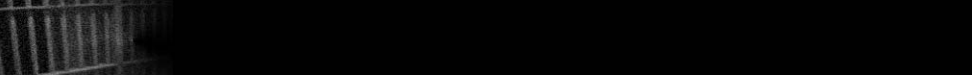


Tackling Crime in the Community
Proposals for Action

rethinking
CRIME & PUNISHMENT


www.rethinking.org.uk




Crime and how we tackle it is a top priority for politicians and the electorate. Yet the political debate, and the policies that emerge from it, feel stale and tired. All too often more police and more prison appear to be the only prescriptions. Indeed the Government estimates that by the end of the decade the prison population will be double what it was in 1995.

Over the past three years Rethinking Crime and Punishment has funded work that has identified better ways to tackle crime. The following plan draws on preliminary findings from the work.

We want to consult widely on the proposals contained in the plan.





Prison is the right place for some criminals, but is the wrong place for many others currently locked up. Only a quarter of inmates are sent to prison for violent offences. Most are detained for theft, burglary, drugs offences and other non-violent crimes.

It is right that society takes a strong stand against crime. Prison has a role to play in protecting the public from those who would harm them, and punishing those crimes society takes most seriously. But it is also right that we should not be imprisoning those who could be dealt with appropriately in the community; allowing them to repay their debt to society rather than warehousing them in prison.

The Government recognises the importance of balance in prison sentencing. With the Youth Justice Board it has set targets to reduce the use of prison for teenagers. There is no reason why similar targets should not be set for other groups for whom prison could be a last resort. These could include:

- women, especially those with the dependent children;
- offenders with mental illness;
- drug users.

Serious crime is thankfully uncommon. But most people have been at the receiving end of ‘nuisance’ or anti-social behaviour.

Children who graffiti walls and people who play loud music late at night, or who verbally harass their neighbours, may not be dangerous criminals. But such behaviour can still cause real misery.

Rethinking Crime and Punishment would like to see:

- Investment in a national network of neighbourhood mediation schemes. Providing a forum where neighbours in conflict can sit down and talk through their differences before they escalate out of control could have a genuine impact in diffusing tense and difficult situations.

1. Community punishment where possible; prison where necessary

2. Responding to anti-social behaviour



- An increase in youth work targeted at children at risk. Most who cause a nuisance are bored rather than bad. Ensuring that they have more positive things to do than just hanging around – such as playing sports, doing art and drama or learning computer and other skills – could have a dramatic impact on the incidence of anti-social behaviour by young people.
- The development of rapid response capacity for housing, social services, youth workers, highways and other agencies with local responsibilities. If kids are misbehaving or buildings have been vandalised, responsible agencies need to be able to react quickly rather than leaving it to our over-stretched police forces.

3. A fairer deal for those accused of crime

More than 50,000 people charged with offences last year were held in prison while they awaited their trial. Around half of these were acquitted at trial, or did not receive a prison sentence if convicted. Proposals currently going through parliament in the Criminal Justice Bill 2003 could make this situation worse.

This is unjust to those innocently caught up in the criminal justice system, and expensive to the taxpayer.

The Government could consider:

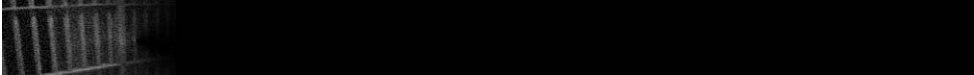
- Ensuring that those awaiting trial are not held in prison unless they are likely to receive a prison sentence if found guilty.
- Allowing those awaiting trial to be electronically tagged in the community as an alternative to holding them in prison.
- Increasing investment in community-based support for those awaiting trial.

4. Making greater use of fines

Nearly 150,000 fewer fines were imposed by courts in 2001 – the latest year for which figures are available – than in 1996. This is not because criminals have become nastier, but because magistrates often find it difficult to impose fines on those whose poverty will make it difficult for them to pay up. Instead courts are more likely to impose community or prison sentences.

To rebuild the market share of the fine the government could:



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- Pilot a “day fine” system which works successfully across much of Europe. This means that fines would be proportionate to the offender’s ability to pay.
 - Offer opportunities to convert financial fines into time fines, comprising supervised community work.

More than 150,000 community sentences are issued by our courts every year. Yet recent research for Rethinking Crime and Punishment found that provision is often patchy and that community sentences lack credibility both with the general public and professionals in the field.

