

## **Community sentences cut crime – Factsheet**

When sentencing, judges and magistrates have three disposals available - prison, community sentences and fines.

The last decade has seen greatly increased use of both prison and community sentences. Between 1996 and 2002 the number of people receiving a custodial sentence increased by 32% from 85,000 to 112,000. For the same years, the use of community sentences had increased 41% from 133,000 to 186,000. Correspondingly, the use of fines fell by 25% between 1991 and 2001.

The number of first-time offenders receiving a community sentence has also increased markedly. In 1996, 20% of first-time offenders received a community sentence. This increased to 32% by 2002.

### **What are community sentences?**

- Community sentences allow offenders to undertake rehabilitative programmes and work in the community whilst under the supervision of the probation service.
- The Criminal Justice Act 2003 brought into force from April 2005 the 'generic community sentence', also known as the community order. This allows judges and magistrates to combine what previously would have been different orders and tailor the sentence to fit the needs of the offender. The requirements that can be placed on an offender are:
  - Supervision, by the probation service
  - Compulsory unpaid work, up to a maximum of 300 hours (increased from 240). This would involve constructive community work, such as conservation or cleaning up graffiti.
  - Participation in specified activities. This may include improving basic skills (such as literacy) or making reparation to the people affected by the crime.
  - Prohibition from undertaking specific activities
  - Undertaking accredited programmes, which aim to change offenders' behaviour
  - Curfew, where an offender can be ordered to stay at a particular location for certain hours of the day
  - Exclusion, where an offender can be excluded from specified areas
  - Residence requirement, where an offender may be required to live in a specified place, such as an approved hostel
  - Mental health treatment, which can only be required with the consent of the offender
  - Drug rehabilitation, which includes both testing and treatment, and can last for between six months and three years; again this can only be imposed with the consent of the offender

- Alcohol treatment. The offender must agree to this treatment and it must last for at least six months
  - Attendance centre. Offenders under the age of 25 may be required to attend a particular centre at a specified time for between 12 and 36 hours, over the course of their sentence.
- Sentencers can select up to twelve different requirements on Community Orders, and advice to them suggests that there should be more requirements for more serious offenders, and that minor offenders should only have one or two requirements. 51% of those commencing Community Orders in April to September 2005 had one requirement, 32% had two, 14% had three and 2% had four or five.
  - Community Payback – unpaid work in the community is about offenders making amends to the community for the harm they have done. The Government suggests it should be an option for the courts to consider for the majority of offenders serving community sentences. At the moment unpaid work is a part of about half of all community sentences. Community Payback is about making unpaid work by offenders more visible to the public. It gives local people, faith groups, voluntary organisations and civic communities the chance to say what work offenders should do in the community, with leaflets and websites to encourage people to choose particular schemes. A highly visible Community Payback logo shows where offenders have done the work.

### Facts and figures

- The number of people starting community sentences under the supervision of the probation service in 2004 was 128,077 - 6% higher than the number starting in 2003, and some 30% higher than the number in 1993
- The number of women commencing community sentences rose by 70% between 1993 and 2004, to reach 19,460; the number of men increased by 25% to reach 108,617
- International research suggests that well run, carefully targeted rehabilitation programmes can reduce reconviction rates by 5 – 10%; the Home Office aims to reduce reoffending by 5% by the end of the financial year 2007-08 and by 10% by the end of the decade
- Reconviction rates for those serving community sentences are 14% lower than for those serving time in jail:
  - 2002 – number of adults who re-offended after two years of leaving prison – 67%
  - 2002 – number of adults who re-offended on a community sentence after two years – 54%
  - **Community sentences reduce offending by 14%**
  - Offending data in the 12 months before and after an ISSP (Intensive surveillance and supervision programme, introduced for under 18 year olds in 2001) show a marked reduction both in frequency and seriousness – the frequency of offending went down by 43% and seriousness by 16%
- Home Office figures for those sentenced in the first quarter of 2001 show that 58% of those sentenced to custody and 51% of those given community penalties were reconvicted within two years

