

Notes For Police Federation Annual Conference, May 2006

The Government's five-year strategy, published in February 2006, takes the view that too many people are in prison, and it hopes to reserve custody for the most serious offenders. It says that over 61,000 offenders went to prison for under 12 months and that these short sentences are not effective 'either at punishing the offender, or at stopping them committing crime again'.¹ Lord Phillips, the Lord Chief Justice, backed up the Government last week: 'I would contend that a community sentence is more likely to prevent re-offending than a prison sentence'.²

The effectiveness of community sentences

Let's take the most important programmes: the Intensive Supervision and Surveillance Programme (ISSP), offending behaviour programmes and drug treatment and testing orders.

The Intensive Supervision and Surveillance Programme (ISSP)

It is the 'most rigorous non-custodial intervention for young offenders' according to the Youth Justice Board (YJB) website. In the mid-1990s the US Congress commissioned an independent assessment of more than \$4 billion worth of federally-sponsored schemes for crime prevention. The report was published in 1997 and listed schemes that worked, did not work or were promising. On the list of schemes that had not reduced offending were:

1. Intensive supervised probation or parole.
2. Increased referral, monitoring and management in the community.
3. Home confinement (with or without electronic monitoring).³

Nevertheless, the Government introduced ISSP in 2001 with an initial investment of £45m over three years. The final report of the evaluation by Oxford University was published last year. The study compared offenders on community sentences with and without ISSP and those sentenced to detention and training orders (DTO), with and without ISSP. (A DTO is split between detention and training. For example, an offender serving 6 months in custody would then have to undergo 6 months training in the community. This second 6-month period could be served under the ISSP.)

Completion: A majority did not complete the course. The community sentence completion rate was 42% and the DTO completion rate 46%.⁴

Reconviction: The overall reconviction rate after 12 months was 89%. After 2 years it was 91%.⁵ How did it compare with the matched group? The reconviction rate in 12 months for those on ISSP as part of a DTO was 91% and 76% for the matched comparison group.

The ISSP group on Supervision Orders (SOs) or Community Rehabilitation Orders (CROs) achieved an 88% reconviction rate in 12 months. The comparison group, on SOs or CROs without ISSP achieved an 84% rate.

Frequency of offending: The group on community ISSP were reconvicted 42% less in the two years after the start of ISSP, compared with the two years before. The community comparison group were reconvicted 39% less.⁶ The DTO ISSP group reoffended 35% less and the comparison group 40% less.⁷ The Oxford University report cites Professor Sir Anthony Bottoms who had studied an earlier version of intensive supervision in 1995. His findings had been similar and he concluded that there was 'no evidence ... that any one treatment type was statistically significantly better or worse at preventing reoffending than any other treatment.'⁸

Cost-benefit analysis: The scheme cost £12,274 per start. Savings were calculated by estimating the cost of crimes committed in the two years before ISSP and the cost of those committed in the two years after, using Home Office estimates of the social and economic costs of crime. The final estimate of costs saved is £8,000 per start, or 'negative' as the report puts it.⁹ That is, the scheme cost more and was less effective than ordinary probation.

However, the £8,000 saving was only achieved by manipulating the findings by removing two 'outliers' from the comparison group. When they were included, the ISSP saving over two years was put at £80,037 per case. The comparison group saving was higher at £81,820 per case over two years.¹⁰

After removal of the two 'outliers' the comparison group's saving was reduced to £72,033, allowing the claim that ISSP had saved £80,000 per start, compared with only £72,000 for the control group. The report claimed, 'it is standard practise to restrict applied work to the so-called 'well-behaved' observations'.¹¹ Few scholars would agree.

Drug treatment and testing orders

A Drug Treatment and Testing Order (DTTO) lasts between six months and three years, and includes three compulsory components: a treatment requirement; a testing requirement (at least once a week, but not usually more than once every three days); and a

provision specifying where the offender is to live. The results of a Home Office study found the two-year reconviction rate was 80 per cent. The completion rate was also low: 30 per cent finished the order and 67 per cent had the order revoked, mainly for noncompliance.¹²

There was a large variation in the proportion of orders completed between areas—from 71 per cent in Dorset to eight per cent in Kent. But in Dorset orders were usually for 6 months and required offenders to live in a probation hostel. Others typically made orders for 12 months with no residential requirement.

Offending Behaviour Programmes

The Home Office has put considerable effort into cognitive behavioural therapy, including schemes such as Reasoning and Rehabilitation, and Enhanced Thinking Skills. A Home Office study in 2003 acknowledged that the schemes failed: 'This evaluation found no differences in the two-year reconviction rates for prisoners who had participated in a cognitive skills programme between 1996-1998 and a matched comparison group'.¹³ Another Home Office study covering adult males from 1998-2000 found that the reconviction rate for the treatment group was 75.4 per cent and the control group 75.7 per cent.¹⁴

Breaches

Since 1994 the proportion of community sentences being breached has gone up, on average; and the proportion of breaches leading to custody has gone down. [Slide 1]

Solutions

There are four main groups of remedies.

