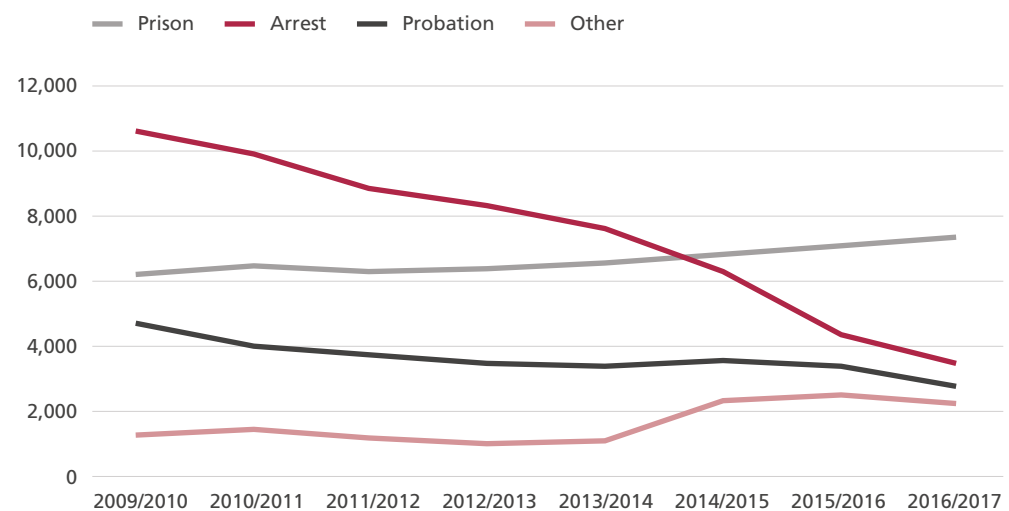
Opportunities for earlier intervention are being missed

The practice of earlier intervention – even in the context of drug treatment – appears to be diminished. The Drug Interventions Programme (DIP) was introduced in April 2003 with the aim of developing and integrating measures for directing adult drug-misusing offenders into drug treatment and reducing crime. It was subsequently expanded in April 2006 to move the point of drug test earlier – from the point of charge, to the point of arrest. In addition to DIP testing for specified trigger offences, it is also possible – with an Inspector’s authority – for the arresting officer to seek drug testing in relation to other offending.

The results of the programme implied that offenders reduce their offending following contact with DIP, that the criminal justice system can be an effective route for getting drug misusing individuals into treatment, and that the use of semi-coercive approaches can improve engagement in intervention programmes compared to non-coercive approaches.⁵⁰

The latest statistics show the volume of new presentations to treatment by criminal justice referral source, showing a significant reduction in the volume of arrest-related referrals, while the number of prison referrals trends upwards.

Figure 13: New presentations to treatment by referral source



Source: National Drug Treatment Monitoring System.⁵¹

The period since 2010 has seen sustained reductions in the number of individuals being referred into treatment through the arrest pathway, falling from more than 10,500 in 2009/2010 to just over 3,500 in 2016/2017.

50 The Drug Interventions Programme (DIP): addressing drug use and offending through 'Tough Choices', Home Office, November 2007 [Accessed on 12 April 2018 via webarchive.nationalarchives.gov.uk/20110218140548/http://rds.homeoffice.gov.uk/rds/pdfs07/horr02c.pdf]

51 Adult Statistics from National Drug Treatment Monitoring System (NDTMS) (2009/10–2016/17). Methodology changes preclude direct comparison of the period 2009/2010–2013/2014 vs 2014/2015–2016/2017.

A number of factors are likely driving the reduction in volume, including the decommissioning of DIP as a national programme in 2013, a fiscally austere environment in which an “optional” DIP test adds cost, as well as the general downward trend in arrests by police.⁵²

The importance of drug testing and referral into treatment is recognised in the Government’s drug strategy, with the most recent publication highlighting how the Heroin and Crack Action Area pilots – such as the one in Bradford – helped boost drug treatment referrals by 68 per cent.⁵³ It is therefore a cause for concern that since 2010 the primary source for criminal justice drug treatment referrals has shifted from being earlier (arrests) to later (prisons). The decline in referrals from probation suggests that the Transforming Rehabilitation programme may not be sufficiently focussed on tackling addiction.

We also know from the well-documented shortcomings of the Transforming Rehabilitation programme that it is failing to effectively rehabilitate.⁵⁴ The failure of the Government’s Transforming Rehabilitation programme to deliver on its promises presents another missed opportunity to make meaningful progress toward a more effective system.

More broadly court fines and Penalty Notices for Disorder do nothing to tackle root causes

Where offenders are in poverty, court fines and Penalty Notices for Disorder do nothing to tackle the root causes of crime. They may be technically expedient – in being low cost and a straightforward disposal – but we do not consider this a sound basis on which to sentence.

The fact that financial penalties do nothing to tackle the root causes behind most prolific offending, and at best enable, or at worst compel, further offending should convince people that these disposals are entirely inappropriate for prolific and drug-addicted offenders.

These financial penalties will either go unpaid or be paid for through further offending. Even where the fines are deducted at source from welfare payments, the reality is that the individual is likely already struggling financially and the risk must surely be that any loss in disposable income as a result of the fine is ultimately offset by further offending.

The potential risks posed by the decline in first-time entrants

A decline in first-time entrants to the criminal justice is generally celebrated and welcomed by those with an interest in criminal justice reform. It is presented as a positive development – and where it reflects a genuine reduction in crime and the appropriate identification and tackling of any underlying causes, it should be celebrated.

52 The reduction in arrests can be attributed to changes such as Code G of PACE, other changes in the law and police responses to crime, reductions in stop and search, and reductions in police resources.

53 2017 Drug Strategy, HM Government, July 2017 [Accessed on 28 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/628148/Drug_strategy_2017.PDF]

54 Written and Oral Evidence to the Justice Committee’s Transforming Rehabilitation Inquiry [Accessed on 12 April 2018 via www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/inquiries/parliament-2017/transforming-rehabilitation-17-19/publications/]

Similarly, where a reduction in first-time entrants is the result of abolishing a distortionary central government measure – such as the Offences Brought to Justice target – ensuring a more proportionate approach to disposals, and sees a reduction in first-time entrants, it should also be welcomed.

However, we should also be aware of the risk that a reduction in first-time entrants may not entirely be a cause for celebration. Amid a push to deal with first-time offenders both outside of court and outside of police custody suites, there is a risk that underlying and persistent issues – such as drug addiction – may be missed, causing addicts to go unidentified and their needs unaddressed. This could contribute to the reversal of arrests and prisons as leading criminal justice referral sources for drug treatment.

More broadly, some prolific drug-addicted offenders are also likely avoiding detection and entry into the criminal justice system for theft by switching to fraud and related cybercrime offences, where the risks of detection are even lower. It is already estimated that 35 per cent of fraud offences are drug-related. This proportion increases to 40 per cent in relation to credit fraud.⁵⁵

The significant reductions in proactive community policing, changes to investigative priorities and policy, the number of stop and searches conducted by police, the number of individuals processed through police custody suites, and – even where detected – the fragmentation of approaches towards the use of drug-testing in custody all contribute to a reduction in the risk of detection for offenders and the detection of underlying drivers of offending.

With that reduction in the risk of detection, also comes a reduction in the available opportunities for early intervention – or, indeed, intervention at all to tackle the underlying causes. It is a reality perhaps most powerfully evidenced by the primary source of criminal justice referrals into drug treatment shifting from police at the point of arrest in 2010 to prisons in 2017.

Our prisons are largely unfit for the task of rehabilitation

The fact that our prisons are shamefully awash with drugs highlights how we have allowed them to move ever further from being model societies in which rehabilitation is a realistic prospect. In fact, they are now dominated by the very things we seek to tackle and combat in society: violence, intimidation, exploitation, social regression, and worklessness.

There are exceptions to the largely unbroken cycle of offending. Whether through the determination of practitioners, volunteers, charities, or social enterprises – or a fortuitous change in circumstances for the offender themselves – some offenders do turn it around, though it is more commonly in spite of the system, rather than because of it.

The population strategy relating to prisons is itself deeply flawed, housing both drug dealers and drug addicts on the same wings and in the same prisons. Recreating the criminal market in wider society within the concentrated confines of a prison or even a prison wing.

⁵⁵ *Understanding organised crime: estimating the scale and the social and economic costs*, Home Office, 2015 [Accessed on 24 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf]

The latest re-offending data makes it plain: 50.8 per cent of offenders convicted of theft went on to be re-convicted of a further 223,126 new offences within 12 months.⁵⁶ Where offenders are identified, the criminal justice system generally fails to provide effective disposals to help prevent further offending and tackle the root causes behind offending.

However, if things don't change we can only expect the prison population to continue to grow

Last year, the average public sector prison place cost £37,948.⁵⁷ Giving an injecting heroin user a full year in prison would incapacitate them from up to 260 offences. This would, itself, mean that prison had prevented crimes at an average cost of £146 per offence. Even if all 260 offences were equivalent to the average shop theft, this would in fact represent a net economic saving given the estimate for the average cost of a shop theft at £165.

The uncomfortable truth is that prison – for all its many shortcomings – is the only tool left in the box for many sentencers, delivering as it does at least the prospect of respite for victims for the duration of the sentence. This anonymised example of a neighbourhood policing newsletter from 2016 makes the point plainly:

Shoplifting in [the town] is mostly due to a small number of repeat offenders committing a large proportion of the crime, mostly committed in order to fund drug use. Working ever closer with the retail outlets, we have had numerous successes of late and many of these offenders were either sentenced to imprisonment or already serving prison sentences during this reporting period which has led to a marked reduction in offences. Two of these offenders have since been released from prison but have decided to move out of the county due to the high level of police attention they received in [the town].

The need is therefore clear – to combine incapacitation and rehabilitation within a fit-for-purpose environment that tackles the root causes. It must also form part of an approach that genuinely recognises the importance of housing, employment, education and vital support networks – like family.

There is significant scope to improve our response and to tackle the root causes

The advantage of highly prolific offenders is that they can regularly come into contact with the police and criminal justice system, meaning that opportunities to intervene regularly come around. The challenge is to develop a disposal for this group that can at the earliest possible opportunity deliver the short-term crime reduction benefits of incapacitation with the long-term and intergenerational crime and poverty reduction benefits that can come from real and meaningful rehabilitative work to tackle root causes.

⁵⁶ *Proven Reoffending Tables, January 2016 to March 2016*, Ministry of Justice, 25 January 2018 [Accessed on 28 January 2018 via www.gov.uk/government/uploads/system/uploads/attachment_data/file/676295/proven-reoffending-jan16-mar16.xlsx]

⁵⁷ *Costs per place and costs per prisoner by individual prison*, Ministry of Justice, October 2017 [Accessed on 2 May 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/653972/costs-per-place-per-prisoner-2016-2017-summary.pdf]

chapter 4

A Second Chance to tackle root causes

There is enormous scope to refocus our criminal justice system on supporting desistance and tackling the root causes of crime. We set out a new Second Chance Programme for prolific drug-addicted offenders. It seeks to combine the immediate crime reduction benefits of a prison sentence with the rehabilitative, relational and therapeutic approaches associated with the best of Women's Centres, therapeutic communities, and residential drug rehabilitation programmes.

The Second Chance Programme

The Second Chance Programme is a two year programme for the most prolific drug-addicted offenders. It seeks to provide a genuine second chance. It stands as a clear alternative to prison as we know it. It comprises three key elements: a secure phase, residential phase, and supportive phase. It also provides wrap-around support on a voluntary basis both pre-conviction and post-sentence.