Rethinking Crime and Punishment argues that community sentences need to work better, be more widely available and resourced on a scale to match the problems they seek to solve. They need strong leadership from a person or organisation highly committed to their success. Among measures the government could consider are:

- Establishing a comprehensive network of intensive supervision and surveillance projects targeted at those who might otherwise end up in prison.
- Establishing an emergency programme to create 20,000 residential drug treatment places in the next five years.
- Creating multi agency teams to deal with persistent offenders with health, employment and housing staff working alongside police and probation. This approach already works well with young offenders.
- Opening up the delivery of sentences to a wider pool of expertise, such as charities and local community groups.
- Enabling local residents to play a greater role in supporting and monitoring ex offenders.

The courts have become a good deal tougher over the past decade. Community sentences have been imposed in place of fines; prison sentences have been imposed in place of community sentences. Prison sentences have also become longer. Yet there is no evidence that criminals are getting any worse.

5. Improving community sentences

6. Tackling sentencing inflation





This sentencing inflation is behind the crisis in our overcrowded prison system, where overworked staff find it more and more difficult to do effective rehabilitation work with prisoners.

Rethinking Crime and Punishment proposes that we should:

- Involve magistrates and judges more closely in the design, implementation and management of sentences to draw on their views and expertise.
- Enshrine in legislation the principle that courts should consider and reject alternatives to a prison sentence before imposing a prison term of less than 2 years.
- Ensure courts are aware of all the relevant facts about an offender before imposing a prison sentence.
- Use the probation inspectorate to develop indicators for assessing how well local services are targeting alternative sentences.

7. Increasing awareness of community sentences

Community sentences can be much more effective at rehabilitating criminals and enabling them to repay their debt to society than prison. However they lack visibility with the public. Our research shows that, given the choice, the public support the idea of effective community sentences.

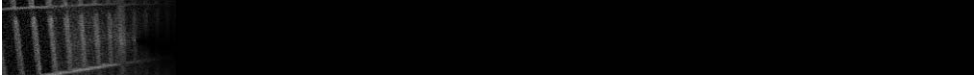
Rethinking Crime and Punishment would like to see:

- Greater opportunities for the public to learn about community sentences first hand, for example, through presentations by the probation service and the magistrates to local community groups.
- Regular community service open days and “seeing is believing” visits to drug treatment and other facilities.
- A programme of high profile ministerial visits to alternative to custody projects with local mp’s promoting local community sentences

8. Encourage the involvement of the general public

Members of the public feel strongly about reducing crime, but they do not always have opportunities to make a positive contribution. Unsurprisingly many people end up just feeling angry and frustrated.





From volunteering as special constables, to mentoring young offenders, there are already a number of ways members of the public can get involved. The Government could look at ways of extending this involvement to other areas of the criminal justice system. This could include:

- Local people deciding on the kind of work to be undertaken by offenders on community punishment.
- Making sure income generated by fines is reinvested in the neighbourhoods where crimes are committed, with local decision-making on how the money should be spent.
- Extending the work of youth offender panels which deal with first time young offenders to cover older age groups.

Research by Rethinking Crime and Punishment shows that many victims of crime look for resolution rather than retribution, apology rather than punishment.

Rethinking Crime and Punishment would like to see much greater use of what is known as restorative justice (RJ). This enables the victim to express their views and leads to the offender apologising face to face or by letter and making reparation through compensation or otherwise repairing the damage. Building on arrangements for young offenders the government could


- Establish a national body to oversee arrangements for RJ at every stage of the criminal justice system.
- Encourage greater levels of victim involvement which are currently lower in the UK than in comparable countries.
- Set up a programme for recruiting and training suitable staff.


The British public is not as punitive as it is often portrayed. Our research has found that it supports action to prevent crime rather than the construction of more prison places. Most people disagree with the statement “Prison Works; the more prisons the better”. Yet people need to be convinced that alternative approaches work well and involve a degree of punishment.

There is an opportunity to embark on a bold policy to strengthen the community response to most offences and to explain it to the public.

9. Making justice restorative, not retributive

10. Give the public what they really want





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7. Increasing awareness of community sentences
8. Encourage the involvement of the general public
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**What do you think? Read the booklet for more information and then email your comments to:
info@rethinking.org.uk**

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