

The Future of Prisons in Scotland

Rethinking Punishment and Rehabilitation

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On the Outside Preventing Re-offending

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paradigm - the generally accepted perspective of a particular discipline at a given time;

What is sentencing for? Much of the (Slide 2) Management of Offenders (Scotland) Act 2005 and the resultant national strategy (Slide 3) are predicated on the assumption that sentencing is directed towards stopping re-offending. This could not be further from reality. It appears to me that sentencing is about something else - it's about punishment. Sentencing does not take consider the long term consequence of punishment. It is easily demonstrated that there isn't a direct link between punishment and stopping re-offending. This is proven by the numbers of our punished people who go on to re-offend.

(Slide 4) Re-offending rates by CJA area for those leaving custody.

Before focusing upon community sentencing I wish to quickly look at a couple of aspects of custody which are paramount when considering the future of prisons in Scotland.

(SLIDE 3) At first sight this slide appears counter-intuitive. We know that 83% of the population are sentenced to 6 months or less, however if you sample any one day, the under six months

cohort make up 12% of the sentenced population, whereas, if we look at the total receptions for a whole year, the under six months group significantly exceed all other.

This slide tells us two things:

Firstly, removing the 83% of under six months sentences will not, on a daily basis, reduce in any significant way prison overcrowding.

Secondly, if the prison service was not pre-occupied with the management of the 83%, its resources could be more constructively targeted towards a comprehensive rehabilitation programme for those serving longer sentences.

Those who had spent three to six months in custody prior to release maintained the highest return rate, a figure which is identical to those sentenced to less than three months.

Irrespective of whether custody is intended as means of stopping offending or as a punishment it is time to recognise that this approach is singularly unsuccessful for those sentenced to less than six months. If as is often argued "it gets them off the street" there are just as many coming out of short sentences to replace them