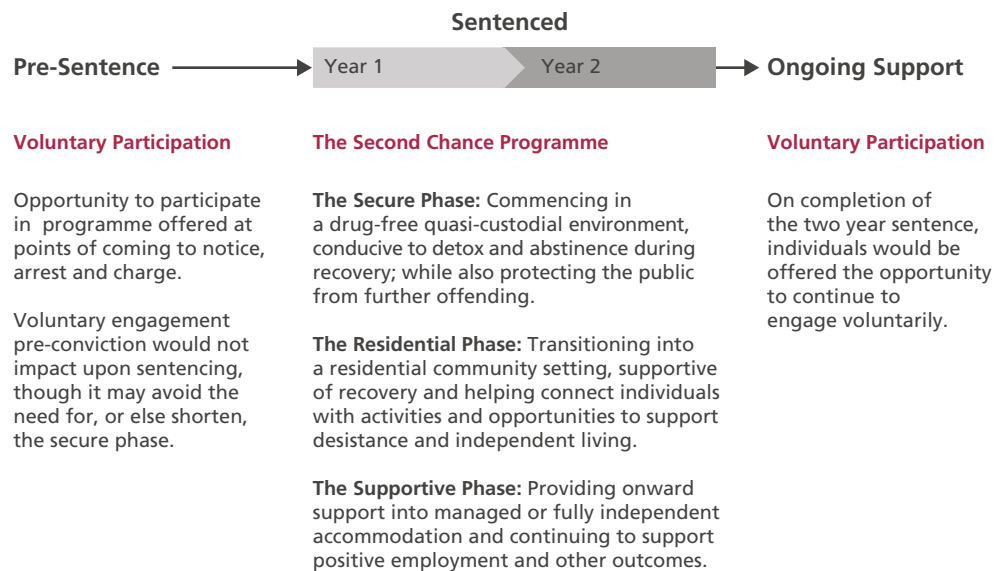
The Programme is two years in length, recognising the significant investment required in the meaningful delivery of effective drug treatment and the supported re-entry of challenging individuals into the community. The sentence is deliberately hybrid in nature. Individuals begin their sentence in a secure drug-free, pro-abstinence, environment, but conclude their sentence in the community with consistent support.

The Second Chance Programme is modelled upon desistance theory, recognising that there can and will be setbacks on the journey, and that there should be flexibility to ensure that individuals can both progress "out" into the community and regress back "in" to a more secure setting as required.

The Programme aggressively and unapologetically seeks to tackle the shortcomings found in existing disposals for the prolific drug-addicted cohort. It is at once both "tough on crime" – by virtue of being intensive in nature and two years in duration – and "tough on the causes of crime" – by virtue of seeking to tackle in a therapeutic and trauma-informed way the addiction that drives the offending behaviour. The Programme seeks to intervene as early as possible in the careers of prolific drug-addicted offenders, by recognising shop theft as a trigger point. As established in Chapter 2, we know that 88 per cent of burglars commit shop theft, with half committing shop theft on a daily basis.

By focussing on detecting shop thefts committed by prolific drug-addicted offenders, it is possible to engage more serious offenders and thereby tackle both shop theft and other offences, such as burglary, robbery, and car crime.

Figure 14: Second Chance Programme sentence for prolific drug-addicted offenders



Recommendation 1: Creation of a two-year Second Chance Programme for the most prolific drug-addicted offenders, providing the immediate crime reduction benefits of incapacitation through a Secure Phase followed by an intensive community-based Residential Phase and Supportive Phase.

Entry into the Second Chance Programme

Entry into the Second Chance Programme would be triggered via contact with the criminal justice process for shop theft or similar offences. On the arrest of a prolific drug-misusing offender, they would be DIP-tested in custody to establish the current use of opiates or crack cocaine.

This qualification process would be designed to reflect the chosen priorities for the Programme locally. For example, a local area may decide to target offenders arrested for shop theft who are known for burglary or car crime, or target offenders arrested for shop theft who are known to cause significant local anti-social behaviour and disorder.

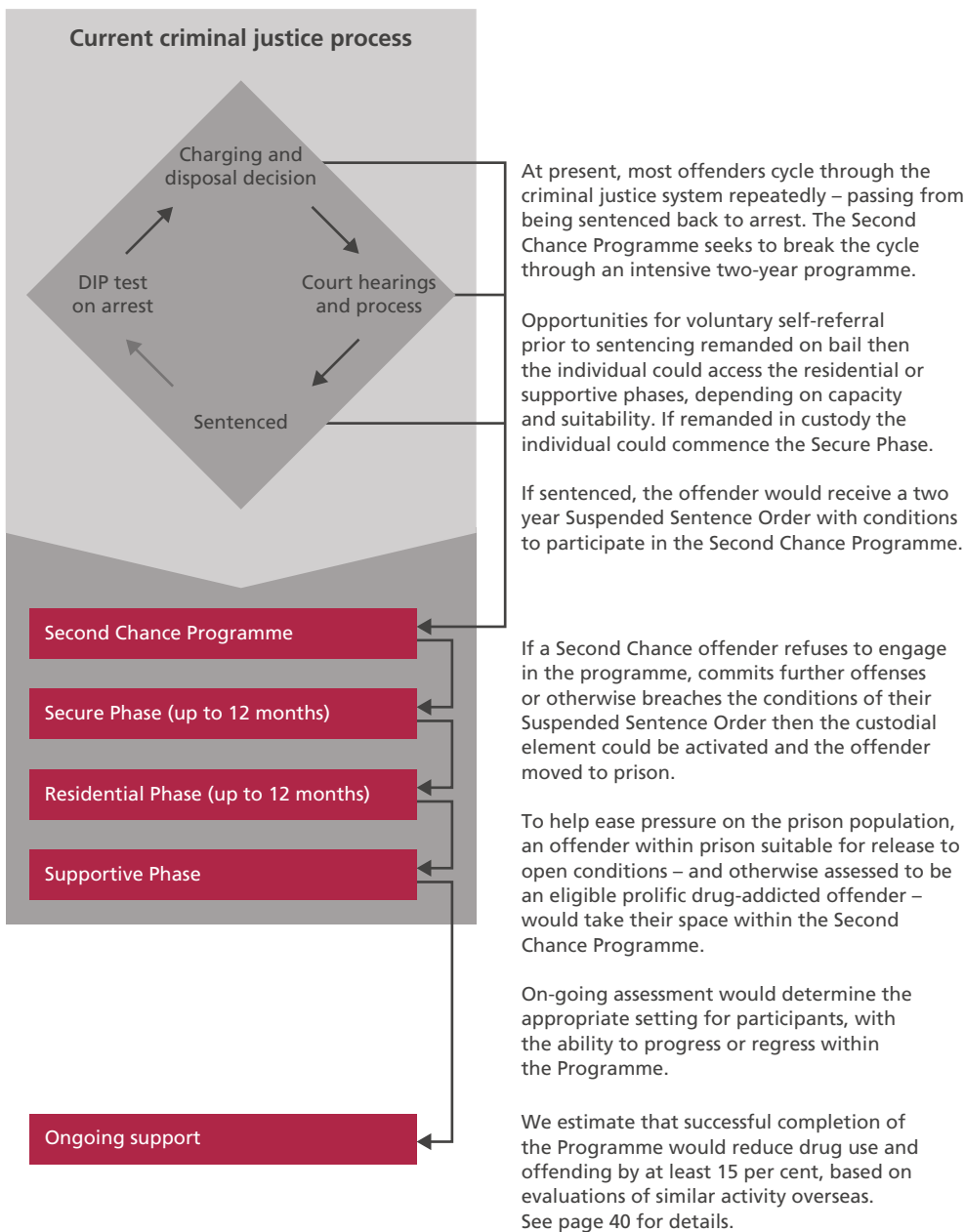
In any case, the offence of shop theft by a prolific drug-addicted offender would be considered as a key opportunity to intervene. This could see police forces either choosing to reactively respond to offenders identified as suspects, or a more proactive

approach could be taken, in which directed surveillance could be used against known individuals generating significant harm and a significant volume of crime.

We set out in Chapter 5 how improvements to the response to shop theft and related crimes today, could be used to enhance the ease with which prospective participants in the Second Chance Programme could be identified and how retailers and store security could be empowered to properly identify individuals detained for shop theft.

The opportunity for voluntary self-referral into the Programme could be made known to eligible offenders while in police custody. Offenders wishing to participate in the Programme would be asked a series of questions to qualify them for participation.

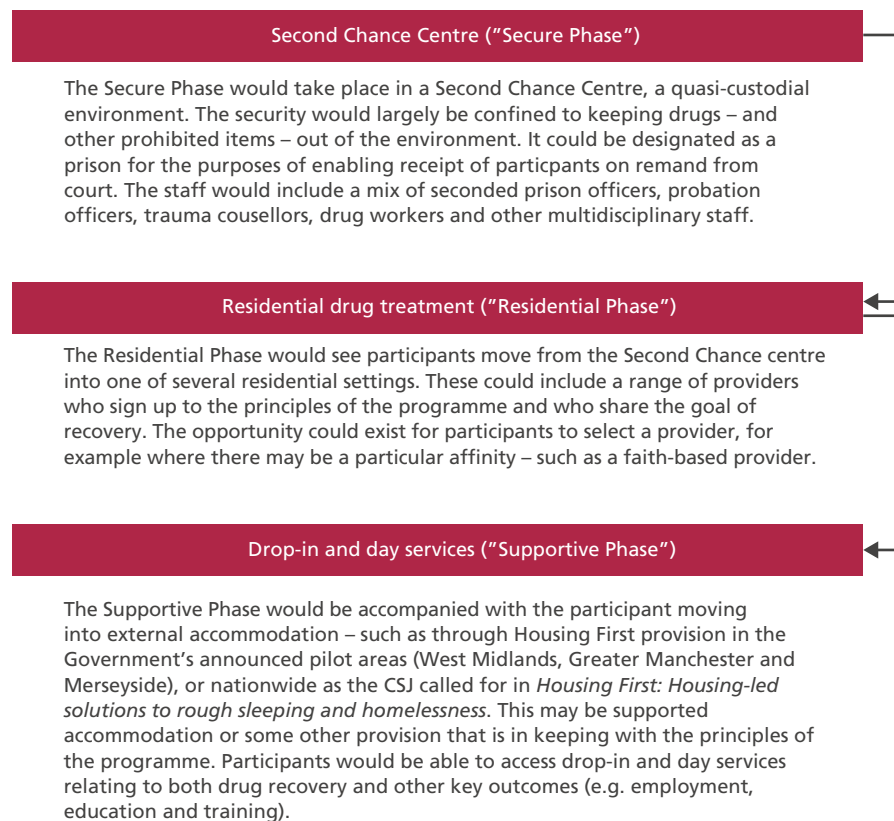
Figure 15: Second Chance interface with existing criminal justice processes



Following a charging decision, a decision on bail is made and the qualifying questionnaire for the Second Chance Programme could be used to help inform this decision. Where individuals are remanded on bail in the community, it is likely that voluntary participation would involve referral to the residential or supportive phases of the Programme. Where individuals are remanded in custody, it would be desirable for the secure phase of the Programme to be designated, for the purposes of remand, as a prison in order to expedite entry into the Secure Phase.

It would only be at the point of sentence that the formal Second Chance Programme would begin, with the offender taken from Court to the Second Chance Centre, where they would enter the secure phase – a drug-free quasi-custodial environment, conducive to detox and abstinence during recovery; while also protecting the public from further offending for the duration of their stay in the secure phase.

Figure 16: Second Chance Centres and Phases



The length of time participants spend in each of the phases will flex according to progress made, with the Programme also providing the opportunity for individuals to move between stages as appropriate to help manage risk and improve the chances of successful recovery.

The Second Chance Programme builds on evidence of what can work to cut crime

The Second Chance Programme provides an example of how innovative new approaches could be trialled within the criminal justice system, even at a time when legislative time is at a premium. It is also built on principles and based on evidence and promising practice from the UK and overseas:

Programme duration

The most successful drug treatment programmes – based upon therapeutic communities – are intense in nature and typically last between 6 and 12 months.⁵⁸ These programmes are designed to restructure the attitudes and thinking of participants and to instil the relapse prevention skills to help them succeed when returning to the community. Given the prolific nature of the target population and the likely myriad existing and underlying issues, we believe that to maximise success the Programme should be sufficiently lengthy.⁵⁹ A number of programmes in existence range from 18 months to 36 months in duration. We propose a 24 month programme that can be accompanied and aligned with a Suspended Sentence Order (SSO).

This helps ensure that there is suitable time to stabilise the individual within the Secure Phase, address any immediate issues, and a basis on which further support can be provided over the duration of the Programme. This further support can include longer-term work to reconnect the individual with family or other support networks – work that can be challenging within a shortened timescale.

