



PRESS RELEASE

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30 June 2010

Alternatives to short term custody

The Magistrates' Association welcomes with caution the promise made today by the Justice Secretary, Ken Clarke, in his speech to the Centre for Crime and Justice Studies to provide "*rigorously enforced community sentences that punish offenders whilst at the same time helping them get off drugs and alcohol and into work.*"

John Thornhill, Chairman of the Magistrates' Association, said, "The Magistrates' Association has always sought viable and strong alternatives to short term custodial sentences but magistrates have long been frustrated that these have not been readily available across the country."

It is stated that "*it is virtually impossible to do anything productive with offenders on short sentences,*" but many of these offenders have persistently failed to comply with community orders and so leave the magistrates with no alternative but to impose a custodial sentence. Currently six court areas are piloting Intensive Alternatives to Custody (IAC) programmes with the intention to *divert people from short term custody; reduce re-offending with a difficult offender group; control, change, integrate; develop new partnerships to deliver interventions; increase confidence in community sentences.* Magistrates sentencing offenders to this programme are enthusiastic and say it is a productive alternative to custody. However, the plans of the last government were to remove the funding for them in March 2011 and we would urge the present government to seriously consider their extension and availability to all courts.

Where viable alternatives have been made available through the probation service and third sector agencies there has been a reduction in the use of short term custodial sentences which according to Ministry figures have fallen consistently for the last 18 months by up to 15%. At any one time only about 5% of the prison population is serving a short term sentence.

In March this year the National Audit Office reported that the recidivism rate for short term sentences was 60%, but it should be noted that this is only 22% worse than the rate for community sentences which is 38%. The same office reported two years ago that some criminals given community sentences were routinely allowed to skip community work and other requirements because probation

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officers do not properly enforce the rules. Magistrates and the public must have confidence that community penalties are widely available, managed effectively and rigorously enforced.

The MA supports the principle of ‘intelligent sentencing’ to reduce reoffending and will fully engage with the discussions and debates. It has considered these issues in detail and has constructive suggestions which it will share with the Lord Chancellor in a meeting next week and with policy makers.

END For further information contact Ann Flintham 020 7387 6099/ 07812 038889

Notes for Editors

2011 will be the 650 anniversary of the institution of the office of Justice of the Peace (JP) and a senior judge recently stated that *its members have served the justice system with distinction ever since*. Currently nearly 29,000 men and women - known as JPs or magistrates - deal with 95% of all criminal cases brought before courts and a significant number of civil matters including family work. Magistrates are not paid for attending court, receiving only modest expenses, subsistence and small recompense for any loss of earnings. They have to attend training, are mentored and regularly appraised and work within guidelines.