- It costs £100 per day to keep a low-risk drug-addicted offender in jail. A robust community sentence such as the Drug Treatment and Testing Order (DTTO, to be renamed under the CJA as a 'drug treatment requirement) costs only £25-£37 to deliver. This sentence is managed by the probation service and is targeted at the most difficult group of chronically drug-addicted offenders. It aims to help them stay off drugs and sort out their chaotic lives
- For every week that an offender remains compliant with their DTTO, volume offending by that offender is 70% lower than it would be without the order. A Home Office two-year reconviction study found that there was a significant reduction in the average number of convictions per year and that for offenders who completed their orders (around 30%) there was a reconviction rate of 53% compared to 91% for those whose orders were revoked

## Costs

### **Imprisonment:**

Sending one person to prison for 1 year	£37,500
Sending one young person to a young offenders institution	£42,000

### **Community Sentences:**

1 year Community Rehabilitation Order	£3,000
1 year Community Punishment Order	£2,000
1 year Community Punishment and Rehabilitation order	£4,000
1 year Drug Treatment Order	£8,000
6 month ISSP	£6,000

Sending someone to prison is on average 12 x higher than a Probation or Community Service Order, which costs about £6 per offender per day.

Community Sentences deal with nearly 4 x as many people as prisons, for only 40% of cost.

Replacing 20,000 prison places with alternative sentences would save the taxpayer £690 million.

A reduction in the prison population of 5% (3,500) would save £120 million

Community sentences are less disruptive to an offender's life:

- 2/3 of those in prison lose their jobs
- 1/3 lose their homes
- 40% lose contact with their families

and each of these increases the likelihood of a person re-offending when they are released from prison.

## Why are community sentences better than prison?

- Community sentences help low-risk offenders to rehabilitate themselves more effectively than a short spell in prison. The 'short, sharp shock' of public imagination does not work. Community sentences offer a more effective penalty against offending and involve offenders putting something back into the community; they have lower rates of re-offending, both in volume of offending and seriousness of offences.
- Prison does not create 'respect'. HM Chief Inspector of Prisons showed in her report of Brinsford YOI that "poor levels of cleanliness and broken fixtures and fittings did little to promote a respectful environment". Community sentences can involve offenders undertaking unpaid community work and putting something back into communities that they have previously only taken from; this is better than having them sitting out their time in prison bunks and is more likely to engender 'respect'.
- The Government's 5 year strategy includes putting unpaid work at the heart of community sentencing – rising from 5 million hours in 2003 to approaching 10 million by 2011. Sunderland Youth Offending Service Restorative Justice Scheme currently has 22 payback schemes in Sunderland. The scheme operates 6 days a week, 50 weeks a year, with young people involved in over 400 schemes a year and the schemes are extremely cost effective. This approach of working collaboratively with the community has been particularly effective in ensuring young people begin to consider the needs of others – often those less fortunate themselves – and to appreciate the principle of equal opportunity for all.
- Restorative approaches involve an offender and their victim electing to meet, when the offender is encouraged to explain their actions and apologise to the victim. An evaluation by Oxford University of the restorative cautioning project operated by Thames Valley Police found that the project helped offenders to better understand the affects of their offending had on their victims; most victims saw apologies as representing genuine remorse.
- The greater use of community sentences for those low-risk offenders who are currently sentenced to custody would reduce the record prison population, ease the pressures of overcrowding, and allow the prison service the opportunity to undertake proper work with those higher risk offenders who for reasons of public protection do need to be in custody.
- If the government is serious about reducing re-offending, it needs to take concerted action now to reduce the numbers entering custody. Particularly the majority of non-violent, non-dangerous offenders who could be more appropriately managed on a community sentence, which enables them to make amends for their crime and encourages them to live a law-abiding life. Custodial sentences instead should be used as a last resort, reserved for serious and violent offenders who continue to pose a danger to society.