

## Candidate 1 evidence

### Prison is a Costly Waste of Time



Word Count: 5,398

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## Justification

There is a growing wealth of evidence that prison is both astronomically expensive and ineffective at reducing crime rates. The jurisdictions of Scotland and England and Wales have the highest imprisonment rates in all of Western Europe.<sup>1</sup> Politicians are desperate to market themselves as “tough on crime” despite the mounting evidence that at best, prison sentences have no impact on a person’s likelihood to re-offend, and at worst increase the risk of re-offending.<sup>2</sup> We are in the midst of a severe overcrowding crisis, and it is therefore imperative that we ask whether these prisons are working as intended or if there is a better option. Without Government intervention the prison population of England and Wales is projected to reach 112,300 by the end of 2032, with each place costing many thousands of pounds annually.<sup>3</sup> The solution should be a simple one: stop sending people to prison. However, public opinion, the media, and politicians’ refusal to utilise creative, evidence-backed solutions has left us with a system that we all know – but refuse to admit – is failing.

Chapter One of this dissertation will discuss the use of prison in the UK and abroad. It will look at the failures of the prison system in Scotland, the UK and the US, highlighting the high recidivism rates and a lack of rehabilitation in these systems which focus on the harsh punishment of offenders. It will also consider the merits of alternative, humane prison systems, such as the system in Norway which focuses on rehabilitation and reintegration. The system in Norway has inspired projects from the Scottish Prison Service<sup>4</sup> which makes it a relevant example when discussing potential reforms to the Scottish and British prison systems. Chapter Two will examine alternatives to Prison

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<sup>1</sup>Prison Reform Trust, “Bromley Briefings Prison Factfile,” February 2024, <https://prisonreformtrust.org.uk/wp-content/uploads/2024/02/Winter-2024-factfile.pdf>.

<sup>2</sup>Jarryd Bartle, “We Know That Prison Doesn’t Work. So What Are the Alternatives?” | Jarryd Bartle,” the Guardian (The Guardian, August 16, 2019), <https://www.theguardian.com/commentisfree/2019/aug/16/we-know-that-prison-doesnt-work-so-what-are-the-alternatives>.

<sup>3</sup>Ministry of Justice, “Independent Sentencing Review: History and Trends in Sentencing,” GOV.UK, February 18, 2025, <https://www.gov.uk/government/publications/independent-sentencing-review-history-and-trends-in-sentencing>.

<sup>4</sup>Kaigan D. Carrie, “Prison Officer Training in Scotland and Norway: Is It Fit for Purpose?,” *Prison Service Journal*, no. 267 (July 3, 2023), <https://www.crimeandjustice.org.uk/prison-service-journal-267>.

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with a focus on community justice and assess potential applications for community justice in Scotland/the UK. This chapter highlights the need to reform the justice system and focus it on community alternatives to incarceration, while discussing the failures of politicians to implement these evidence-based reforms, due in part to accusations of “soft justice” when such reforms are proposed.

This dissertation will argue that overall, prison is a costly waste of time in the majority of cases. There are instances where prison can be both effective and necessary, however places in prison are expensive and community corrections are often much cheaper and more effective, which makes them a better use of public finances. Community based alternatives to prison tend to have a larger focus on rehabilitation and reintegration, whereas prison can have a negative impact on people’s ability to re-integrate with society.<sup>5</sup> We therefore cannot justify sending such high numbers of people to prison – something so costly and damaging – when obvious alternatives exist.

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<sup>5</sup> Bartle, “We Know That Prison Doesn’t Work”

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## Evaluation of Research Methods

Both primary and secondary data was used in researching this dissertation in order to gain a depth of understanding on the issues along with validating information from multiple sources. A variety of sources clearly supported my hypothesis which helped me build a clear line of argument

The most useful and reliable primary research was the series of open-ended questions in the format of an online questionnaire sent to Scott Smith, Learning, Development, and Innovation lead at Community Justice Scotland. The questions were tailored to my research and the answers were detailed and extremely informative. I was able to tailor the questions in such a way due to my in-depth secondary research which gave me a base upon which to further investigate the issues. I was aware of the gaps in my knowledge and what areas I wanted to ask questions on. I decided that the online form was a better alternative to an interview in this instance as I had already attended a short presentation by Scott Smith about community justice, along with presentations by others, which meant while I had conducted primary research, it was lacking the structured, detailed, answers that an online form could provide. Consulting written answers proved much easier and more beneficial than the sparse notes from other presentations. In the form I requested express permission to use the respondent's name and job title. He was fully aware of where his responses would be used, and able to withdraw consent for his responses to be used at any point. This mitigated against ethical issues in using an individual's personal responses because he gave his full, informed consent to participate in the research.