Coercive and semi-coercive programmes

In summary, legal coercion can be beneficial as it can provide a motivation for an offender to take part in treatment that he or she would not otherwise engage in – “the coercive influence exerted by the criminal justice system can indeed act as an effective catalyst for engagement with treatment services”.⁶⁰

However, the coercion afforded by the criminal justice system must be accompanied by appropriate programmes, made up of skilled and multidisciplinary practitioners to ensure that the offender remains engaged and motivated to change. The fact that compulsory treatment has broadly similar positive results to voluntary treatment has been attributed to the fact that “when ethically carried out, it is not necessarily damaging to the patient’s motivation to change”.⁶¹

58 Mitchell, O., Wilson, D.B. & MacKenzie, D.L., Does incarceration-based drug treatment reduce recidivism? A meta-analytic synthesis of the research, *Journal of Experimental Criminology* (2007) 3: 353. doi.org/10.1007/s11292-007-9040-2

59 The Compulsory Drug Treatment Centre in New South Wales, Australia, forms part of a programme that incorporates three strands, with a minimum duration of each phase of six months, equating to a total of 18 months. This Australian programme has a maximum practical duration of three years. Source: *Quick Guide to Compulsory Drug Treatment Correctional Centre (CDTCC)*, CDTCC, 2010 [Accessed on 8 May 2018 via criminalcpd.net.au/wp-content/uploads/2016/09/CDTCC_Quick_Guide.pdf]

60 Alex Stevens et al, ‘The Relationship Between Legal Status, Perceived Pressure and Motivation in Treatment for Drug Dependence: Results from a European Study of Quasi-Compulsory Treatment’ (2006) 12 *European Addiction Research* 197, 203

61 Alex Stevens, ‘The Ethics and Effectiveness of Coerced Treatment of People Who Use Drugs’ (2012) 2 *Human Rights and Drugs* 7, 14

The Secure and Residential Phases

Studies have also shown that drug treatment programmes within a custodial or secure environment can effectively reduce recidivism. Examination in 2007 of 66 published and unpublished evaluations of prison-based drug treatment programs found as many as 83 per cent of the programmes yielded reductions in re-offending relative to a comparison group.⁶²

The analysis highlighted the particular success of therapeutic communities over less effective group counselling programmes, drug maintenance programmes and boot camps. The review in 2007 also highlighted the specific lessons for policymakers:

Policy makers seeking effective interventions for incarcerated substance abusers are most likely to find success with programs that focus on the multiple problems of substance abusers in an intensive manner, such as [therapeutic community] programs. Policy makers should expect smaller treatment benefits from less intensive treatment programs.⁶³

A more recent study, published in 2012, found that of 74 prison-based drug treatment programmes, the average overall effect was a 15 to 17 per cent reduction in recidivism and drug relapse.⁶⁴ This more recent review also confirmed that the most effective programme model was that of a therapeutic community, having both an effect on recidivism and drug use.

The Supportive Phase

The importance of a Supportive Phase and the ability for participants to move between the different stages of the Programme over the course of their engagement is made plain by the reality that the risks of re-offending are greatest in the days and weeks immediately following release from secure environments. At the same time, we know that the risks of death from overdose are also significantly increased during this period, immediately following release.⁶⁵ The failure to have implemented effective Through the Gate (TTG) working as part of the Transforming Rehabilitation programme also highlights the need to ensure that the Second Chance Programme is inherently designed with a view to ensuring smooth handovers and transitions: from the Secure Phase to Residential, and from the Residential Phase to the Supportive Phase.

We also know that barely 1 in 3 adults leaving prison with an identified substance misuse treatment need successfully engage in community-based structured treatment. This means that more than 20,000 individuals with an identified substance misuse treatment need do not receive treatment within 21 days of release from prison. This highlights the importance of a joined-up programme that supports the individual.

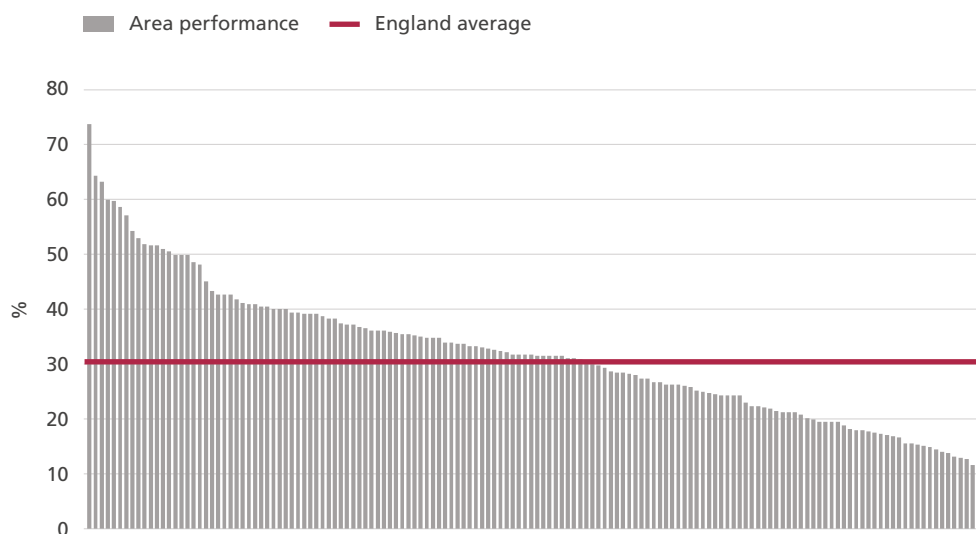
62 Mitchell, O., Wilson, D.B. & MacKenzie, D.L., Does incarceration-based drug treatment reduce recidivism? A meta-analytic synthesis of the research, *Journal of Experimental Criminology* (2007) 3: 353. doi.org/10.1007/s11292-007-9040-2

63 Mitchell, O., Wilson, D.B. & MacKenzie, D.L., Does incarceration-based drug treatment reduce recidivism? A meta-analytic synthesis of the research, *Journal of Experimental Criminology* (2007) 3: 353. doi.org/10.1007/s11292-007-9040-2

64 The effectiveness of incarceration-based drug treatment on criminal behavior: a systematic review, *Campbell Systematic Reviews*, 2012 [Accessed on 28 April 2018 via publikationen.uni-tuebingen.de/xmlui/bitstream/handle/10900/64685/Mitchell_Incarceration-Based_Drug_Treatment.pdf?sequence=1]

65 *Findings 187: Drug-related mortality among newly released offenders*, Home Office, 2013 [Accessed on 12 April 2018 via webarchive.nationalarchives.gov.uk/20110218143209/http://rds.homeoffice.gov.uk/rds/pdfs2/r187.pdf]

Figure 17: Adults with substance misuse treatment need who successfully engage in community-based structured treatment following release from prison (2016–2017)



Source: Public Health England.⁶⁶

Lessons from overseas in Australia and the Netherlands

Both Australia and the Netherlands have explored the use of similar programmes in relation to prolific drug-addicted offenders. Lessons from their programmes speak to a recognition that the cohort can be very challenging and have multiple needs – including with their physical and mental health. It has also been established that hard drug use over a prolonged period can significantly deteriorate the cognitive function, adding further complexity. There is also a recognition in both programmes that the work is costly and takes a significant amount of time in order to be able to have a meaningful impact.

What a Second Chance Programme could deliver in terms of outcomes

Examination of existing evaluations relating to drug-addicted offenders suggest there is the potential for statistically significant positive outcomes in relation to re-offending and drug use. We provide an outline of what might be expected below, based on similar programmes.

Some of the closer parallels to the Second Chance Programme can be found in Australia and the Netherlands. We provide a brief overview of these alternative models below – though we emphasise that both the Australian and Dutch examples are built around specific legislation compelling treatment.

⁶⁶ *Public Health Outcomes Framework: 2.16 Adults with substance misuse treatment need who successfully engage in community-based structured treatment following release from prison 2016/17*, Public Health England [Accessed on 28 April 2018 via <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/3/gid/1000042/pat/6/par/E12000004/ati/102/are/E06000015/iid/92544/age/168/sex/4>]

Table 3: Potential outcomes from the Second Chance Programme

Outcome	Detail	Range
Reduced recidivism or re-offending	Federal Bureau of Prisons conducted a 3-year follow-up on residential drug abuse treatment programmes and found participants were 16 per cent less likely to be re-arrested than other inmates.	Decrease 15–17 per cent
Reduced drug use	Federal Bureau of Prisons conducted a 3-year follow-up on residential drug abuse treatment programmes and found a 15 per cent reduction in drug use.	Decrease 15–17 per cent
Overall	For every £1 invested in drug treatment, there is an estimated net benefit of £2.50 generated to society through reductions in crime, along with more positive outcomes in relation to employment, housing, health and family relationships. ⁶⁷	

Case study: The Compulsory Drug Treatment Centre and programme in New South Wales (NSW)

In August 2006, a 70 bed Compulsory Drug Treatment Correctional Centre (CDTCC) was established to which eligible and suitable offenders would be subjected to a Compulsory Drug Treatment Order (CDTO). The participants in the Programme receive judicial monitoring through a local drugs court.

The impetus from the NSW State Government for commencing such a program arose from a perception that, despite a comprehensive array of supply, demand, and harm reduction strategies that were reducing drug-related crime and deaths, there remained a persistent group of drug-related offenders who kept returning before the courts. These offenders had exhausted the diversionary programs available and appeared to be responsible for a disproportionate volume of property crime.

Despite the court-ordered nature of the programme, the CDTCC has a reputation amongst defendants and their families as a desirable and therapeutic prison.⁶⁸

- “Should have been implemented years ago”
- “There should be more programs like it”
- “More people should have the chance to participate”
- “It’s a life changing opportunity for those who want to change”

Much of the success of the Centre has been down to the therapeutic policy of engaging offenders in change by rewarding pro-social behaviours through the application of contingency contracting; an empirically-based approach to increase motivation to change, which emphasizes rewards rather than sanctions, or “carrots and consequences”.⁶⁹

67 *An evidence review of the outcomes that can be expected of drug misuse treatment in England*, Public Health England, January 2017 [Accessed on 12 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/586111/PHE_Evidence_review_of_drug_treatment_outcomes.pdf]

68 Birgden, A., ‘Finding the will and the way in drug-related offenders: Protecting the community and offender rights’, October 2013 [Accessed on 8 May 2018 via webcache.googleusercontent.com/search?q=cache:SamkqCU6vIQJ:www.acso.org.au/index.php/download_file/view/887/250/+&cd=1&hl=en&ct=clnk&g=uk]

69 ‘Establishing a compulsory drug treatment prison: Therapeutic policy, principles, and practices in addressing offender rights and rehabilitation’, *Australasian Journal of Correctional Staff Development*, 2010 [Accessed on 3 May 2018 via pdfs.semanticscholar.org/d2b7/b98d72a0fc431464c9ecf9c368f277249f4d.pdf]

Case study: Institution for Prolific Offenders (ISD), The Netherlands

The Dutch have sought to tackle the problem of prolific drug-addicted offenders through an evolutionary approach, beginning with Penal Care Facilities for Addicts (SOV), later translated into placements within an Institution for Prolific Offenders (ISD).⁷⁰

The ISD is applicable for prolific offenders, of whom the majority are hard drug users. The aim is to safeguard society from offences committed by prolific offenders for a maximum of two years. The measure also offers options for behaviour interventions to reduce criminal recidivism, and in the case of addiction and/or psychological problems, these problems can be dealt with.

Unlike our proposals for a Second Chance Programme, the Dutch place offenders in a regular penitentiary institution. Central elements are a personal approach and cooperation between justice and care.

The ISD programme seeks to translate into treatment and support in the community. “Safety Houses” in the community bring together networks of local organisations to support the individual and to reduce crime. Criminal justice organisations cooperate with municipalities, the social sector and care organisations to better combine and integrate penal and rehabilitative interventions for offenders.⁷¹

The ISD – like the Second Chance Programme – operates over a period of up to two years. The primary objective is to protect society from the frequent offences committed by prolific offenders.

The secondary objective is to reduce recidivism by offering treatment and rehabilitation. A quasi-experimental evaluation was set up and over the course of four years, 554 offenders with an ISD Order were compared with a comparable group of prolific offenders without an ISD Order.

The recidivism of the ISD-group was still very high (72 per cent), but it was still lower than that of the control group who had recidivism rates of between 84 and 88 per cent.⁷² More recently the Justice Inspectorate has assessed the ISD programme and been satisfied with its work.⁷³

Piloting the Second Chance Programme costs money but is the right thing to do

We anticipate that the costs of the Secure Phase will be broadly equivalent to the cost of a full prison place, recognising that while savings might be made on the basis of a lower security classification than Category B/C conditions, there will be significant costs associated with professional staffing and staff development. It is also important to emphasise the importance of the institution being drug-free, through appropriate security measures.

The Residential Phase will be cheaper than the Secure Phase, but for the programme to be effective will still require professional staffing and staff development. A number of charitable organisations already offer the sort of therapeutic environment that helps break the cycle of addiction and crime, demonstrating that in some areas there is a sound

70 Country Profile: The Netherlands, *European Monitoring Centre for Drugs and Drug Addiction* [Accessed on 10 May 2018 via www.emcdda.europa.eu/html.cfm/index5174EN.html?pluginMethod=eldd.countryprofiles&country=NL]

71 Netherlands: Country Drug Report 2017, *European Monitoring Centre for Drugs and Drug Addiction*, 2017 [Accessed on 10 May 2018 via www.emcdda.europa.eu/countries/drug-reports/2017/netherlands/drug-use-response-in-prison_en]

72 Effects of the ISD Measure (Technical Report), Ministry of Justice and Security, 2012 [Accessed on 10 April 2018 via www.wodc.nl/onderzoeksdatabase/verdieping-veelplegersmonitor-2011-isd-effecten-technische-rapportage.aspx]

73 Report to the EMCDDA by the Reitox National Focal Point: The Netherlands - Drug Situation 2013, Trimbos Instituut, 2013 [Accessed on 3 May 2018 via assets.trimbos.nl/docs/c4d92604-5285-4b47-9987-0b96c3e5c821.pdf]

basis on which to build, with potential for such organisations to collaborate with and obtain support via the Second Chance Programme.