1. Social investment, both public and private, in institutions that encourage a law abiding lifestyle, especially the family and schools.
2. Victim precautions to reduce the net advantages of crime (situational prevention), including reducing the opportunities for crime or increasing the trouble and expense.
3. Reducing the net benefits of crime by increasing the risk of detection and punishment.
4. Personalised programmes to reduce re-offending by convicted criminals. [Slide 2]

Social investment in moral education: Most people do not commit crime because they think it is wrong. A recent survey by the Youth Justice Board (YJB) asked young people aged 10-17 what had the biggest effect on stopping young people from committing crimes.

Two answers stood out: 'fear of being caught' (39%) and 'worry about how parents will react' (36%).¹⁵

Victim precautions: Burglar alarms, anti-theft devices for vehicles.

Reduce the net benefits of crime: More police; improved police tactics; build more prisons.
[Slides 3-6]

Rehabilitation: In-prison education can reduce offending and in-prison therapeutic communities can reduce drug dependency.

Education: A study of US prisons found that 8-12 years after release inmates who had worked in prison industries were 24 per cent less likely than the control group to have reoffended; and those who had undergone vocational training were 33 per cent less likely to have reoffended.¹⁶

Drugs: A Home Office survey of prisoners in 2001-02 found that 39% of prisoners interviewed had taken drugs whilst in their current prison, about one-third cannabis and 21%, heroin.¹⁷ The problem is so pervasive that prisoners who were trying to kick their habit complained to the Home Affairs Committee in 2004 that it was too easy to get drugs.¹⁸ The only effective solution is to subject every prisoner to a mandatory drug test on admission and to start treatment immediately.

Several US schemes have led the way in drug rehabilitation, including Key-Crest in Delaware.¹⁹ [Slide 7]

Further Information

[Slide 8]

Notes

¹ *A Five Year Strategy For Protecting the Public and Reducing Re-Offending*, Cm 6717, London: TSO, February 2006, p. 21.

² Speech at Oxford University, 10 May 2006, p. 7.

³ An updated version of this report was published as Sherman, L. et al., *Evidence-Based Crime Prevention*. London: Routledge, 2004.

⁴ Gray, E. et al. *The Intensive Supervision and Surveillance Programme: the Final Report*. London: YJB, 2005, p. 50. (Hereafter: ISSP: Final Report.)

⁵ ISSP: Final Report, p. 27.

⁶ ISSP: Final Report, p. 54.

⁷ ISSP: Final Report, p. 56.

⁸ ISSP: Final Report, p. 54.

⁹ ISSP: Final Report, p. 83.

¹⁰ ISSP: Final Report, pp. 79-80.

¹¹ ISSP: Final Report, p. 82.

¹² Hough, M., Clancy, A., McSweeney, T., Turnball, P.J., *The Impact of Drug Treatment and Testing Orders on Offending: Two-year Conviction Results*, Home Office Research Findings 184, 2003, (online: <http://www.homeoffice.gov.uk/rds/pdfs2/r184.pdf>).

¹³ Falshaw, L., Friendship, C., Travers, R., and Nugent, F., *An Evaluation of HM Prison Service Accredited Cognitive Skills Programmes*, Research Findings 206, London: Home Office, 2003; see also Findings 226.

¹⁴ Cann, J. et al., *Understanding What Works: accredited cognitive skills programmes for adult men and young offenders*, Findings 226, London: Home Office, 2003.

¹⁵ YJB, MORI *Five-Year Report: An Analysis of Youth Survey Data*. London: YJB, 2006.

¹⁶ Saylor, W.G. and Gaes, G.G., *PREP: Training Inmates through Industrial Work Participation and Vocational and Apprenticeship Instruction*, Washington, DC: US Federal Bureau of Prisons, 1996; Saylor, W.G. and Gaes, G.G., 'Training inmates through industrial work participation and vocational and apprenticeship instruction', *Corrections Management Quarterly*, vol. 1, no. 2, 1997, pp. 32-43.

¹⁷ Singleton, N., et al., The impact and effectiveness of mandatory drug testing in prisons, Home Office Findings 223, 2005. (70% had used drugs in the year before entering prison.)

¹⁸ Home Affairs Committee Session 2004-05, First Report, Rehabilitation of Prisoners, 9 February 2005.

¹⁹ Martin, S.S., Butzin, C.A., Saum, C.A. & Inciardi, J. (1999) 'Three-year outcomes of therapeutic community treatment for drug-involved offenders in Delaware: from prison to work release to aftercare', *The Prison Journal*, vol. 79, no. 3, pp. 294-320.