Other primary research involved attending presentations by those with relevant experience in the criminal justice system, including Karyn McClusky, the Managing Director of the Bella Community Custody Unit, Peter Smith and Scott Smith from Community Justice Scotland, and Nancy Loucks and Eilidh Graham from the national charity *Families Outside*. These presentations were less useful than the online questionnaire because notes were minimal and the presentations non-specific. Little

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of the content specifically related to my question of prison being “a costly waste of time”. If I was to repeat similar research in the future I would write more detailed notes during the presentations, as my minimal notes meant I retained little information from each talk, however this was made up for later by the questions I sent to Scott Smith and by secondary research on related topics. The talks were most useful as a starting point for furthering my understanding of the justice system and its faults.

Secondary research was most useful in providing specific statistics and introducing me to ideas which I could expand upon by asking experts questions. I used various sources including reports from the Prison Reform Trust and the Scottish Sentencing Council which provided clear quantitative data.

I also used several articles from ‘The Conversation’ as a starting point for my secondary research. All articles published on the site are written by those with academic credentials and some expertise in the field, which increases their reliability and means views stated are those of experts. These articles, along with some publications from the Howard League for Penal Reform, provided a basis for my overall argument as they heavily scrutinised the justice system and I could use the data they provided to back up my argument.

In order to expand upon the arguments in these sources, I needed information about current practices within the justice system in regard to prison and to community alternatives, in which case sources directly from the Scottish government were useful as they detailed government policy and some of the reasons for such policies. However, these sources often lacked specificity and tended to be brief, which is why I have utilised primary research so heavily in my second chapter. Alongside my primary research I consulted Nick Robinson’s interview with David Gauke on the Today program on the 18<sup>th</sup> of February, while the interview was brief, it provided a lot of insight into the current faults in the justice system in England and Wales. The interview was clear and concise, which is why it is quoted multiple times in chapter two of this dissertation. The interview also led me to read part one of the sentencing review that was being

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discussed, which provided useful statistics about the state of prisons in England and Wales.

Academic sources were largely used to support my argument about the failure of prisons and why, specifically in the UK, we have increased sentence lengths over the past few decades, making the problem worse. These sources provided insight into the issue and helped form an overall argument.

If I was to repeat the research, I would have more heavily consulted official statistics and reports from the early stages of my research, rather than later in the process. This is because they are useful to build upon and help structure an argument based on specific data.

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## Chapter One: Does Prison Work?

The Chief Executive of Community Justice Scotland, Karyn McClusky, says, "Prison doesn't work"<sup>6</sup> and by this she means it doesn't stop people committing crime. There are several schools of thought behind how and why prison is *meant* to work, yet these theories possess little to no evidence to support them. Our current prison system in the UK is based on outdated and archaic perceptions of criminality. We have failed to modernise as a result of perpetual budget cuts<sup>7</sup> and a simple lack of compassion for offenders. Prison is not fit to serve the functions we claim it is for; deterrence, rehabilitation, and protection of the public (incapacitation). Prison only fulfils its role in punishment<sup>8</sup> and as such is ineffective. Prisons are chronically underfunded and overcrowded which reduces their capacity to rehabilitate those in them.<sup>9</sup> Prison in the UK is also constructed around punishment and a desire to simply place criminals elsewhere and ignore them, which can be seen in the continued use of our clearly outdated Victorian prisons which make up around a third of the operational prisons in England and Wales.<sup>10</sup> Our prison system is an abject failure, as are many of those around the world. In recent decades there have been some attempts in various nations to move to a more progressive prison system – most notably in the Nordic region, particularly Norway – but this has not been achieved in the majority of cases globally and many of the issues with the British prison system are shared internationally.