Case study: Steps 2 Recovery

Steps2Recovery, Winner of the 2017 CSJ Maxie Richards Addiction Award, provides therapeutic and practical support to help ex-offenders break away from drug- and drink-related offending behaviours. Their team of qualified counsellors, support workers and volunteers understand what it's like to make these changes and provide caring, professional and constructive support at all steps in the recovery journey. In 2015–16, on charitable expenditure of £120,000, 46 clients passed through their doors and 50 per cent of them remained abstinent six months after completing treatment.⁷⁴

We assume that the secure phase averages 12 months with an annual cost, at up to £30,000, and the residential phase averages 12 months in length, at up to £20,000. This equates to an average total programme cost per sentenced participant of £50,000 over the two year period, or an average of £25,000 per year.

This compares favourably to the established costs of problematic Class A drug use of £60,000 per annum. If focused on injecting heroin users, preventing 260 offences being committed per year, it would equate to a cost of £96 per prevented crime. In addition it seeks to tackle the root causes, something that incapacitation via a full year in prison would fail to achieve, despite being 50 per cent more expensive (£146 per crime) in preventing crime.

It would however represent additional expenditure by Government on seriously attempting to tackle addiction and the intergenerational poverty that so often comes with it, while also taking a bite out of acquisitive crimes like burglary, robbery, car crime, theft from the person, and shop theft. The Second Chance Programme can and should form part of a reforming government's broader efforts to tackle addiction and support recovery.

Funding the Second Chance Programme pilots in a sustainable way

We propose funding for Second Chance pilots would be for five years, the full term of a Police and Crime Commissioner, with performance evaluated in order to help determine continuation, either through local funding decisions or through support from central government.

The funding for the programme cost would be drawn from a number of sources, with the Universal Credit Housing Allowance element being used to contribute towards the accommodation element of the programme costs (approximately 15–25 per cent of costs).

Given the goal of the programme should be nothing less ambitious than recovery and sustained employment, there will also be opportunities to integrate other funding sources, including Universal Credit allowances and related principles, into the programme.

⁷⁴ *Steps 2 Recovery Trustees Report and Financial Statements 2015–16*, Steps 2 Recovery, September 2016 [Accessed on 14 April 2018 via apps.charitycommission.gov.uk/Accounts/Ends53/0001138353_AC_20170405_E_C.pdf]

We believe that 30–40 per cent of costs could and should be covered from such sources external to the criminal justice system. Allowing for approximately 30–40 per cent of costs to be covered from these sources, if £25 million were allocated in support of this pilot annually, then we estimate that the programme could change the lives of between 2,976 and 5,208 individuals over the course of five years.

Table 4: Second Chance lives changed over five years with £25 million annual fund

	Unit cost per annum	Capacity (30% costs covered)	Capacity (40% costs covered)
Low Scenario	£20,000	4,464	5,208
Mid Scenario	£25,000	3,571	4,167
High Scenario	£30,000	2,976	3,472

Based on varied annual costs and proportion of costs covered from other sources.

We also believe that Police and Crime Commissioners have a vital role to play and that the additional precept flexibility we called for in *Growing the Local*, and which Government has granted to Police and Crime Commissioners, should form the basis for matched funding between the Police and Crime Commissioner and central Government.

Table 5: Second Chance lives changed over five years with £50 million annual fund

	Unit cost per annum	Capacity (30% costs covered)	Capacity (40% costs covered)
Low Scenario	£20,000	8,929	10,417
Mid Scenario	£25,000	7,143	8,333
High Scenario	£30,000	5,952	6,944

Based on varied annual costs and proportion of costs covered from other sources.

If Police and Crime Commissioners used this increased flexibility to match the funding made available centrally, this would create a £50 million annual fund – and provide the foundations for a Programme that could change the lives of at between 5,952 and 10,417 individuals over the five year period.

Taking the medium estimate of the discounted lifetime costs associated with a problematic Class A drug user (£768.2k), the Second Chance Programme would need only to reduce those lifetime costs by 5.5 per cent in order to payback the investment. The break-even point falls to 4.4 per cent if the Scottish estimate for discounted lifetime costs is used (£958.8k).

Assuming a modest 10 per cent reduction in the discounted lifetime social and economic costs associated with problematic Class A drug use, this combined investment of £250 million over five years could see savings of between £457.3 million and £998.8 million in discounted lifetime costs. We set out medium estimates for potential impact in Appendix C.

We propose that the £25 million annual funding from central Government could be obtained by increasing the cap on funds retained by the Ministry of Justice from the collection of fines imposed by criminal courts. Last year £250 million were received from fine payments. An additional one-off sum could be leveraged via the same mechanism in support of any necessary capital investment.⁷⁵

Recommendation 2: Government should create the Criminal Justice Transformation Fund (first proposed in *A Woman-Centred Approach*) incorporating a Second Chance component providing up to £25 million per year in programme funding with the expectation that participating Police and Crime Commissioners match this funding via their precept, usable reserves and/or underspends.

Getting pilots of the Second Chance Programme off the ground

Following creation of the Second Chance component of the Criminal Justice Transformation Fund, applications should be invited from Police and Crime Commissioners. The potential to operate a Second Chance pilot and to co-ordinate it with local service providers, charities, and the wider community is significant. Combining funding pools from central government and the local Police and Crime Commissioner – and any other interested parties – helping ensure effective working.

It also provides an opportunity to help tackle the problem of shop theft and – through the use of targeted eligibility criteria – either more serious acquisitive offenders (e.g. burglars) or to apply a place-based approach to tackle problematic drug-addicted offenders within a specific geography (e.g. local estates or towns), offering the potential to help tackle the quality of life for local residents, alongside other approaches.

Example Criteria for Second Chance Programme Participation

Given limited resource the Second Chance Programme should be focussed on active and prolific drug-addicted offenders. The following might prove a starting point for local areas to identify eligible offenders:

- Arrested for shop theft;
- Positive COZART (Opiate/Cocaine) test;
- Recent criminal convictions for acquisitive crimes;
- Recent (or else likely to receive) a short-term prison sentence;
- Acquisitive crime as sole or primary source of funds for addiction;
- Linked to or recent history of more serious offending, such as burglary;
- Linked to or recent history of offending in high crime localities; and
- Linked to, or recent history, of disorder/ASB in low quality of life localities.

Such an approach would help maximise the delivery of crime reduction and quality of life benefits beyond the shop theft offence. Developing an established eligibility criteria could also help enable effective evaluation of the effects.

⁷⁵ *HM Courts & Tribunals Service Trust Statement 2016–17*, HMCTS, July 2017 [Accessed on 17 April 2018 via assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/629879/HMCTS_Trust_Statement_201617_WEB_140717.pdf]

Recommendation 3: Expect Police and Crime Commissioners to work with their partners to identify localities and cohorts of prolific drug-addicted acquisitive offenders and to target them through a Second Chance Programme pilot focussed on shop theft.

Police and Crime Commissioners are well-placed to co-ordinate and convene the key representatives necessary to develop proposals and secure the support of partners. The Second Chance Programme would draw on a range of existing criminal justice services but also create valuable additional capacity within a financially beleaguered drug treatment and recovery environment.

It is also vital that a reforming government recognise that the criminal justice system is not the only lens through which we should look to tackle addiction. It is also simply not enough to stop people from offending, but we should have the ambition to help people change their lives for the better, including amongst those addicts who do not commit crime.

Implementing the Second Chance Programme without legislation

While the creation of a Second Chance Programme would traditionally be achieved through the introduction of specific legislation, we believe that it would be possible to secure pilots of the Programme without any pressing need for primary legislation. Any legal issues identified during the pilot could be dealt with as they emerged.

The most straightforward approach would be for a sentencing court to use a Suspended Sentence Order that would include a custodial term as appropriate, but with the duration of the suspended sentence to be two years, thereby matching that of the Programme.

The custodial term could be maximised through a thorough and robust approach to sentencing based on existing Sentencing Guidelines for theft, maximising the custodial element and helping make the Second Chance Programme and continuing engagement with it a more attractive option. We explore this further in Chapter 5.

Attached to the Suspended Sentence would be a number of conditions, most crucially undertaking a treatment programme (specifically the Second Chance Programme), with other requirements added to aid desistance and maximise the potential for success. These could include options such as GPS electronic monitoring to help prevent and detect crime. Alternatively, it might be possible to use a collection of requirements that together form the Second Chance Programme.

In addition, a post-conviction Criminal Behaviour Order could be sought to further aid desistance and strengthen recovery, with the Order designed around the particular offender and used to further reinforce the existing Suspended Sentence.

Finally, in order to achieve the best possible outcomes, we repeat a long-standing recommendation for Government to pilot problem-solving courts. These have proven effective in helping reduce offending and drug use among drug-addicted offenders. We believe that the combination of judicial monitoring with the Second Chance Programme would make for a compelling pilot and help lay the groundwork for a criminal justice system that deals with people and root causes, rather than cases.

The use of problem-solving courts is a CSJ recommendation that can be traced through both 2017's *What Happened to the Rehabilitation Revolution?* and 2018's *A Woman-Centred Approach*.

Recommendation 4: Government should build on our Second Chance proposals with pilots for problem-solving courts – making use of judicial monitoring – to focus and drive improved outcomes in relation to the prolific drug-addicted cohort.

Ensuring the Second Chance Programme doesn't drive an increase in the prison population

The Second Chance Programme most definitely seeks to reduce the number of prolific drug-addicted offenders in prison over the longer-term, it also could help reduce the number in prison in the shorter term by offering sentencers a compelling and credible alternative to custody. This could help reduce overcrowding at a time when the pressures on our prison system are significant.

However, it is also possible that sentencers may wish to apply the programme to offenders who might otherwise have received a suspended sentence. In the event of non-compliance, or further offending, the activation of the suspended sentence – which is important in order to preserve the credibility and integrity of the programme – could increase the prison population.

In recognition of this fact, where Second Chance Programme participants have their suspended sentence activated, a new form of Release on Temporary Licence (ROTL) could be created to enable other suitable prisoners, already in custody, to transfer into the Second Chance Programme, thereby gaining the benefits of the Programme while also ensuring that the overall prison population did not increase. This new form of ROTL features in our recent *A Woman-Centred Approach* report.

Evaluating the results and supporting justice reinvestment

Finally, as with any meaningful experimentation, the Second Chance Programme should be accompanied by an evaluation. This should seek to identify the impact and as far as possible make use of a control group, in order to allow for the most rigorous possible evidence.

The evaluation could also help form the basis for ensuring that any savings generated from the Second Chance Programme are allocated into the Justice Reinvestment component of the Criminal Justice Transformation Fund that we proposed in *A Woman-Centred Approach*.

Recommendation 5: Government should commit to ensure that any savings generated from the Second Chance Programme are allocated to the Justice Reinvestment component of the Criminal Justice Transformation Fund.

chapter 5

Improving the response today

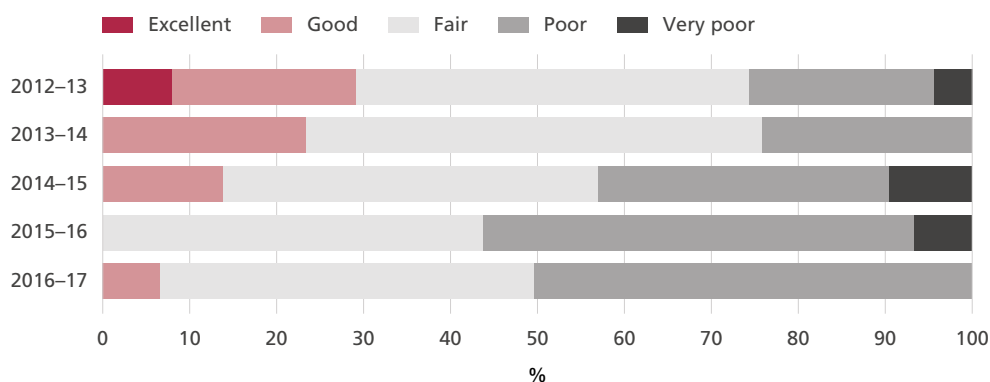
Our proposals for the Second Chance Programme rely on a number of improvements being made to the current approach to shop theft and related crime. There are also several opportunities to help reduce crime that do not focus exclusively on the offender or the prolific drug-addicted offender.

