

4. IMPROVED TREATMENT FOR ADDICTS AND THE MENTALLY ILL

RCP's work has shown that prisoners are disproportionately drawn from Britain's half a million hard drug addicts. Despite increased spending on treatment the number of residential rehabilitation places – 1,700 – is wholly inadequate. Drugscope have shown that most women prisoners are hard drug addicts.

Given the strong links between illegal drugs and crime there is a case for an independent audit of the costs and benefits of the current legal framework.

More than 5,000 adult men, 600 women and girls and 1,000 young men in prison today suffer the most serious mental health illnesses, with a majority of the rest suffering a range of other mental health problems. Imprisonment can make mental health problems worse. Suicides average two a week in prison.

Revolving Doors Agency has illustrated how some of the large numbers of mentally ill offenders in prison can be diverted into health and social care.

RCP's work suggests:

- Residential rehabilitation places over the next three years should be substantially increased, with a detailed audit to establish the long term number of places required.
- Guidance should be given to sentencers that no one should be sent to prison solely because it is thought that this is the best place for them to receive drug treatment.
- Waiting times for drug treatment should be reduced; while much-improved there is enormous variation across the country.
- A review of arrangements for mentally disordered offenders is needed, with a view to accommodating many more in hospital settings.

Revolving Doors Agency (RDA) is the UK's leading charity concerned with mental health and the criminal justice system. RDA's Link Worker scheme works in partnership with the Police, Health, Housing, Probation and Social Services to improve access to care and housing for offenders with mental health problems in London.

www.revolving-doors.co.uk

5. GREATER PUBLIC INVOLVEMENT IN CRIMINAL JUSTICE

RCP's work has consistently shown that public attitudes are not as punitive as is often thought. Surveys show that most people are sceptical about prison and think tougher community punishments and more residential drug treatment are the best way of dealing with prison overcrowding, not more prison places. Tough talk is often based on misinformation and in opinion polls public support for harsher sentences is largely due to lack of information about existing sentencing levels.

RCP-funded work by the Magistrates' Association and Probation Boards' Association has shown that presentations about what community penalties actually involve can change sentencing preferences. Ecotec has shown that information about the educational deficits of young offenders reduces popular support for custody.

Henley Management College found that greater magistrate and community involvement in supervision programmes would improve the reputation of alternatives to prison. Polls suggest that that more than three million people would be very interested in undertaking voluntary work with young offenders. RCP projects Employment Inside and Out and Bridging the Gap have shown that employers can be interested in offering job opportunities to prisoners but that ways must be found to sustain long term relationships between businesses and prisons.

RCP's work suggests:

- A major public education campaign about community penalties is needed.
- Sentencers should be more involved in the implementation of community based sentences.
- Panels of local people should decide what form unpaid community work by offenders should take in their areas.
- Business Sector coordinators should be in every prison to maintain positive relationships with local employers.

Local Crime Community Sentence is a project that aims to raise public awareness about the effectiveness of community penalties through joint presentations by magistrates and probation staff. It is being piloted in Hampshire, Northumbria and Lancashire.

www.lccs.org.uk

Rethinking Crime and Punishment is a strategic initiative of the Esmée Fairbairn Foundation, charity number 200051.

RETHINKING CRIME AND PUNISHMENT: FIVE IDEAS

In December 2004 the Esmée Fairbairn Foundation will launch the final report of Rethinking Crime and Punishment (RCP), a four-year, £3million initiative about the use of prison and alternatives.

RCP has funded 60 projects to increase public understanding of and involvement in criminal justice and to inject fresh thinking into the debate about how best to deal with crime.

This leaflet summarises the emerging themes from the research, campaigns and practical work undertaken over the last four years, illustrating each theme with a project related to Rethinking Crime and Punishment.

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1. PREVENT CHILDREN BEING DRAWN INTO CRIME

The key finding from RCP's projects is that much more should be done to prevent at risk children from being drawn into crime. From the children's charities that want greater priority attached to tackling child abuse and neglect, to the conservative think tank CIVITAS, which wants more parent training programmes, RCP projects are united in the view that prevention is better than cure.