The largest failure of our prison system is that the experience of prison itself does not decrease but increases the likelihood of committing crime.<sup>11</sup> It is not just the case that prison involves mixing almost exclusively with other criminals, but that going to prison

<sup>6</sup> Presentation at George Watson's Advanced Higher Modern Studies Conference, December 2024

<sup>7</sup> Joseph Hale, "Does Prison Work? A Comparative Analysis on Contemporary Prison Systems in England and Wales and Finland, 2000 to Present," 2020, [https://www.wlv.ac.uk/media/departments/faculty-of-social-sciences/documents/wolverhampton-law-journal/edition-4/\(2020\)-4-WLJ-64.pdf](https://www.wlv.ac.uk/media/departments/faculty-of-social-sciences/documents/wolverhampton-law-journal/edition-4/(2020)-4-WLJ-64.pdf).

<sup>8</sup> Hale, "Does Prison Work?"

<sup>9</sup> Howard League for penal reform, "Sentence Inflation: A Judicial Critique," September 2024, [https://howardleague.org/wp-content/uploads/2024/09/Sentencing-inflation-a-judicial-critique\\_September-2024-1.pdf](https://howardleague.org/wp-content/uploads/2024/09/Sentencing-inflation-a-judicial-critique_September-2024-1.pdf).

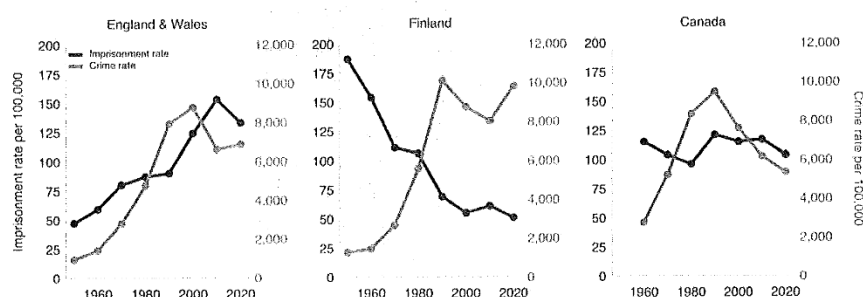
<sup>10</sup> Hale, "Does Prison Work?"

<sup>11</sup> Joseph Margulies, "Why Prisons Are Criminogenic," verdict.justia.com, January 3, 2022, <https://verdict.justia.com/2022/01/03/why-prisons-are-criminogenic>.

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is traumatic. There is substantial evidence proving childhood trauma increases the risk someone will display violent or criminal traits when they are an adult,<sup>12</sup> which implies the situation resulting from trauma experienced as an adult would be similar. Our prison system is hardly a peaceful or safe environment. There are between 6,000 and 9,000 assaults on staff every year in prisons in England and Wales and self-inflicted deaths are nearly four times more common amongst men in prison than general population.<sup>13</sup> We know that mental health issues indicate an increased likelihood of committing crime yet continue to place those who commit crimes in an environment that actively damages their mental health.

Prison does not work because the evidence shows there is no relationship between prison and crime rates.<sup>14</sup> If prison worked, sending in more people would reduce crime. If prison doesn't reduce crime, then it isn't serving its purpose and is a waste of resources.



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The continued use of prison is then justified as a punishment; however, punishment is rarely effective in deterring reoffending. We see this in our own system in the UK

<sup>12</sup> Müge Cantürk, Haydeh Faraji, and Ahmet Tezcan, "The Relationship between Childhood Traumas and Crime in Male Prisoners," *Anatolian Journal of Psychiatry* 22, no. 1 (January 19, 2021): 56–60, <https://doi.org/10.5455/apd.111825>.

<sup>13</sup> Prison Reform Trust, "Bromley Briefings"

<sup>14</sup> Prison Reform Trust, "Bromley Briefings"

<sup>15</sup> Prison Reform Trust, "Bromley Briefings"

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where recidivism is high,<sup>16</sup> and in the US – the incarceration capital of the world – which imprisons 700 out of 100,000 and where 71% of people are reconvicted within five years.<sup>17</sup> So here it comes down to whether the intention of the penal system is to punish offenders, or to be effective at reducing crime. It does the latter poorly. The reason that prison (in the US and UK systems) fails to reduce offending is primarily because it is not rehabilitative. The UK has attempted some small-scale rehabilitation schemes,<sup>18</sup> but as of yet it is not a keystone of the prison system. The US has a more purely retributive system, where criminals are to do time in order to “pay” for what they have done; this “eye for an eye” philosophy is the most primal and least evidence-based element of the penal system.<sup>19</sup> Punishment may make us feel a sense of justice, but it fails to reduce crime and therefore prisons, such as those in the US and UK, which focus on it are failing.