Like the prolific drug-addicted offenders behind 70 per cent of shop theft, today's response to shop theft is in desperate need of a fix. The re-offending statistics evidence the failure of the existing approach to the most prolific offenders, but we've also seen how attitudes towards these crime types fail to recognise the true scale and nature of harm caused.

Improving the reporting, prevention, and detection of crime

Recent years have seen a deterioration in satisfaction with the police response to crime, with the proportion of retailers in a survey rating the police response as "poor" or "very poor" growing from 25 per cent in 2012–2013 to 50 per cent in 2016–2017. While there appears to have been a slight improvement between 2015–2016 and 2016–2017, there is clearly significant room for improvement.

Figure 18: Retailer opinions of the police response



Source: British Retail Consortium.⁷⁶

76 2017 Retail Crime Survey, British Retail Consortium, March 2018

We heard evidence that one of the causes of dissatisfaction is a lack of communication and a lack of clarity around what retailers can expect from the police. We therefore believe that the National Business Crime Centre has a key role to play in co-ordinating the development of good practice, alongside the excellent work underway in some forces on specific crime types.

Recommendation 6: Police forces and Police and Crime Commissioners should be clear on what a ‘good response’ looks like and what constitutes ‘good reporting’ from businesses and victims more generally. This work should be co-ordinated by the National Business Crime Centre, with sector-specific activity, such as “Op Retail”, a programme led by Hampshire Constabulary, to help develop clear and well-understood local protocols and standards.

Recent research with offenders and ex-offenders has identified that they can provide a rich source of insight around opportunities to prevent and detect crime. There is also a relative lack of research around the most effective security measures for reducing shop theft and related “low level” crime.⁷⁷

Case study: What prolific thieves think can be done to reduce shop theft?

Semi-structured interviews with prolific shop theft offenders, conducted by Dr Laura Garius of Nottingham Trent University, identified three themes around which businesses like shops can seek to increase the risk of detection.⁷⁸

Utilising place managers

“I would really like to be able to tell some of these shops, core blimey, you’re doing that so wrong. So many shops, all they need is just a member of staff by the door to greet people as they come in and that would put people off but they don’t.”

Increasing natural surveillance

“I know what my shop would be like, if I had a shop. There would be a till in the centre, there would be no aisles where you can hide; they’d all be that way – facing the till, where you can see every aisle. [A pharmacy] in town, have you seen how cluttered that is?”

Strengthen formal surveillance

“[Shoplifters] don’t like dome cameras because you don’t know whether it’s watching you or not. You see, the thing is, when you’re nicked in a shop and you get to see the footage, you know how the camera can catch you then. You get to see all the angles.”

77 Wakefield, A. and Gill, M., 2009, ‘When Security Fails’, *Journal of Policing, Intelligence and Counter Terrorism*, 4(2) p.9–23

78 *Shoplifting: ‘A Game of Cat and Mouse’: Understanding prolific shop theft offenders’ perceptions of risks and rewards and their appraisal of security devices, staff and store design*, Nottingham Trent University

The growth in police and academic partnerships – such as the 17 collaborations identified by the College of Policing⁷⁹ – provides a growing environment in which new and existing efforts to help prevent and detect crime can be tested. Given the high-volume nature of shop theft and related “low level” acquisitive crime, it is a relatively under-researched area based on an analysis of the College’s What Works Centre for Crime Reduction.

Technology would appear to remain relatively underexploited and – returning to the earlier issue of identity verification and information sharing – the desire on the part of businesses, and citizens, to report issues quickly and easily is only going to grow, as is the volume and quality of still and moving images relating to incidents.

The effective use of such technology and data to help create crime-fighting insights for police and citizen alike is potentially significant – as could be the deterrent effects for offenders from knowing that the risks of detection are significantly increased.

On a related note, in contrast to traditional CCTV, the use of body worn video is increasing with trials in some retail premises showing positive results, especially with respect to assaults on staff.

Case study: Body worn video to reduce violence against staff in retail stores

In response to increasing levels of violence and abuse against staff, one leading retailer piloted the use of body worn video in their four stores with the highest number of reported verbal and physical violence.

Prior to the trial, the sites averaged 59 violent incidents per month. During the trial, this fell by 29 per cent to average 42 incidents per month.

Feedback from staff has been positive with comments including:

- “I feel safe using it and I know there’s evidence to back up my actions”
- “We have seen a decrease in the amount of verbal abuse”
- “I hope you’re not planning on taking this off us after the trial”

Following the trial, a phased roll-out has begun. Stores in the first phase of the roll-out experienced a reduction in reported violence of 34 per cent, even as the industry experienced an increase in violent incidents.

Source: National Business Crime Centre.

Key to shining a light on the “dark figure of crime” in relation to shop theft and other business crime is making the process of crime reporting as quick and efficient as possible. We received evidence that some retailers are dissuaded from reporting either

⁷⁹ List includes The Behavioural Insights Team; Canterbury Centre for Policing Research; Centre for Crime, Justice and Policing; East Midlands Police Academic Collaboration (EMPAC); Institute for Global City Policing; Institute for Public Safety, Crime and Justice, Northampton (IPSCJ); Keele Policing Academic Collaboration (KPAC); N8 Policing Research Partnership; The National Centre for the Study and Prevention of Violence and Abuse (NCSPVA); The National Rural Crime Network; Partnership for Conflict, Crime and Security Research; Policing Institute for Eastern Region (PIER); Society of Evidence Based Policing; UCLan Criminal Justice Partnership; Scottish Institute for Policing Research (SIPR); Universities’ Police Science Institute, Cardiff University; and Warwick University Operational Police Centre. Source: ‘Encouraging and supporting police and academic partnerships’, College of Policing, 2018 [Accessed on 20 April 2018 via whatworks.college.police.uk/Partnerships/Pages/collaborations.aspx]

by cumbersome and time-consuming on- and off-line police reporting mechanisms, or by the need to report offences to police, to their own business, and to the local BCRP. Technology holds real promise in tackling these issues.

We believe that streamlined reporting platforms could simultaneously interface with BCRPs, BIDs, the local police, and other partners such as the National Business Crime Centre and the National Business Crime Solution. Furthermore, such a digital platform could provide ready access for facial recognition and related biometric analysis to help link offences and identify offenders.

The automated analysis of reports could in turn generate much of the evidential packs required to deal with offenders, reducing the burden on police, victims, and witnesses alike.

Some of this technological infrastructure is already developing – with DISC Crime Reporting offering one approach to streamlined reporting, while the National Business Crime Solution provide analysis services, and organisations like FaceWatch provide services such as facial recognition.

While BCRPs continue to be largely built around the use of radio handsets and a coverage footprint, it seems likely that in time a similar transformation will take place – with members switching to other devices with less reliance on proprietary radio networks. Such devices could themselves be connected to this wider ecosystem and potentially be more viable for retailers located away from existing and traditional BCRP footprints.

Recommendation 7: The Home Office should look favourably on Police Transformation Fund bids seeking to support the harnessing of technology to deliver improved reporting, detection, and intelligence around both individual shop theft offenders and the organised criminal groups active in this arena.

We have also seen commitment from police forces and PCCs to do what they can to help drive down crime among some of the most prolific offenders, through voluntary GPS tagging programmes and continued IOM activity. We believe there remains scope to build on these programmes and that electronic monitoring budgets should be devolved from the Ministry of Justice to PCCs.

In addition, we welcome the work of many charities, PCCs and police forces in seeking to identify and work with first-time and repeat offenders who come to notice in police custody suites. From the likes of Project Nova seeking to identify and work with veterans in Humberside, to Turning Point in the West Midlands, and DIVERT in London, there is a growing recognition of the importance of making the most of the reachable and teachable moments that can exist within policing and the wider criminal justice system.

Given the significant reduction in stop and search, arrests and routine proactivity, it is also important to consider and facilitate opportunities to intervene outside of police custody suites. These can also represent opportunities to engage, refer, and intervene.

Case study: DIVERT in London

The Metropolitan Police Service created DIVERT in April 2015 to address a gap in statutory provision for young adults that come into police custody. Recognising the needs of young adults that are arrested, this unique program aims to divert 18–25 year olds into employment, development and education opportunities. DIVERT intends to prevent re-offending, have fewer victims of crime and help mitigate areas of vulnerability of young adults that come into police custody.

Working with the New Era Foundation DIVERT provides a long-term support programme for young adults so that their goals, passion and aspirations can be achieved.

Out of 192 individuals engaged with by DIVERT, 80 people are now either employed or enrolled (maintaining attendance) on a training or development course. By July 2018 DIVERT will be in six custody suites across London. Brixton, Tower Hamlets, Lewisham, Croydon, Wood Green and Holborn. Each site will have trained Custody Intervention Coaches.

Source: DIVERT London.

Many retailers also report some difficulties with a minority of young people either committing theft or else engaging in anti-social behaviour in the local area. A survey in 2011 found that 9 per cent of teenagers believe there is nothing wrong with shoplifting,⁸⁰ evidencing the fact that clearly there is an important need to intervene early to prevent such attitudes from growing and in ensuring that those who may commence a journey into “low level” theft are not emboldened to commit other or more serious offences.

We received evidence to suggest that the lack of a well-established and consistent mechanism for adequately verifying the identity of offenders undermines the effectiveness of such schemes to avoid the need for police attendance, but also risks undermining intelligence gathering and effective safeguarding in cases where suspected offenders may be at risk of exploitation or trafficking.

The solution shall rely on an adequate level of identity verification – likely Level 2 or Level 3 of Identity Proofing Assurance⁸¹ – in order to ensure suspected offenders are properly identified, whether through biometrics or other means, and that any decision-making by police or by the trusted partners can be confidently made on the best possible basis: accurate and timely information.

80 *Should ethics be taught? A survey of the ethical values of 10,000 13–15 year olds in England and Wales*, Money & Morals, 2011 [Accessed on 2 May 2018 via www.moneyandmorals.org/resources/userfiles/Jabe%20MM%20Survey%20Web%202011%20-%20Printed%20version.pdf]

81 *Good Practice Guide No. 45: Identity Proofing and Verification of an Individual*, CESG/Cabinet Office, October 2015 [Accessed on 20 April 2018 via www.ncsc.gov.uk/content/files/guidance_files/GPG%2045%20-%20validating%20and%20Verifying%20the%20identity%20of%20an%20individual%20-%20issue%202.4%20-%20NCSC%20Web.pdf]

Such a mechanism would help police improve their knowledge and intelligence picture around the issue of shop theft and safeguarding, while also supporting retailers and their security in making more informed decisions on how to deal with individuals.

Recommendation 8: The National Police Chiefs' Council (NPCC) should develop open standards and a digital platform by which trusted partners can adequately verify the identity and eligibility of individuals for referral to other services – and help improve intelligence around crime and the safeguarding response to vulnerable individuals.

Ensuring accountability and effective strategies

Crimes against business – including shop theft – account for an estimated 25 per cent of crime in England and Wales.⁸² Yet Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) pays little regard to the activity or outcomes in the area of business crime.

The National Business Crime Forum (NBCF), the Home Office, and the National Retail Crime Steering Group (NRCSG) agreed a definition for business crime for use from 1 April 2015: "Business crime is any criminal offence that is committed against a person or property which is associated by the connection of that person or property to a business."⁸³

One potential area would be for HMICFRS to explore the extent to which forces are using the definition to better understand business crime within their force area and to develop effective strategies for tackling it. Similarly, we would recommend an assessment of repeat victimisation and exploration of how things like the Community Trigger – introduced as part of the Anti-Social Behaviour, Crime and Policing Act 2014 – are working in practice.

Recommendation 9: HMICFRS should conduct a thematic review of the response to business and retail crime by police forces in England and Wales. HMICFRS should also incorporate specific consideration of the response to business and retail crime in their inspection framework and methodology.

Given the scale of business crime it is vital that police forces have a strategy. Both the organisation and specifically the Chief Constable and chief officer team must understand the significance of this crime type, have strategies for tackling it, and resource the fight against such crime appropriately.