Work by York University has confirmed that early intervention can be cost-effective and RCP's analysis of public attitudes has shown that most people think that better parenting is key to reducing crime. The most popular option for spending a notional £10 million on dealing with crime is to set up teams to work with children in trouble.

The Audit Commission found earlier this year that investment in early intervention has increased substantially in the last five years but pressures to deliver improved outcomes in the short term often undermine it. As well as long-term prevention, there is a need for local youth diversion projects which can respond quickly and effectively to anti-social behaviour by young people.

RCP's work suggests:

- Mainstream agencies such as schools and health services should take full responsibility for playing their part in preventing offending by young people.
- Support for parents of teenagers should be introduced in a similar way to Sure Start.
- Local authorities should be able to reinvest savings from reductions in custody into youth crime prevention.
- Quick response units comprising police and youth services should be developed to set up positive activities to divert youngsters from anti-social behaviour.

Barnardo's Freagarrach project tackles persistent juvenile offending by working with local schools, police, social workers and families in Stirling. It reduces the offending rate of many who attend. This is used as an example of best practice in the NCH Scotland report "Where's Kilbrandon Now?"

www.nchafc.org.uk/kilbrandonnow

2. PUNISHMENT THROUGH PAYBACK

A major inquiry by legal reform group JUSTICE has recommended that restorative justice (RJ) – in which offenders take responsibility for their crime and for making amends to the victim – should be extended.

The Justice Research Consortium's work has shown that most victims who take part in restorative conferences feel glad they did so. While the evidence about re-offending is more mixed, judges and magistrates are showing increasing interest in this more creative approach.

Henley Management College has shown that alternatives to prison must do more to benefit victims and communities. More than seven million hours of unpaid community work are carried out by offenders each year. This could be extended so that community payback forms a part of all sentences, both custodial and non-custodial.

The use of fines imposed by courts has fallen, with the result that more offenders receive community or even custodial sentences. To restore confidence fine collection needs to be improved, and a new 'day fine' system, matching fines to an offender's ability to pay, could be introduced.

RCP's work suggests:

- RJ schemes should be introduced in every magistrates' and crown court with proper arrangements for judicial oversight.
- A national RJ Board should be developed – along the lines of the Youth Justice Board – to oversee local arrangements, set and monitor standards and promote successful projects.
- An element of unpaid work of benefit to the community should be included in all sentences, with more RJ projects in prison.
- Income generated by fines should be reinvested locally in crime prevention projects.

The Thames Valley Partnership explores new ways of bringing people together through restorative justice – in schools, prisons and communities – to repair harm, restore relationships and change behaviour.

www.thamesvalleypartnership.org.uk

3. PRISON AS A GENUINE LAST RESORT

Research for RCP "The Decision to Imprison" has found that although crime is falling, courts have become tougher. They are imposing longer sentences for serious crimes and imprisoning offenders who, ten years ago, would have received a community penalty or even a fine.

The social costs of detention have been highlighted in several RCP projects. The Fawcett Society and Children's Rights Alliance for England have described the bleak consequences of imprisonment for women and children in particular.

It has become clear from RCP's work that prison may be being used unnecessarily for many offences. There has been a four-fold increase in prison sentences for motorists over the last 10 years, and more than 40 people each day go to jail for shoplifting.

Statistics also show significant numbers of people entering prison with no previous convictions – 17% of young male offenders, 14% of adult male offenders and 32% of adult female offenders. During RCP's lifetime, prison has been used for people convicted of apparently minor offences including:

- collecting and selling lost golf balls
- failing to send children to school
- stealing birds' eggs
- cutting down or refusing to cut down a hedge
- running on to a football pitch
- enhancing the test results of primary school children
- shouting abuse at someone with a sun tan.

RCP's work suggests:

- There is a need to rule out imprisonment for minor offences in favour of alternative punishments.
- The legal principle that requires courts to pass tougher sentences each time an offender is reconvicted should be repealed. Courts should always have the option of passing an alternative sentence.
- Courts should have better information about the progress made by offenders serving community penalties.
- Local monitoring data on sentencing should be collected and published at court level to make comparisons between geographical areas.

C-Far is an alternative to prison for 18-25 year-old offenders in Devon. It comprises an 11-week residential programme followed by mentoring in the community.

www.c-far.org.uk