

Opinion

The Tories are tiptoeing to a prison revolution

Tough community sentences will persuade the doubters that there is an alternative to jail

Jonathan Aitken



Six weeks ago Crispin Blunt, the Prisons Minister, made a series of unannounced visits to groups of young offenders serving community sentences on projects in Hertfordshire and Bedfordshire. At the first group, the incognito minister discovered that only four of the twelve offenders had bothered to turn up. At the second, only five out of ten had. Dismayed by the prevailing rate of no-shows, for which the only sanction was that the absent offenders postponed their hours of rehabilitation work, Mr Blunt resolved to give punitive teeth to the community payback scheme.

His resolution has found its way into the Green Paper on criminal justice that the Government will publish today. Its principal purpose is to reduce Britain's stubbornly high reoffending rates. More than 60 per cent of prisoners, and 74 per cent of young ones, commit crimes within two years of release. The cost of this was put at £15 billion by the previous Government.

Faced with these figures, Kenneth Clarke, the Justice Secretary, has come to believe that prison often does not work, particularly for short-term offenders. I have not gone soft on crime because I have been to prison, but I am on the Justice Secretary's side of the argument, unlike many

Conservatives and voters. Because of these tensions, the breezy clarity of Mr Clarke's reforming zeal has had to be "veiled in the decent obscurity of a learned language". Gibbon's phrase can easily be applied to the Green Paper's delphic jargon on issues such as community payback and restorative justice conferencing.

Yet beneath the technicalities, today's announcements will open the door for a revolution in how offenders will be punished and rehabilitated. One of the biggest frustrations is that community sentences are perceived to be too soft compared with prison. The perception can be right, as Mr Blunt discovered.

So a package of carrot-and-stick reforms has been devised to deliver community sentences more robustly. A young offender who fails to turn up will, without further recourse to the courts, have to pay a fine. If the fine is not paid, assets such as his mobile

Reoffending rates in Britain remain stubbornly high

phone or CD player will be seized by bailiffs.

Stricter rehabilitation will be successful only when it reduces the rate of reoffending. So the Government is introducing six payment-by-result schemes. Operators will get paid after they have reduced the rate of reoffending by released prisoners by at least 7.5 per centage points from the present average level of 61 per cent. This target may be too



Kenneth Clarke had disguised his reforming zeal in "learned language"

modest, but the principle is right.

Meanwhile, there is plenty of evidence about what works. Initiatives such as disciplined mentoring (often by reformed ex-offenders), entry into jobs programmes and advice with job finding can guide many former prisoners into law-abiding lives.

Yet there is a worry that payment by results could merely mean big contracts for big companies. Everyone at the coalface of offender rehabilitation knows that the best results are often achieved by small platoons from the voluntary sector. Local charities, such as Surrey Jobmatch, which finds 60 jobs a year for men and women coming out of jail with employers around Dorking, should be encouraged.

The loudest complaints from Tory backbenchers may focus on reforms to IPP sentencing — indeterminate public

protection sentences, introduced by the previous Government. When they were introduced in 2003, ministers estimated that a maximum of 900 prisoners might fall into this category. Seven years later there are more than 6,000 IPP inmates in Britain's jails. These are men who have committed serious crimes of violence or sexual assault. Some will change during their long incarceration; others may remain dangerous. But should those in the first category continue to serve sentences that remain effectively limitless? More than 2,500 IPP prisoners have gone beyond the tariff recommended by their sentencing judge. The Parole Board cannot deal with the backlog of cases.

Currently, to be released they must prove that they are no longer a risk to society. But Mr Clarke plans to give the Parole Board greater discretion to order their release — a watered-down version of his original plans to abolish IPPs altogether.

The Green Paper's proposals are likely to free up many more than their stated target of 3,000 places over the next four years. Nobody dares to say that, but if it happens because of a drop in reoffending, the cheers will drown out the complaints.

Jonathan Aitken was a Conservative MP from 1974 to 1997

OpEd Live, from 1pm
Watch Jonathan Aitken on why tough community sentences are the answer
thetimes.co.uk/opinion