We received evidence indicating that despite business crime accounting for 25 per cent of all crime, only a small minority of police forces have a dedicated full-time business crime lead. The creation of such a dedicated and full-time position brings added-benefits,

82 National Business Crime Centre Presentation, January 2018 [Accessed on 3 May 2018 via [www.law.leeds.ac.uk/assets/files/Resources/Partnerships%20to%20Reduce%20Crime'%20-%20Georgina%20Barnard%20\(National%20Business%20Crime%20Centre\).pdf](http://www.law.leeds.ac.uk/assets/files/Resources/Partnerships%20to%20Reduce%20Crime'%20-%20Georgina%20Barnard%20(National%20Business%20Crime%20Centre).pdf)]

83 Approved Professional Practice: Policing business crime, College of Policing [Accessed on 20 May 2018 via www.app.college.police.uk/app-content/investigations/policing-business-crime/]

enabling the creation and facilitation of Business Crime Advisory Groups, and collaborative relationships through networks of Business Crime Reduction Partnerships, Business Improvement Districts and other schemes.

Recommendation 10: The National Business Crime Centre should support Chief Constables in appointing a national network of dedicated full-time police force leads for business crime. Each force could then better support the development of Business Crime Advisory Groups, Business Crime Reduction Partnerships and Business Improvement Districts to help local police and responsible local businesses co-produce public safety and achieve reductions in crime.

The police have a hugely positive role to play in preventing and detecting crime, and Police and Crime Commissioners have an important role to play in holding the Chief Constable to account in the fight against crime and keeping communities safe.

With the Home Office having stepped away from setting targets – such as Offences Brought to Justice (OBTJ) – and priorities, the ability and desire for central government to dictate is diminished. With a potential resurgence in some crime types, it poses questions for how local PCCs should respond and how they should hold their Chief Constables and other local criminal justice partners to account.

Police and Crime Commissioners have a valuable role to play – with some already referencing business crime within their Police and Crime Plans, and others supporting their Chief Constable in funding dedicated business crime leads. However, our analysis of the most recent Police and Crime Plans found a number of causes for concern in relation to business crime, shop theft and prolific drug-addicted offenders:⁸⁴

- 63 per cent of plans made no reference to “business crime”;
- 98 per cent of plans made no reference to “shop theft”;
- 72 per cent of plans made no reference to “prolific offending” or “prolific offenders”;
- 79 per cent of plans made no reference to “addiction”, “drug treatment”, or “drug recovery”; and
- 83 per cent of plans made no reference to “business community”.

Despite this, we know that there is significant appetite on the part of many PCCs to deliver a better service and to more effectively reduce crime through a greater role in relation to the commissioning or co-commissioning of probation and prison services.

A fact evidenced by 86 per cent of PCCs agreeing or strongly agreeing that “the Ministry of Justice should enable PCCs to take on commissioning of probation services in future” in our survey of PCCs in early 2018.

⁸⁴ Results based on textual analysis of most recently published Policing and Crime Plans for police forces in England and Wales as at 10 May 2018.

However, Police and Crime Commissioners can only be truly effective if they – and crucially the public they serve – are provided with information to inform their efforts to hold Chief Constables to account. In a survey of both police force websites and Police and Crime Commissioner websites, we found that only 10 force websites and just 7 PCC websites offered any form of recent recorded crime statistics.⁸⁵

In reality, not one force or PCC routinely publishes crime statistics in a manner comparable with either the original CompStat-style reports or the latest CompStat 2.0 approach from New York City.⁸⁶ Cleveland Police came closest, publishing monthly crime statistics with a divisional breakdown.⁸⁷

Recommendation 11: The Home Office should enhance police.uk to support the publishing of weekly and monthly crime statistics to help drive accountability of Police and Crime Commissioners and police forces for tackling crimes and trends in crime.

Helping sentencers get serious about Second Chances

It is also the case that violence and threats of violence related to shop theft and related “low-level” crime can often be lost in translation or otherwise not accurately or properly recorded, investigated or proceeded with during the policing and criminal justice response to an offence.

It is important for violence or threats of violence to be properly understood within the initial police response and investigation of crime, as it can have a profound impact upon the recording and subsequent handling of the offence. For example, a robbery is a more serious offence than straightforward theft.

Where violence or threats of violence are not made in such a fashion as to move offences from theft to robbery, the presence and extent of any violence or use of force is an element of judging the culpability of an offender and consequently, along with the harm caused, determining an appropriate sentence.

Recommendation 12: Statements taken by police from victims of, and witnesses to, shop theft and related “low level” offending should always explain and accurately describe whether any force was used or threatened. The CPS should refuse to routinely accept guilty pleas which do not adequately reflect the use or threat of force recorded in such evidence.

⁸⁵ A researcher examined the police force and PCC/Mayoral websites relating to forces in England and Wales during the week of 14–18 May 2018 to assess the accessibility and availability of crime statistics.

⁸⁶ NYPD CompStat-style performance figures can be found at: www1.nyc.gov/site/nypd/stats/crime-statistics/borough-and-precinct-crime-stats.page. NYPD CompStat 2.0 can be found at: compstat.nypdonline.org

⁸⁷ www.cleveland.police.uk/about-us/Official-Crime-Statistics.aspx [Accessed on 14 May 2018]

In addition, we know that Pre-Sentence Reports (PSRs) can be an important source of information for sentencers. These are currently produced by the National Probation Service and delivered either orally or in writing. They are heavily reliant upon the self-reported answers of offenders and relatively little third-party verification is conducted on the information relayed. This reliance upon self-reporting creates a tendency for PSRs to either misrepresent or overstate mitigating factors.

Creating more accurate and insightful pre-sentence reports formed the basis for an experiment in the City of Phoenix in the 1990s, which saw police working alongside prosecutors and the equivalent of PSR writers to improve the quality and veracity of reports – and in turn securing more significant sentencing disposals.

Case study: The Phoenix Repeat Offender programme

The Phoenix Repeat Offender Programme (ROP) targeted prolific offenders who go on to commit a disproportionate amount of crimes. The ROP focused on “post-arrest enhancements” and had the goal of seeking to increase conviction and incarceration rates for the most prolific offenders, thus reducing a large proportion of crime through straightforward incapacitation.

The programme put in place collaborative working between the police, the court system, and the prosecutors. Designated repeat offenders were identified and on arrest the ROP Unit were to be notified. The ROP Unit would work with the prosecutor and document the criminal’s prior criminal records and provide additional capacity to obtain and maintain victim and witness cooperation.

The ROP Unit would also attend court and feed into the pre-sentence report, helping ensure that the judge was equipped with the most holistic knowledge of the accused’s criminal history.

The outcomes were significant: the report stated that offenders in this programme were “somewhat more likely to be convicted, were substantially more likely to be sent to prison, and were given prison sentences that were about 18 months longer than those in the control group.”⁸⁸

The Phoenix experiment demonstrates that there is scope for significant improvements and – even allowing for the fact that the experiment took place in the United States – suggests that it is possible to impact upon sentencing decisions through the quality and nature of information supplied to the court. This is of particular note for the Second Chance Programme since under the proposed approach of a Suspended Sentence Order, a longer custodial portion can be assumed to both help induce participants to the Second Chance Programme while also helping support desistance once engaged.

Recommendation 13: The Ministry of Justice should launch a review of Pre-Sentence Reports and explore how they might be more effectively produced to better convey an accurate understanding of the root causes of offending, along with greater detail on the pattern of offending. Consideration should also be given to how technology might be used to help test the veracity of claims made by the defendant and to allow other agencies to feed into the PSRs.

⁸⁸ *Experimental Evaluation of the Phoenix Repeat Offender Program*, National Institute of Justice, 1991, [Accessed via www.ncjrs.gov/pdffiles1/Digitization/134379NCJRS.pdf]

Taken together, by properly understanding the nature, prevalence and wider impact of offences like shop theft and related “low level” crime, courts can better recognise the harm and culpability of offences and ensure that appropriate sentences that offer the prospect of tackling root causes and potential incapacitation are considered.

The independence of the judiciary is an important feature of our criminal justice system, however it is also important that this is not taken to mean that the judiciary cannot or should not be provided with relevant information or training in relation to understanding those factors that drive harm and culpability and the most effective sentencing options in response to such offences, particularly where they are being committed by prolific or repeat offenders.

The local judiciary should be provided with Quarterly Crime and Criminal Justice Briefings. These would include an input from the local police force on the impact of crime, current trends, and a particular focus on the prevalence of particular crimes. The local probation services would also be able to provide an overview of the sentencing options available and performance. The briefings would be compiled by and also include input from the local Police and Crime Commissioner.

Recommendation 14: Quarterly Crime and Criminal Justice Briefings for the local judiciary, with inputs from police, probation, and the Police and Crime Commissioner.

Even in the absence of a more radical re-think of the criminal justice response to shop theft and related “low level” acquisitive crime, there is a clear need to help ensure that sentencers are able to make more informed decisions to help create the opportunities to tackle the drivers of re-offending.

The bulk of shop theft and other low-level offences are routinely dealt with in isolation, despite clear evidence of repeat-victimisation and prolific and persistent offending, with the result that such offences are not recognised for the broader impacts they have on both businesses and communities. Both offender and victim are too often viewed in narrow isolation.

The introduction of Impact Statements for Businesses and Community Impact Statements provide a useful conduit for helping inform the judiciary of these broader costs and impacts. They remain under-utilised and there is a role for Police and Crime Commissioners, Chief Constables, Chief Crown Prosecutors and the judiciary in improving the quality of such statements, raising awareness of their use and value, and ensuring that they are properly considered as part of the court process.

Community Impact Statements and Impact Statements for Businesses should be prepared and regularly reviewed to help ensure that courts are aware of the impact of such offending. At a local level, Police and Crime Commissioners and Chief Constables, could help set an expectation that these will be prepared in conjunction with individual businesses, Business Crime Reduction Partnerships, local community groups, and local community policing teams. The current statement templates should also be amended to include an indication of the prevalence of such offending, a crucial factor that sentencers can use to inform their decision-making and which is often overlooked.

Recommendation 15: Locally, police forces and businesses should undertake to make greater and more effective use of both Community Impact Statements and Impact Statements for Business.

The repeated use of fines to deal with prolific “low-level” offenders – especially where either an addiction or other driver of offending is present – is entirely inappropriate. We have also received evidence in support of commencing Section 151 of the Criminal Justice Act 2003.⁸⁹ This would provide courts with the opportunity to make a community order in respect of an offence where the offender is 18 or over, has on three or more previous occasions been convicted of offences at age 16 or over, and has only received fines and the current offence might otherwise only be dealt with by means of a fine. In short, helping create the potential – where previously none existed – to tackle the root causes of offending.

Recommendation 16: Commence Section 151 of the Criminal Justice Act 2003 to allow courts to deal more appropriately with “low-level” offences by repeat offenders through the use of community orders, rather than fines, and to provide the potential for the root causes of offending to be tackled.

Making better use of new and existing arrangements to prevent crime

Business Crime Reduction Partnerships (BCRPs) are well-known for helping create relationships between businesses, the community and police to help reduce crime. They are generally found in busier and more densely-populated trading locations, such as town centres, often covering both the day and night time economies.

They generally provide a range of value-added services to local businesses – including the provision of two-way radio handsets that can help connect shop staff, security staff, and police. For a small weekly fee of £5–10 per week per handset, the members of the BCRP often also benefit from additional training on crime, security, and safety, and receive access to a number of online tools to help share information about crime.

In addition to BCRPs, the growth of Business Improvement Districts (BIDs) have seen levies raised on businesses with the resources put towards a range of local priorities, sometimes including tackling crime and improving safety. However, we received evidence to suggest that the approach to crime and safety from BIDs can be haphazard and that there should be greater recognition of the potential benefits and work in this area.

⁸⁹ The Magistrates’ Association AGM 2017 debated and overwhelmingly passed a motion calling “for sentencers to have the power to add rehabilitative provisions to these sentences where they deem it appropriate” (www.magistrates-association.org.uk/news/annual-conference-and-agm-2017-round) and a submission to the Justice Committee recommended Section 151 being commenced (see data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Justice/Role%20of%20the%20magistracy/written/27965.html).

Case study: BCRPs and business crime in Kent and Sussex

A Business Crime Reduction Partnership is a collection of businesses within a local area that work together with a view to reduce crime, share information and co-operate with the police and other organisations. They are supported by a number of organisations and in some cases co-exist with Business Improvement Districts (BIDs).

In Sussex, the Brighton and Hove BCRP gives businesses a radio to communicate with other businesses in the community, Sussex police on the ground and the Business Improvement District (BID) ambassadors. It also seeks to share intelligence on known offenders and previous criminal history and operates an Exclusion Notice Scheme which bans prolific offenders from entering the BCRP. The cost of membership to Brighton and Hove BCRP is £9.50 per radio handset per week.

In Kent, the BCRPs are themselves supported by and connected with a dedicated full-time Business Crime Lead. Kent has also introduced a Business Crime Advisory Group, made up of key businesses operating across Kent. The combination of BCRPs, BIDs and the Advisory Group provide a strong network of business contacts through which important messaging and issues can be cascaded.

