

Reducing the use of short prison sentences in favour of a smarter approach

The public and the evidence are clear and in agreement: short prison sentences are short-sighted. They are ineffective at tackling petty crime. We can do better and should adopt a smarter approach.

What's the problem?

Currently 30,000 people each year go to prison on sentences of less than six months. This represents half of all people sent to prison to serve a sentence.¹

The majority of people serving sentences of less than six months are in prison for non-violent offences. Some common offences that receive a short time in custody are theft and drug offences², linked to underlying problems such as poverty, addiction, homelessness and poor mental health. Indeed, the most common offence for which people are sentenced to prison is theft.

The public strongly oppose the use of prison for petty crime. A new poll commissioned by Revolving Doors³ found that:

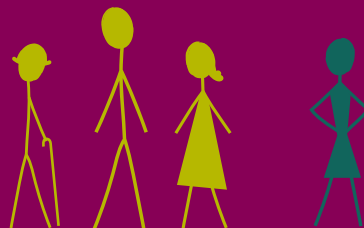
- 80% of the public think that theft of daily essentials such as food, sanitary products and nappies does not warrant a prison sentence. This was true for voters across all the major parties.
- 74% of the public think people with drug or alcohol addictions belong in treatment programmes instead of prison.
- A majority of voters said they were likely to vote for an MP candidate that supported reducing prison populations and using the savings to invest in drug treatment and mental health programmes (only 16% said they were unlikely to do so). Each of the major parties had more people likely to support this policy than unlikely to do so.

These poll results are important findings given that at least a quarter of people entering prison on short sentences are there for theft⁴. It is also clear that each of the major parties would have the support of their voters for a policy of prison population reduction, and of ensuring people are not sentenced to prison for offences such as theft where possible.

4/5 PEOPLE THINK THAT THEFT OF DAILY ESSENTIALS SUCH AS FOOD AND NAPPIES DOES NOT WARRANT A PRISON SENTENCE



3/4 PEOPLE THINK PEOPLE WITH DRUG OR ALCOHOL ADDICTIONS BELONG IN TREATMENT PROGRAMMES INSTEAD OF PRISON



Why does it matter?

Short prison sentences are proven to be less effective at reducing reoffending than community sentences.⁵ We can find smarter ways of tackling persistent, petty crime. Short prison sentences are short-sighted because they disrupt family ties, housing, employment and treatment programmes for example, but they do not provide any meaningful rehabilitation.

These sentences contribute to prison 'churn' and volatility. At the same time, the use of community sentences, which can include requirements such as mental health treatment, alcohol misuse treatment and drug misuse treatment, has declined - substantially and rapidly.

People who have direct experience of the system can explain why short prison sentences often fail to break the cycle of offending, and why support in the community can make a difference.

What is the solution?

The government should introduce a presumption against the use of short custodial sentences of less than six months. This would allow such a sentence only when no other appropriate disposal is available. Where short prison sentences are imposed, courts would have to say why.

This approach does not remove the court's discretion; it is a presumption not a ban. Therefore, under these proposals offences that are serious and/or risk harm, such as domestic violence, can be dealt with appropriately by the courts.

At the same time there is a need to strengthen community sentences so that they command public confidence and are able to deal effectively with some of the underlying causes of persistent, petty offending, including drug or alcohol misuse and mental health. However, there is no value in continuing with the failed policy of short sentences while we wait. Clear direction from government on the need to reduce inappropriate short sentences should be the welcome catalyst for action.

"I spent just under 4 weeks on remand....I was offered no support for the domestic violence I was being subjected to, nor was I offered support for my drug and alcohol addiction. When I finally managed to get myself into a women's refuge, that was when I got support"

"Although I was in prison for a short time I felt traumatized by the whole experience. In fact, sending me to prison was just a waste of time and money. I was released with no explanation and no support. I found myself back in the violent relationship which exacerbated my addiction which led to further arrests and trauma."

IT IS SURELY POSSIBLE THAT THERE ARE 4 PEOPLE IN EACH CONSTITUENCY WHO COULD BE SAFELY GIVEN A COMMUNITY SENTENCE RATHER THAN INEFFECTIVE SHORT PRISON SENTENCE.



What change do we hope to see?

As a start we want to see the least harmful and least serious theft or drug offences dealt with differently. The least serious quarter of these cases represents 2,250 people or 4 people per parliamentary constituency.

It is surely possible that there are 4 people in each constituency who could be safely given a community sentence rather than ineffective short prison sentence. To do otherwise is short-sighted.

To find out more and to see how you can support our campaign visit our website: www.revolving-doors.org.uk

*“A short sentence - it affected me a lot. It was my first offence and I had never been in the in the criminal justice system before. Going to prison I lost my relationship with my son’s father”.*⁶

Endnotes

1. Table 2.5a Offender Management statistics quarterly, England and Wales Quarter: July-September 2017, Prison population: 31 December 2017
2. Table 2.5b Offender Management statistics quarterly, England and Wales Quarter: July-September 2017, Prison population: 31 December 2017.
3. Populus poll of 944 adults in England and Wales commissioned by Revolving Doors Agency. Fieldwork undertaken 12th-13th February 2018.
4. Table 2.5b Offender Management statistics quarterly, England and Wales Quarter: July-September 2017, Prison population: 31 December 2017. NB: Data on offence type is not broken down by sentence length. However, 22% of all prison sentences are for theft and 10% are for drug offences.
5. Ministry of Justice (2015) The impact of short custodial sentences, community orders and suspended sentence orders on re-offending
6. Telephone interviews held February 2018 with members of Revolving Doors Lived Experience Forum.

Revolving Doors Agency

Room 2A31
South Bank Technopark
90 London Road
SE1 6LN

www.revolving-doors.org.uk



SHORT SIGHTED