

HOW DID WE GET HERE?

Over 70,000 prisoners, a vastly over-crowded system, the highest imprisonment rate in western Europe.

What has led us down this path?

Dean (age 23) and an unknown accomplice attacked a 17-year-old man after he left an office party in London. They pushed him against a wall, punched and kicked him, and then snatched his wallet and his mobile phone – worth £130. Dean was given four years in jail. His trial came the day after the Lord Chief Justice called for harsher sentencing on mobile phone robbers.

Commenting on the case, Harry Fletcher of the National Association of Probation Officers, declared, "This moves mobile phone theft up the sentencing tariff to place it alongside a sexual assault or grievous bodily harm."

Not the crime rate

There is no clear relationship between the use of imprisonment and the rate of crime, either in the UK or internationally. Between 1987 and 1996 the Dutch crime rate and the French crime rate rose by the same amount – around 12%. Yet in the same period, the Dutch prison population rose by 143%, whilst the French remained more or less static. This huge increase in imprisonment, apparently, made little difference. Indeed, the Home office estimate that a 15% increase in the prison population produces only a 1% reduction in recorded crime.

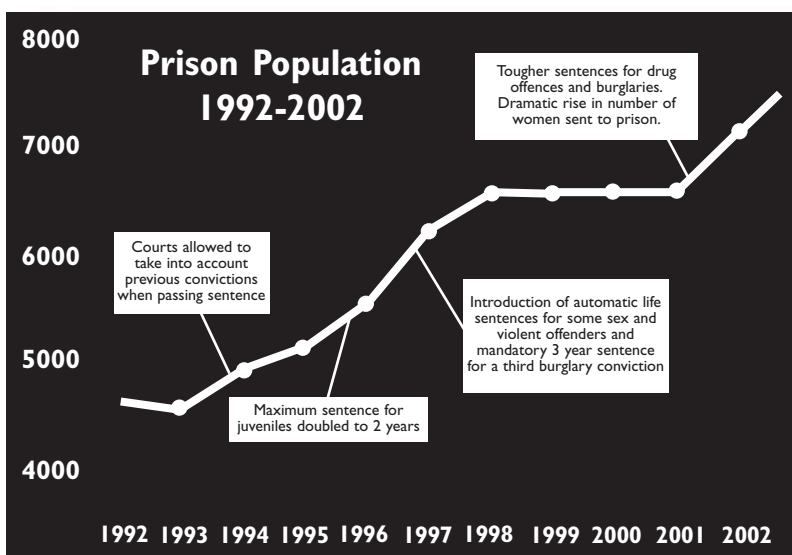
Tougher sentencing

It's not that there are more offences being committed, it's just that the offenders are now far more likely to go to prison and to serve longer sentences. In 2001 magistrates served prison sentences in 15% of cases, twice as many as ten years ago. Crown courts sent 64% of offenders to prison compared to 43% in the early 1990's. Average sentence lengths have gone up too.

The Lord Chief Justice Lord Woolf has said "There is a continuous upward pressure and very rarely any downward pressure on the level of sentences. The upward pressure comes from public opinion and the media, the government of the day and Parliament." The last ten years has seen a raft of tough legislation which has led to automatic life sentences for some sex and violent offenders, and a mandatory three years for a third burglary conviction.

Strong signals

It is not just legislation that drives up the numbers. According to some studies, speeches and statements by significant figures can have a marked effect on judges and magistrates by creating a 'tough' climate. While there have been recent attempts to promote alternatives, the messages from government are often mixed.



THE HUGE INCREASE IN NUMBERS AND THE PREVALENCE OF SHORT TERM SENTENCES IS CRIPPLING ANY ATTEMPT AT A CONSTRUCTIVE APPROACH TO PRISON

Cherie Booth QC

THERE IS A CHILD OF SEVENTEEN IN THE CELL BELOW ME WHO HAS BEEN CHARGED WITH SHOPLIFTING — HIS FIRST OFFENCE, NOT EVEN CONVICTED — AND HE IS BEING LOCKED UP FOR EIGHTEEN AND A HALF HOURS, UNABLE TO SPEAK TO ANYONE. THIS IS GREAT BRITAIN IN THE TWENTY-FIRST CENTURY, NOT TURKEY, NOT NIGERIA, NOT KOSOVO, BUT BRITAIN.

Jeffrey Archer

OUR CRIMINAL JUSTICE SYSTEM IS A NINETEENTH-CENTURY SYSTEM WITH NINETEENTH-CENTURY RULES AND RITUALS, NOT A PUBLIC SERVICE FOR THE TWENTY-FIRST CENTURY.

*Peter Neyroud, Thames Valley
Chief Constable*

Shorter sentences

One particular problem for the prison system has been the dramatic increase in the use of short prison sentences instead of community penalties. In 1990, just under 14,000 adults were given sentences of six months or less. Now that figure has almost tripled. It is widely accepted that such sentences are too short to do any good, but long enough to increase the likelihood of re-offending.

More young people

Since 1993, the number of young people under 18 going into custody has almost doubled. Court powers to remand young people to prison have been increased and new custodial institutions set up for children as young as 12.

More women

There has also been a huge increase in the number of women being sent to prison, despite there being no increase in the number of known women offenders. Between 1993 and 2001 the average population of women in prison increased by 140%. Many have dependent children and around one in six are foreign nationals, often convicted of importing drugs.

More elderly

In 1989 there were just 345 prisoners over the age of 60. Ten years later that figure had risen to over 1000. The problem with many offenders is that, even where they to be released, it would be extremely difficult to find a care home which would be willing to take them.

Rethinking...

- Does increasing the severity of sentencing affect the crime rate? Or does it just give the appearance of affecting the crime rate?
- Is it right to be sending so many women to prison?
- Why do Home Secretaries feel it necessary to give out strong messages about punishment?
- When, if ever, is someone too old to be behind bars, or is it right for some prisoners to die in prison?