Business Improvement Districts: Benefits for businesses and society, at a scale

A model of the impact of BIDs on crime in Los Angeles found that the introduction of BIDs had a significant effect on reducing the rate of robberies. The effect was considered consistent with the activities in which the BID engaged: “improving the physical appearance of the area to make them more attractive to commercial business and less attractive to potential offenders”.⁹⁰

This work included painting over graffiti, increasing street lighting, the presence of good quality CCTV, and many of the BIDs also expended a large portion of their resources on the hiring of either private security or “public ambassadors” to focus on keeping the area clean and safe, helping create a greater degree of social control.

The RAND study also found that the work of BIDs is only likely to have “systemic effects” where the BIDs have the capacity to “provide additional provisions on a large scale or possess the political leverage to facilitate smarter and more focused practices in their districts”.

Therefore, while BIDs can bring real economic and crime reduction benefits to areas with a high concentration and thus relatively rich resource base, they can struggle to achieve the same for secondary and more isolated groupings.

The BID membership association – British BIDs – and the Institute of Place Management both have roles to play in helping promote crime reduction and public safety within the initial and renewal manifestos put forward by BIDs, and we hope that in future there shall be a renewed emphasis on these elements.

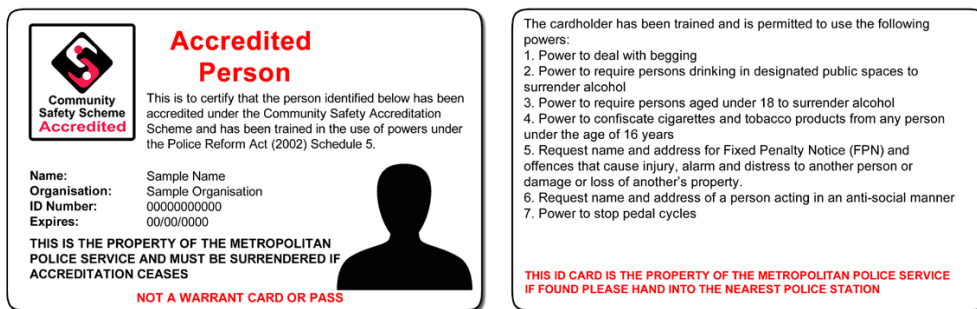
⁹⁰ *Neighborhood Effects on Crime and Youth Violence*, RAND, 2009 [Accessed on 23 April 2018 via www.rand.org/content/dam/rand/pubs/technical_reports/2009/RAND_TR622.pdf]

Recommendation 17: The emerging standards for BCRPs – co-ordinated by the National Business Crime Centre⁹¹ – should include consideration of crime reduction and public safety in the wider community, including secondary and tertiary locations.⁹² Business Improvement Districts (BIDs) should ensure they address issues of Crime, Safety and Security in their initial and renewal manifestos.

In the most commercially valuable areas, BIDs even fund dedicated police officer posts to help ensure a local and visible policing presence. However, this level of support for policing is not usually feasible – and is perhaps best recognised as an outlier.

More common and affordable is the hiring of either private security or the funding of ‘Street Warden’ or similar roles that can be accredited under the Community Safety Accreditation Scheme (CSAS). This provides members of the public with certain designated powers, under Schedule 5 of the Police Reform Act (2002), which are conferred by the Chief Constable.

Figure 19: Example of CSAS accreditation and powers



However, while BCRPs and BIDs can both be effective for areas with a relatively high density of businesses, such as town centres, they are less sustainable or effective in relation to smaller businesses that might be located in secondary locations, such as a small parade of shops on a housing estate or other similarly isolated locations, such as a retail store or other business located on a road between two towns.

Volunteer street patrols – such as those conducted by StreetWatch – represent one example of how Chief Constables and PCCs can help encourage and support responsible citizens to provide visible reassurance and reclaim streets and open spaces from those who may wish to engage in crime or anti-social behaviour.

91 BCRP National Standards, National Business Crime Centre [Accessed on 28 April 2018 via nbcc.police.uk/article/?id=b55aea7c-bc1ba43d6b92761b9cfb4370]

92 BCRPs and BIDs generally cover primary locations (such as high streets or major shopping centres), however we consider it beneficial for BCRPs and BIDs to also consider how they can help support the reduction of crime and promotion of public safety in areas that are classified as secondary (within walking distance of primary locations) and tertiary (on the outskirts of a town).

Case study: Street Watch

Street Watch are members of the public who – with some training and support from the local police – team up with other local people to be the eyes and ears in support of local police officers. Patrols are non-confrontational and aimed at improving neighbourhoods by identifying issues such as graffiti and criminal damage. If volunteers spot suspicious activity they report it but don't get directly involved.

Street Watch members carry out unpaid, regulated street patrols for a minimum of two hours a month. Working in pairs they provide a visible, reassuring presence in their neighbourhoods. Street watch is all about citizenship and not policing. It is about people who want to take an active role in their neighbourhood.

Members have no police powers and are managed by a volunteer coordinator who maintains a list of who's walking and provides advice, guidance and support in consultation with the local neighbourhood sergeant.

West Midlands Police has operated Street Watch for over five years, with regular adverts for volunteers on their website.⁹³ Volunteers usually patrol for a minimum of two hours per month. Northamptonshire has also recently provided guidance for any community members to set up their own Street Watch.⁹⁴

Recommendation 18: PCCs should work with Chief Constables to develop packages of measures – incorporating Neighbourhood Watch, StreetWatch, BCRP/BID resources, CCTV incentives, and more. The package could be offered proactively to smaller or more vulnerable retailers, businesses and communities, or reactively in the wake of repeated incidents, alongside any police response.

On the subject of CCTV, a number of cities have sought to boost public safety and increase the risk of detection by developing programmes to support the roll-out of high quality CCTV.

Case study: Helping boost safety and a sense of collective social efficacy

Project Green Light in the City of Detroit saw the Detroit Police Department partner with eight petrol stations to install real-time camera connections with Police Headquarters. The Project represents a public-private-community partnership. The businesses install and maintain high-definition (1080p) indoor and outdoor cameras, connected to a high-speed internet connection, allowing reliable streaming to the police.

The businesses also agree to a common set of additional crime prevention measures, to help make their business more customer-friendly, safe and inviting. The project sees the police commit to the feeds being analysed and monitored, and provides the business with clear signage signalling the close partnership between the business and the police.

Source: Project Green Light Detroit, City of Detroit.⁹⁵

93 Volunteer Vacancies, West Midlands Police, 2018 [Accessed on 10 April 2018 via jobs.west-midlands.police.uk/volunteers/]

94 Northamptonshire Street Watch, Office of Northamptonshire Police and Crime Commissioner, 2013 www.northants.police.uk/files/linked/Street-Watch-Observers-Guide.pdf

95 Project Green Light Detroit, City of Detroit, 2017 [Accessed on 10 April 2018 via www.greenlightdetroit.org]

Case study: Tax deductible CCTV and target hardening in Washington DC

Washington DC introduced a Private Security Camera System Incentive Programme in February 2016. Administered by the Office of Victim Services and Justice Grants, it encourages residents, businesses, non-profits and religious institutions to install high quality security camera systems on their property and to register them with their local Metropolitan Police Department.⁹⁶

The scheme is primarily accessed through a Rebate Programme, in which participants that install and register their systems can receive a rebate of up to \$200 per camera, with a maximum rebate of up to \$500 per residential address and up to \$750 for all other addresses.

The scheme also offers a voucher system for residents who can provide proof of address and are in receipt of certain forms of public assistance.

The programme began by only accepting applications from local areas (PSAs) identified as being of priority need with respect to public safety. Since 1 September 2017, the scheme has been opened up to all residents.

As of 31 January 2018, the programme saw 9,074 cameras funded across more than 3,600 addresses. The scheme reported that in February 2018, footage from cameras in the scheme secured the arrest of two suspects, one for theft offences and another for murder.⁹⁷

Source: Office of Victim Services and Justice Grants, Washington, D.C.

The Campbell Collaboration found that CCTV has “a modest but significant desirable effect on crime”.⁹⁸ Since then, other individuals and groups, have identified the importance of well-targeted and well-implemented CCTV systems, with many systems being either of such poor image quality or of such poor perspective as to be worthless in relation to the prevention or detection of crime.

A disincentive currently exists for many businesses to either install or improve existing installations of multi-camera CCTV systems, or other similarly desirable security and crime prevention measures. Not only does such installation incur a direct cost, but it can also cause the rateable value of the business premise to increase, causing the business owner to pay – into perpetuity – increased business rates.

This is because the Valuation Office Agency considers such installations to be part of the ‘plant and machinery’ in relation to businesses and therefore includes them in the valuation.⁹⁹ We consider this to be detrimental to the promotion of public safety and the prevention and detection of crime.

96 ovsjg.dc.gov/service/private-security-camera-system-incentive-program [Accessed on 25 April 2018]

97 Private Security Camera Incentive Program Report, Office of Victim Services and Justice Grants, February 2018 [Accessed on 26 April 2018 via ovsjg.dc.gov/sites/default/files/dc/sites/ovsjg/service_content/attachments/Private%20Security%20Camera%20Program%20Report%20-%20February%202018.pdf]

98 *Effects of Closed Circuit Television Surveillance on Crime*, The Campbell Collaboration, 2009 [Accessed on 26 April 2018 via www.campbellcollaboration.org/images/meeting/1048_R.pdf]

99 How non-domestic (business) properties are valued, Valuation Office Agency, April 2017 [Accessed on 20 May 2018 via www.gov.uk/guidance/how-non-domestic-property-including-plant-and-machinery-is-valued]

Recommendation 19: Government and Police and Crime Commissioners, working with local authorities, should consider developing schemes for high-crime or vulnerable premises that would remedy the disincentives businesses can face in relation to installing or improving existing CCTV and other security measures.

In addition, we have received representations to ensure that the most effective use of CCTV can be made. Low quality, poorly maintained systems can create more problems than they solve. At the same time there is a concern in high crime areas that guidance to homeowners and businesses issued by the Surveillance Camera Commissioner fails to appropriately weight the crime prevention and detection benefits for those areas in greatest need of improved public safety.

Recommendation 20: Government should commission the creation of a set of open standards relating to CCTV for the purposes of crime prevention, detection, and the promotion of public safety, and include a review of the Surveillance Camera Commissioner's guidance to homeowners and businesses on the use of CCTV and coverage of public spaces.

While we are advocating for targeted use of CCTV, it is worth noting that approximately 1 in 4 members of the public consider the widespread use of CCTV to infringe on human rights and people's civil liberties (YouGov, 2013) and more recently, when asked about attitudes towards the government monitoring all public spaces in the UK with CCTV cameras for the purposes of tackling crime, 28 per cent opposed such a policy (YouGov, 2018).¹⁰⁰

Ensuring basic financial needs are met on release

Finally, during our fieldwork in relation to *A Woman-Centred Approach: Freeing vulnerable women from the revolving door of crime*, it was evident that for many of those leaving prison they are equipped with little more than the £46 prison discharge grant and a leaflet.

The failure to ensure that prisoners leave prison having had their financial needs assessed and appropriate measures put in place, compel us to repeat our recommendation that both male and female offenders leaving prison should be provided with a conditional minimum entitlement to the Universal Credit Core Allowance.

This could be provided in the form of an advance, provided by means of a pre-paid card with hard budgeting to help avoid misuse and support resettlement activities. Where prisoners go on to secure work – or otherwise continue to receive welfare – this advance could be recouped through the tax system or through the existing measures available to the Department for Work and Pensions.

¹⁰⁰ YouGov [Accessed on 4 May 2018 via d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/wo5axh2km4/Result-for-Henley-Siemens-CCTV-UK.pdf (YouGov 2013) and d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/nc84alwa8b/PoliceState_Merge_April18_w.pdf (YouGov 2018)].

The benefit of addressing this basic financial need would be to help reduce re-offending and crime during the critical 4–6 week period following release during which a large proportion of re-offences are committed. The provision of this basic safety net is particularly important for those women and men with dependents and families, or who themselves lack a support network of family or friends.

At a minimum, the DWP and Ministry of Justice should consider piloting such a scheme with an evaluation alongside to establish the effects in relation to re-offending, desistance from crime, and general progress of offenders in relation to the nine pathways that lead to re-offending.

Recommendation 21: Government should ensure that every offender with an identified financial need leaves prison with access to a minimum of the Core Allowance of Universal Credit, helping reduce crime and reinforcing the pro-social expectation of resettlement into the community.

