



Reducing Re-offending in Scotland: Reducing Imprisonment; Strengthening Community Sentencing; Working in Partnership.

The role of community agencies in ensuring effective community sentencing.

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“The Sheriffs should come and see how this course works. Then they might send more people to courses like this much earlier, instead of sending them to prison.”

Not my words but those of Billy - talking about his view of the effectiveness of his community sentence, provided by a community agency, SACRO.

I am going to briefly explore effectiveness, then describe the effectiveness of one of SACRO's services in terms of its impact on re-convictions and on Billy in particular.

Key messages-

- Community sentences are more effective in reducing re-offending than imprisonment
- Realistic outcomes may simply be getting a home, rebuilding relationships, reducing drug use and demonstrating longer spaces between offences and/or less serious offending
- focus on being “tough on the causes of crime”
- prison fares poorly against all the measures
- justify prison sentences not community sentences.

Which are community agencies? The agencies involved in reducing re-offending are not just the courts, police and the voluntary sector, represented on the platform here, but also criminal justice social work, housing, health, education, mental health and addiction services to name but a few. Clearly, I will talk mainly from SACRO's experience as a community safety and criminal justice voluntary sector organisation.

What are community sentences? These include Probation Orders (strictly not a sentence but an opportunity to work with offenders while sentence is set aside, which will be avoided if there is a successful outcome to the order), Enhanced Deferred Sentence, RLO, DTTO, CSO, SAO (also Fine and Compensation Orders).

What is effectiveness? There seems to be an underlying assumption that sentences can stop offending. Although some sentences will be effective for some individuals, there is little evidence that the criminal justice system makes a major impact on crime rates. Scotland has no sentencing policy with reducing offending as an objective. In fact, the aims described by academics and judges such as Sheriff Principal Gordon Nicholson, are many and include punishment; rehabilitation; deterrence; treatment; and retribution; but not stopping re-offending. It might be assumed that meeting some of

these objectives would contribute to reducing offending; on the other hand, others of these objectives might have the opposite effect.

I will touch on the effectiveness of community sentences in terms of outcomes, what the public want, cost effectiveness and reconviction rates and then look at how prison measures up against these.

If we try to measure the effectiveness of community sentences, to do so is complex, for 3 main reasons:

- Multiple objectives-addressing a range of criminogenic factors
- Difficulties of specifying and understanding the relationships between apparent changes in outputs measured and actual changes e.g. reconviction rates may not relate to the reality of re-offending
- Inevitable time lag between input and impact, especially where the benefits may only become fully apparent over a long timescale.

The only way to address these problems is to ensure realistic objectives are set in the first place and that these are linked to realistic outcomes (given the severity of the social, emotional, educational and material problems that typify the experience and background of most offenders). The offender population is grossly disadvantaged on every indicator. Figures for prisoners presented by Alec Spencer of SPS at a recent SACRO conference are:

- 13 times more likely to have been in care as a child
- 13 times more likely to be unemployed
- 10 times more likely to have been a truant at school, and 20 times more likely to have been excluded
- 2 ½ times more likely to have had a family member convicted of an offence
- 6 times more likely to be a young father
- 15 times more likely to be HIV positive
- 70% suffer from 2 mental disorders
- 20% of males and 37% of females have attempted suicide in the past
- 50% are not registered with a doctor
- 70% have a drug misuse problem, and 80% do not have access to treatment
- 80% have writing skills; 65% have numeracy skills and 50% have reading skills at or below the equivalent of age 11

(England & Wales) Social Exclusion Report 2002

Given all that: we can see why realistic outcomes may simply be getting a home, reducing drug use and demonstrating longer spaces between offences and/or less serious offending. Research [*Fergus McNeill, Glasgow University*] is now showing that desistance from offending seems more related to dealing with offenders' social and personal contexts, especially family relationships and housing, than formal interventions which focus on the offending itself. To actually change their way of life, offenders need emotional support, accommodation, healthcare, drug treatment, education, employment and self-confidence. As Andrew Coyle, of the International Centre for Prison Studies, said recently, "*The key to reducing re-offending is resettlement and integration*".

Professor Jackie Tombs, Director of the Scottish Consortium of Crime & Criminal Justice, today stands by her statement made in the first Consortium Report 2000, *Rethinking Criminal Justice in Scotland*, that, despite the difficulties of measurement, there is "*incontrovertible evidence that for the vast majority of offenders, community sentences are the most effective in reducing re-offending*". The evidence comes from a raft of meta-analytic studies, and from the detrimental effect that prison has on social inclusion factors, on resettlement and integration.