Another justification for prison is incapacitation or protection of the public, the justification for much the UK’s sentencing legislation in the past decades which has created an overcrowding problem and reduced the effectiveness of our prisons in terms of rehabilitation.<sup>20</sup> Protection of the public is a necessary function of the prison system; however, it is not effective. As previously stated, prison population has no correlation to crime rates, and this is because criminals are only “incapacitated” for as long as their sentence lasts, at which point they are released back into the community with the exact same (or increased) risk of committing crime. A substantial 37% of prison sentences being served in UK prisons are for six months or less, additionally, prison sentences of 12 months or less have a higher re-offending rate than community

<sup>16</sup> Siddhartha Bandyopadhyay, “Why Rehabilitation – Not Harsher Prison Sentences – Makes Economic Sense,” *The Conversation*, March 24, 2020, <https://theconversation.com/why-rehabilitation-not-harsher-prison-sentences-makes-economic-sense-132213>.

<sup>17</sup> Denis Yukhnenko, Leen Farouki, and Seena Fazel, “Criminal Recidivism Rates Globally: A 6-Year Systematic Review Update,” *Journal of Criminal Justice* 88, no. 1 (September 1, 2023): 102115–15, <https://doi.org/10.1016/j.jcrimjus.2023.102115>.

<sup>18</sup> Bandyopadhyay, “Why Rehabilitation [...]”

<sup>19</sup> David Carter and Kate McLean, “7.2. Retribution,” *Psu.pb.unizin.org*, 2019, <https://psu.pb.unizin.org/criminaljusticemclean/chapter/9-2-retribution/>.

<sup>20</sup> Jessica Jacobson and Mike Hough, “Missed Opportunities and New Risks: Penal Policy in England and Wales in the Past 25 Years.” (Birkbeck Institutional Research Online, 2018), <https://eprints.bbk.ac.uk/id/eprint/20518/1/PQ%2089%201%20Jacobson%20and%20Hough.pdf>.

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orders.<sup>21</sup> This suggests that prison is less effective than the cheaper<sup>22</sup> alternative. While yes, there is a need to separate dangerous individuals from the rest of society (at least until they can be considered trustworthy), the majority of people in UK prisons are there for non-violent offences<sup>23</sup> in which case prison is deemed useless, as it has already been established as an ineffective deterrent and ideas about retribution are flawed.

There will unfortunately always be a need for prisons in some capacity because there will always be people who are too dangerous to have in society, to which there is a solution. Prisons can exist without all the problems we see in current mainstream UK prisons. One of the few progressive prisons in the UK is the Bella Centre in Dundee. The Bella Centre is a "trauma informed and gender specific"<sup>24</sup> women's community custody unit which focuses on rehabilitation and reintegration of low-risk offenders nearing the end of their sentence and there are hopes it will become the model for more new prisons in Scotland and the UK. The facility is made up of three shared houses and can hold sixteen people.<sup>25</sup> Each cell/dorm has an ensuite and a phone. There are communal kitchens and shared social spaces. In an interview, when questioned on the fact that some may say the centre is unnecessary costly in terms of its "niceness" and overall design, the Unit Manager said that while yes it was expensive, so were prison riots, and trying to cut costs when it comes to rehabilitation of people with complicated personal histories and circumstances could easily backfire.<sup>26</sup> He pointed out that the punishment was loss of personal freedom, nobody needs the additional punishment of poor conditions.<sup>27</sup> This is a very similar philosophy to the Norwegian prison system; "In Norway, the punishment is just to take away someone's

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<sup>21</sup> Prison Reform Trust, "Bromley Briefings"

<sup>22</sup> Anthony Morgan, "How Much Does Prison Really Cost? Comparing the Costs of Imprisonment with Community Corrections | Australian Institute of Criminology," [www.aic.gov.au](http://www.aic.gov.au), April 24, 2018, <https://www.aic.gov.au/publications/rr/rr5>.

<sup>23</sup> Prison Reform Trust, "Bromley Briefings"

<sup>24</sup> Scottish Prison Service, "Bella Centre | Scottish Prison Service," [www.sps.gov.uk](http://www.sps.gov.uk), accessed January 1, 2025, <https://www.sps.gov.uk/prisons/bella-centre>.