Appendix A

Shop theft by police force area with drug-related estimates

PCC/PFA	Recorded shop theft					Estimated cost of drug user shop theft	
	2015	2016	2017	CAGR (2015–2017)	Volume committed by drug users ¹⁰¹ (2017)	Based on police recorded offences (2017)	Based on estimated total offences (2017)
Avon and Somerset	11,398	12,426	11,937	2%	8,356	£1.4m	£137.9m
Bedfordshire	3,407	4,097	4,056	9%	2,839	£0.5m	£46.8m
British Transport Police	2,163	2,296	2,648	11%	1,854	£0.3m	£30.6m
Cambridgeshire	3,941	4,439	5,381	17%	3,767	£0.6m	£62.2m
Cheshire	5,898	6,188	7,522	13%	5,265	£0.9m	£86.9m
City of London	691	654	755	5%	529	£0.1m	£8.7m
Cleveland	6,433	6,896	7,640	9%	5,348	£0.9m	£88.2m
Cumbria	2,429	2,784	2,835	8%	1,985	£0.3m	£32.8m
Derbyshire	5,612	6,055	6,553	8%	4,587	£0.8m	£75.7m
Devon and Cornwall	6,944	6,620	8,020	7%	5,614	£0.9m	£92.6m
Dorset	4,144	4,172	4,334	2%	3,034	£0.5m	£50.1m
Durham	3,462	3,878	4,265	11%	2,986	£0.5m	£49.3m
Dyfed-Powys	1,440	1,517	1,836	13%	1,285	£0.2m	£21.2m
Essex	9,722	10,096	9,746	0%	6,822	£1.1m	£112.6m
Gloucestershire	3,298	3,436	3,762	7%	2,633	£0.4m	£43.4m
Greater Manchester	16,763	17,237	17,839	3%	12,487	£2.1m	£206.0m

¹⁰¹ Assume that 70 per cent of shop thefts are committed by users of heroin, crack cocaine or cocaine powder. *Understanding Organised Crime: estimating the scale and the social and economic costs*, Home Office, October 2013, Table A3.2 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf]

PCC/PFA	Recorded shop theft				Estimated cost of drug user shop theft		
	2015	2016	2017	CAGR (2015–2017)	Volume committed by drug users ¹⁰¹ (2017)	Based on police recorded offences (2017)	Based on estimated total offences (2017)
Gwent	3,066	3,581	3,994	14%	2,796	£0.5m	£46.1m
Hampshire	10,931	12,319	13,852	13%	9,696	£1.6m	£160.0m
Hertfordshire	5,954	7,246	7,810	15%	5,467	£0.9m	£90.2m
Humberside	7,269	7,476	9,432	14%	6,602	£1.1m	£108.9m
Kent	11,106	11,137	12,182	5%	8,527	£1.4m	£140.7m
Lancashire	7,851	8,275	9,339	9%	6,537	£1.1m	£107.9m
Leicestershire	6,109	6,493	6,644	4%	4,651	£0.8m	£76.7m
Lincolnshire	4,360	4,410	5,641	14%	3,949	£0.7m	£65.2m
Merseyside	9,506	9,492	9,510	0%	6,657	£1.1m	£109.8m
Metropolitan	42,950	46,741	46,916	5%	32,841	£5.4m	£541.9m
Norfolk	3,940	4,464	4,515	7%	3,161	£0.5m	£52.2m
North Wales	3,864	3,851	4,191	4%	2,934	£0.5m	£48.4m
North Yorkshire	4,040	4,065	4,638	7%	3,247	£0.5m	£53.6m
Northamptonshire	4,484	5,182	4,802	3%	3,361	£0.6m	£55.5m
Northumbria	10,132	12,374	14,505	20%	10,154	£1.7m	£167.5m
Nottinghamshire	7,871	8,021	9,661	11%	6,763	£1.1m	£111.6m
South Wales	8,934	8,880	10,331	8%	7,232	£1.2m	£119.3m
South Yorkshire	10,814	11,830	12,345	7%	8,642	£1.4m	£142.6m
Staffordshire	5,819	6,757	7,772	16%	5,440	£0.9m	£89.8m
Suffolk	3,718	3,809	4,146	6%	2,902	£0.5m	£47.9m
Surrey	3,930	3,883	4,340	5%	3,038	£0.5m	£50.1m
Sussex	8,374	8,345	8,634	2%	6,044	£1.0m	£99.7m
Thames Valley	14,615	16,017	17,553	10%	12,287	£2.0m	£202.7m
Warwickshire	2,868	3,324	3,734	14%	2,614	£0.4m	£43.1m
West Mercia	6,270	7,000	7,176	7%	5,023	£0.8m	£82.9m
West Midlands	17,859	19,790	19,731	5%	13,812	£2.3m	£227.9m
West Yorkshire	15,557	17,141	18,684	10%	13,079	£2.2m	£215.8m
Wiltshire	3,735	3,541	4,058	4%	2,841	£0.5m	£46.9m
England & Wales	333,671	358,235	385,265	7%	269,686	£44.5m	£4,449.8m

Appendix B

Other drug-related acquisitive crime estimates 2017

PCC/PFA	Robbery		Burglary		Theft person		Vehicle crimes	
	Total	OCU	Total	OCU	Total	OCU	Total	OCU
Avon and Somerset	1,326	517	11,739	6,456	1,139	524	12,847	4,496
Bedfordshire	751	293	5,749	3,162	679	312	5,906	2,067
Cambridgeshire	665	259	6,457	3,551	943	434	6,615	2,315
Cheshire	371	145	4,898	2,694	568	261	3,880	1,358
City of London	47	18	104	57	545	251	187	65
Cleveland	430	168	5,501	3,026	492	226	4,229	1480
Cumbria	84	33	2,001	1,101	162	75	1,125	394
Derbyshire	599	234	6,319	3,475	577	265	6,347	2,221
Devon and Cornwall	518	202	6,199	3,409	968	445	5,574	1,951
Dorset	286	112	4,818	2,650	596	274	3,855	1,349
Durham	232	90	5,003	2,752	292	134	3,487	1,220
Dyfed-Powys	43	17	1,310	721	87	40	942	330
Essex	1,482	578	12,913	7,102	1,514	696	13,960	4,886
Gloucestershire	307	120	4,106	2,258	350	161	4,267	1,493
Greater Manchester	6,469	2,523	32,944	18,119	6,463	2,973	30,850	10,798
Gwent	248	97	3,690	2,030	346	159	3,286	1,150
Hampshire	1,127	440	12,656	6,961	1,322	608	12,480	4,368
Hertfordshire	859	335	6,984	3,841	1,082	498	8,122	2,843
Humberside	855	333	9,197	5,058	629	289	6,631	2,321
Kent	1,481	578	11,965	6,581	1,074	494	12,153	4,254
Lancashire	949	370	13,354	7,345	1,481	681	9,968	3,489
Leicestershire	795	310	9,268	5,097	684	315	10,065	3,523
Lincolnshire	228	89	4,857	2,671	284	131	3,471	1,215
Merseyside	1,408	549	12,554	6,905	1,814	834	11,589	4,056
Metropolitan	31,290	12,203	74,774	41,126	46,977	21,609	102,301	35,805
Norfolk	413	161	4,023	2,213	624	287	2,613	915

PCC/PFA	Robbery		Burglary		Theft person		Vehicle crimes	
	Total	OCU	Total	OCU	Total	OCU	Total	OCU
North Wales	199	78	3,638	2,001	301	138	2,122	743
North Yorkshire	165	64	3,737	2,055	398	183	2,250	788
Northamptonshire	981	383	6,040	3,322	547	252	7,196	2,519
Northumbria	787	307	9,716	5,344	1,486	684	7,901	2,765
Nottinghamshire	1,010	394	8,138	4,476	686	316	8,903	3,116
South Wales	491	191	7,784	4,281	1,241	571	9,069	3,174
South Yorkshire	1,667	650	15,893	8,741	2,014	926	14,141	4,949
Staffordshire	800	312	6,264	3,445	380	175	5,501	1,925
Suffolk	360	140	4,172	2,295	492	226	3,709	1,298
Surrey	345	135	6,863	3,775	513	236	5,524	1,933
Sussex	982	383	8,302	4,566	1,747	804	7,395	2,588
Thames Valley	1,268	495	12,983	7,141	3,655	1,681	14,969	5,239
Warwickshire	369	144	4,449	2,447	419	193	4,862	1,702
West Mercia	555	216	8,231	4,527	709	326	6,228	2,180
West Midlands	7,262	2832	27,589	15,174	2,899	1,334	35,989	12,596
West Yorkshire	2,896	1129	26,965	14,831	4,348	2,000	25,021	8,757
Wiltshire	261	102	4,318	2,375	414	190	3,940	1,379
England & Wales	73,661	28,728	438,465	241,156	93,941	43,213	451,470	158,015

Note: Police recorded crime data with heroin, crack cocaine and cocaine powder (OCU) estimates applied.¹⁰²

102 *Understanding Organised Crime: estimating the scale and the social and economic costs*, Home Office, October 2013, Table A3.2 [Accessed via: assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246390/horr73.pdf]

Appendix C

Potential Second Chance impact over five years

PCC/PFA	Cost to PCC programme over five years	Smaller Programme (c.6,000)		Larger Programme (c.10,000)	
		Spaces	Savings	Spaces	Savings
Avon and Somerset	£3.9m	184	£14.1m	323	£24.8m
Bedfordshire	£1.3m	63	£4.8m	110	£8.5m
British Transport Police	£0.9m	41	£3.1m	72	£5.5m
Cambridgeshire	£1.7m	83	£6.4m	145	£11.1m
Cheshire	£2.4m	116	£8.9m	203	£15.6m
City of London	£0.3m	12	£0.9m	20	£1.5m
Cleveland	£2.5m	118	£9.1m	207	£15.9m
Cumbria	£0.9m	44	£3.4m	77	£5.9m
Derbyshire	£2.1m	101	£7.8m	177	£13.6m
Devon and Cornwall	£2.6m	124	£9.5m	217	£16.7m
Dorset	£1.4m	67	£5.1m	117	£9.0m
Durham	£1.4m	66	£5.1m	115	£8.8m
Dyfed-Powys	£0.6m	28	£2.2m	50	£3.8m
Essex	£3.2m	151	£11.6m	264	£20.3m
Gloucestershire	£1.2m	58	£4.5m	102	£7.8m
Greater Manchester	£5.8m	276	£21.2m	482	£37.0m
Gwent	£1.3m	62	£4.8m	108	£8.3m
Hampshire	£4.5m	214	£16.4m	375	£28.8m
Hertfordshire	£2.5m	121	£9.3m	211	£16.2m
Humberside	£3.1m	146	£11.2m	255	£19.6m
Kent	£3.9m	188	£14.4m	329	£25.3m
Lancashire	£3.0m	144	£11.1m	253	£19.4m
Leicestershire	£2.2m	103	£7.9m	180	£13.8m
Lincolnshire	£1.8m	87	£6.7m	153	£11.8m

PCC/PFA	Cost to PCC programme over five years	Smaller Programme (c.6,000)		Larger Programme (c.10,000)	
		Spaces	Savings	Spaces	Savings
Merseyside	£3.1m	147	£11.3m	257	£19.7m
Metropolitan	£15.2m	725	£55.7m	1,269	£97.5m
Norfolk	£1.5m	70	£5.4m	122	£9.4m
North Wales	£1.4m	65	£5.0m	113	£8.7m
North Yorkshire	£1.5m	72	£5.5m	125	£9.6m
Northamptonshire	£1.6m	74	£5.7m	130	£10.0m
Northumbria	£4.7m	224	£17.2m	392	£30.1m
Nottinghamshire	£3.1m	149	£11.4m	261	£20.1m
South Wales	£3.4m	160	£12.3m	279	£21.4m
South Yorkshire	£4.0m	191	£14.7m	334	£25.7m
Staffordshire	£2.5m	120	£9.2m	210	£16.1m
Suffolk	£1.3m	64	£4.9m	112	£8.6m
Surrey	£1.4m	67	£5.1m	117	£9.0m
Sussex	£2.8m	133	£10.2m	233	£17.9m
Thames Valley	£5.7m	271	£20.8m	475	£36.5m
Warwickshire	£1.2m	58	£4.5m	101	£7.8m
West Mercia	£2.3m	111	£8.5m	194	£14.9m
West Midlands	£6.4m	305	£23.4m	533	£40.9m
West Yorkshire	£6.1m	289	£22.2m	505	£38.8m
Wiltshire	£1.3m	63	£4.8m	110	£8.5m
England & Wales	£125.0m	5,952	£457.2m	10,417	£800.2m

Note: Assumes Second Chance Programme spaces distributed in line with reported shop theft, cost and capacity estimates from Table 5, and savings based on a 10 per cent reduction in the medium estimate of lifetime costs (Figure 5).



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