“There is a growing body of evidence from various interventions in Scotland that properly resourced, community based disposals are more effective in reducing re-offending than imprisonment.”
(SCC&CJ: Response to Scottish Executive Justice Department Consultation: ‘re: duce, re: habilitate, re: form’)

Public perception

In the eyes of the public (Esmee Fairbairn Rethinking Crime and Punishment research) effective sentences (once the public are made aware of the range of these) are those which offer offenders a “second chance” to prove, and improve, themselves; and those which include an element of “paying back”/facing the victim- i.e. restorative justice.

Cost effectiveness


For the cost of a six-month prison sentence an offender could both be in Supported Accommodation and on Probation for a longer period, and that this would still cost about two-thirds of the cost of a six-month prison sentence and be better value for money. Alternatively, a shorter period in supported accommodation and a more intensive probation order with programmes would be suitable in many cases and cost even less.



Comparison of costs

• Cost of prison place	£15,806 six months
• Average cost of a community service order	£1,823
• Average cost of a probation order	£1,180
• SACRO Bail Supervision place	£1,092
• SACRO Mediation & Reparation case	£450
• SACRO Supported Accommodation	£9,125 six months

(based on £50 per bed night)

July 03SM MSP 20039

Value for money would be achieved by rebalancing of penal policy by reducing the prison population through the use of community penalties for medium and higher-risk offenders; using fines or electronic monitoring for low risk offenders, instead of them being subject to the more interventionist probation and community service type disposals; and by increasing the number of people engaged in diversionary and restorative justice measures instead of going to court for disposal.

This approach would better target community disposals and reduce use of the least effective but most expensive disposal, prison.

Reconviction rates

There are discrepancies between re-conviction and re-offending rates. Reconviction rates are a very crude measure of whether a given offender's pattern of offending is changed. We know from a few small-scale studies that while prison and community sentences may be similar in terms of reconviction, those serving community sentences often reduce the frequency and seriousness of their offending.

“I am encouraged that the Justice Committee’s report on alternatives to custody concluded that alternatives to custody are at least as effective as short term prison sentences. This is an important message and I entirely agree with the Committee’s conclusion that we need to focus on making better use of the wide range of community disposals we have available.”

Press Statement by Deputy Minister for Justice, Hugh Henry (SE 12.11.03)

And well he might want to see better use of community sentences – let us look at how prison fares against the above measures:

- Prison does not meet public expectations of meeting victims interests and giving offenders a second chance
- Prison is the most expensive response to crime
- The return to custody rates are high
- Prison increases social exclusion
- Prison is not tough on the causes of crime-it creates more causes.

I will now turn to look at specifically at **the effectiveness of SACRO’s Alcohol Education Probation Programme in reducing reconvictions by presenting the results of a two-year follow-up study and also through the eyes of one of the participants, Billy, quoted earlier.**

SACRO has been providing this group work programme since 1991 for people from Edinburgh and Midlothian subject to probation, where there is a link between their offending behaviour and their use of alcohol.

Clients attend eight weekly group work sessions. By the end of the programme participants are expected to have:

- a greater understanding of the physical and physiological effects of alcohol
- the ability to monitor their own use of alcohol and begun to make changes
- the confidence that they can take steps to reduce the likelihood of further alcohol related offending.

We followed 84 people referred to the SACRO Alcohol Education Probation Programme between May 2000 and December 2002.

68 of these people completed a programme. The remaining 16 started a programme but dropped out at various stages over the eight-week period.

In the two year period prior to the programme 86% of all of the 84 people had received one or more convictions. In the two years following the programme, only 46% of those who had completed it had further reconvictions, far less than the non-completers (56%)(taking pseudo-convictions into account) or all those on probation in another year (Scottish Executive figures show that 60% of all those who received a probation order in 1997 had further convictions (Criminal Justice Statistical Bulletin CRJ/2003)).

Looking at the total cohort of 84 offenders going through the programme, completers and non-completers, in the 2-year period following a programme, they received 113 convictions but this compares with 212 convictions in the 2 years before starting the programme. This reduction of 47% is surely a significant contribution to community safety, especially as we know from other research, that those on community sentences are more likely to reduce the frequency and seriousness of their offending, even if they are reconvicted.