<sup>25</sup> Scottish Prison Service, "Bella Centre"

<sup>26</sup> Appendix A.

<sup>27</sup> Appendix A.

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liberty. The other rights stay. Prisoners can vote, they can have access to school, to health care; they have the same rights as any Norwegian citizen. Because inmates are human beings. They have done wrong, they must be punished, but they are still human beings."<sup>28</sup> However, Norway does receive criticism for their system being so expensive; each prisoner costs around \$93,000 per year which is around double the cost of a prisoner in the UK for the same time and around three times as much as the average in the US.<sup>29</sup> However, the extra expense per prisoner does not mean the extra net expense has to be astronomical. Norway sends substantially less people to prison, with an incarceration rate of only 0.054% compared to 0.146% in England and Wales<sup>30</sup> and their recidivism rate after five years is a low 25% where as in the UK it is as high as 50% after just one year.<sup>31</sup> This is evidence both that investing in the prison system works, and that upfront costs of building new prisons and spending more per prisoner will not be astronomically expensive forever as crime rates decrease and there are simply less prisoners to house.

Unlike the Bella Centre which is specific to low-risk prisoners, Norway has managed to make this prison model fit high security prisoners, notably at Halden prison. They have a "dynamic security" approach which involves the presence of prison officers throughout the prison spaces to supervise prisoners. This doesn't mean they are constantly watching; it means they are taking part in activities and socialising with the prisoners.<sup>32</sup> The prisoners are therefore safe (from fighting with each other) and are less likely to attempt drug dealing with one another.<sup>33</sup> The Norwegian prison system, in contrast to the UK's, is built for the purposes of reintegration from day one. Prisoners can obtain exam qualifications and even degrees, many will be fully qualified in trades

<sup>28</sup> Emma Jane Kirby, "How Norway Turns Criminals into Good Neighbours," *BBC News*, July 7, 2019, <https://www.bbc.co.uk/news/stories-48885846>.

<sup>29</sup> First Step Alliance, "Rehabilitation Lessons from Norway's Prison System," First Step Alliance, January 3, 2022, <https://www.firststepalliance.org/post/norway-prison-system-lessons>.

<sup>30</sup> Prison Reform Trust, "Bromley Briefings"

<sup>31</sup> Kirby, "How Norway [...]"

<sup>32</sup> Kirby, "How Norway [...]"

<sup>33</sup> Kirby, "How Norway [...]"

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in order to get jobs by the time they leave.<sup>34</sup> There are no life sentences in Norway, so they take a humanising approach, “we [the prison] are releasing your neighbour [...] If we treat inmates like animals in prison, then we will release animals on to your street.”<sup>35</sup> They also attempt to make life inside the prison mimic life outside as closely as possible, again to prepare inmates to leave and to create an atmosphere of independence, trust, and respect.<sup>36</sup> A prison system like Norway’s is the solution to the people we are afraid of. If we cannot trust them in the community, then they have to be incarcerated until we can, but that doesn’t mean dehumanised. This is a prison fit for purpose; however, it is an unfortunate fact that there are few prison systems across the world which share Norway’s philosophy.

When discussing the success and failures of prison, representatives of Community Justice Scotland spoke about how we need to separate those we are angry at from those we are afraid of.<sup>37</sup> The only people who need to be in prison are those we are afraid of, and while we may be angry at other offenders, anger and punishment do not lead to lower crime levels and actually risk increasing them. When 58% of prisoners in England and Wales are there for non-violent offences,<sup>38</sup> we have to question the reasoning behind their sentence, because the evidence suggests it is a bad idea.

Overall, prison as we know it in the UK does not work. reoffending rates are high, and prisoners are suffering terrible conditions. While there is promise of future reform in the Bella Centre project, the overall picture of the prison system is one not fit for purpose. The ideal prison model can be seen in Norway. However, this kind of approach is difficult to implement, and not only from an expenses point of view. Norway’s prisons are expensive, but the financial aspect can be overcome; the biggest barrier is our attitudes to prison and the Justice System. The reason our prisons have become so overcrowded in the UK is due to a “tough on crime” approach from politicians who

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<sup>34</sup> Kirby, “How Norway [...]”

<sup>35</sup> Kirby, “How Norway [...]”