Alcohol Education Probation Programme – Edinburgh



Reconviction analysis

Alcohol Education Probation Programme – Edinburgh

Reconvicted	Completers ¹	Non-completers ¹	All prisoners released ²
After 1 year	29%	44%	
After 2 years	46%	56%	60%

84 clients (May 2000 – February 2002), 68 completers, 16 non-completers

Sources

1 SCRO, *Scottish Executive Justice Statistics Unit 2002*

2 *Scottish Executive, provisional figures 1999*

Conclusion

We need to focus on being “tough on the causes of crime” and justify prison not community sentences - as Billy, who had been in prison several times which he found very difficult and which exacerbated his problems, said:

‘Before I came on this course, I blamed the drink and then the drugs for my behaviour. Now I take responsibility for my actions.’ – this is a result of an effective community programme.



ALCOHOL EDUCATION PROBATION PROGRAMME, EDINBURGH

After the fourth time I'd been caught drink driving, I spent six months in prison. Then in the space of eight months I lost my Mother and both my brothers to cancer. I started drinking heavily and taking drugs. I was taking about five Ecstasy tablets a day and at the weekend even more. I started smoking cannabis, taking Speed and drinking excessively. I knew things were out of control and I went to see my doctor. I was just getting angrier and angrier and I became violent. I was convinced that I was also going to die.

My doctor gave me anti-depressants, but I needed help. I asked for help but all I got was tablets. Because I was drinking so heavily and taking drugs I could not concentrate on anything. One night I assaulted my partner and was arrested.

I was sent back to prison on remand and spent two weeks there. When I went back to court I was released on bail and ended up being referred to SACRO's Alcohol Education Programme. For the first time in my life, someone sat down and listened to me. I'd never spoken to anyone before about how I felt or how ashamed I was about hitting my partner and what I'd put my kids through. When I started to open up I just cried. It was the hardest thing I have ever done... it's still very hard for me. I'm still fighting it every day.

Tom (SACRO worker) listened to me. I respect that man so much. No one had ever listened to me before or allowed me to explain how I felt. Coming to SACRO changed my whole outlook.

I was accepted on the Alcohol Education Programme, which lasted for eight weeks. Until then I did not realise what drink was all about. I learned how to control things and how not to put myself into situations where I might get into trouble again. I knew I wanted to give up drinking, but this course helped me to recognise when I should not drink. If I don't feel in a good way, I don't drink. I've not had a drink for three weeks. That was never heard of before.

On the course you have to do a lot of work. It is very intense and it is not easy, but I knew it was my only chance. I knew that there was something wrong with me. I knew I was ill. It's a terrible feeling to wake up in the morning and know you're going to feel so bad all day.

Half way through the course I started to feel a lot better. By the end of it I was a changed man. I feel so much stronger because I now have some control back in my life. I have learned so much about alcohol and how to recognise the danger zones.

I now have contact with my son and see him regularly. I've also taken my partner out a few times. She sees the changes in me, but it's going to take a long time to get back to how things were before all this. I'm not an angry man anymore. I've got a lot of regrets and I still sit and cry about a lot of things that I did in the past. It was hard road to find. I had to go to prison twice to find the help I needed to sort my drinking out.

Drinking almost cost me my life and destroyed my family. If only I had received the help I needed sooner. Why did I have to wait so long? If I'd been sent on the course sooner, I wouldn't have had to go through all that. Why don't the courts refer people to courses like this when they get caught drink driving? If someone gets caught the second time, people should realise there is a problem and get the person the help they need. If people wait until someone gets caught a third or fourth time, then it's too late. They end up in prison for a few months with no help for their problems.

Prison is the pits. They only show you the good bits on TV. They don't show you the holes that people live in, the s**t on the walls, the p**s in the corner or the drugs going about. The first time I went to prison was the scariest thing in my life. There were two people to each cell and the place stank. The guy I shared with kept the light on all night so I got no sleep. I was frightened. It was disgusting.

I tried to keep the cell clean because I had to make it my home for six weeks. I saw people getting slashed. If you don't stick up for yourself, people walk all over you. Half the men should not be there.

They need help not prison. In this day and age, it's ridiculous that someone has to go to prison before they can get help if they've a drink problem. They are not alcoholics; they are people with problems who can't always control their drinking. Hundreds of boys going to prison have been through similar situations to me. They've lost people in their life and that's affected them. It affects them in different ways. Those people need help; they don't need to be stuck in prison.

The Sheriffs should come and see how this course works. They need to know more about it and the best way to do that is to listen to the people who've been on it. They have firsthand experience and they all have similar stories to me. Then they might send more people to courses like this much earlier instead of sending them to prison.

Before I came on this course, I blamed the drink and then the drugs on my behaviour. Now I take responsibility for my actions. Everyone has choices and at the end of the day it's down to you. I have been given a second chance and I'm grateful for that. SACRO has helped me get my life back. What happened to me was horrible. I never want to go back to that situation again.

Billy