<sup>36</sup> Kirby, “How Norway [...]”

<sup>37</sup> Presentation at St George’s School Edinburgh by Peter Smith and Scott Smith from Community Justice Scotland

<sup>38</sup> Prison Reform Trust, “Bromley Briefings”

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have implemented longer, harsher sentences for a variety of crimes in order to garner support from the media and public opinion.<sup>39</sup> Outdated ideas about prison and justice still persist in the UK, preventing the implementation of a policy like we see in Norway on the wider scale. It is possible for prison to work, but currently in the UK it is an abject failure.

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<sup>39</sup> Jessica Gallagher, "How a Doubling of Sentence Lengths Helped Pack England's Prisons to the Rafters," The Conversation, September 19, 2024, <https://theconversation.com/how-a-doubling-of-sentence-lengths-helped-pack-englands-prisons-to-the-rafters-239242>.

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## Chapter Two: What Are the Alternatives to Prison and Why Are They So Difficult to Implement?

Prison is one of many methods of punishment or rehabilitation employed by the criminal justice system. As shown in chapter one, it is also the least effective and most overused. There are alternatives to prison that have been shown to be more effective, most notably community justice focused approaches and rehabilitation schemes. These do exist in Scotland but are not yet widely enough utilised in order to reduce overreliance on our overcrowded prisons. Community Justice Scotland is working to use these approaches more widely. The Scottish sentencing council regularly uses community payback orders as an alternative to short prison sentences, yet still more can be done to avoid short prison sentences and improve these community-based schemes.

Community payback orders are the most obvious alternative to prison. Community sentences in Scotland most often involve some kind of unpaid work in the community, while under supervision from a criminal justice social worker, and can include mental health or drug/alcohol abuse treatment if the court deems these issues relevant to the offending behaviour.<sup>40</sup> CPOs can often be accompanied by drug and alcohol testing or electronic monitoring.<sup>41</sup> Community sentences are proven to reduce reoffending in almost all cases they have been tested in.<sup>42</sup> This is because they are able to keep people in their community and around their support network/family and do not necessarily require they give up their jobs to go to prison.<sup>43</sup> CPOs give people the opportunity to repent for their crimes and feel a sense of justice without the damage of short prison

<sup>40</sup> Scottish Sentencing Council, "Community Sentences," Scottish Sentencing Council, accessed February 19, 2025, <https://www.scottishsentencingcouncil.org.uk/sentencing-information/community-sentences>.

<sup>41</sup> Scottish Government, "Electronic Monitoring: Uses, Challenges and Successes - Gov.scot," [www.gov.scot](https://www.gov.scot/publications/electronic-monitoring-uses-challenges-successes/pages/4/), April 2019, <https://www.gov.scot/publications/electronic-monitoring-uses-challenges-successes/pages/4/>.

<sup>42</sup> Scottish Sentencing Council, "Community Sentences"

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sentences. Scott Smith, Learning, Development, and Innovation Lead at Community Justice Scotland said, on the topic of short prison sentences,

“Prison by its nature in the short-term setting creates more chaos - it can drive people away from social support, make people unemployed, increase contact with other criminals, and ultimately increase stigma - it's difficult to imagine how [...] anybody can argue this as a constructive intervention.”<sup>44</sup>

There is no reasonable, compassionate argument against replacing short sentences for non-violent offenders with community sentences. Prison is unimaginably damaging not only to the offender but their family. Eilidh Graham, a woman affiliated with the charity *Families Outside* and who has experience with a son in the justice system, said that “we have to” encourage more non-custodial sentences, saying she didn’t believe her son ever needed to go to prison at such a young age, emphasising that “there is so much more we can do before someone goes into prison” and it should be a last resort because people “are all coming out a lot worse than they came in.”<sup>45</sup> Britain’s prisons minister, Lord Timpson, has previously said that only one third of the people in our prisons actually need to be there.<sup>46</sup> This is not to say people who commit crimes should just be ignored by the justice system, it is to say prison itself is damaging and unnecessary for the majority of people in it. Community Sentences are simply more effective at reducing reoffending<sup>47</sup> and therefore making the country safer – which should be the overarching goal of the justice system.

Criminality driven by substance abuse specifically needs to be treated as a medical issue rather than a moral failing which deserves punishment. Prison is even more

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<sup>44</sup> Appendix B

<sup>45</sup> Appendix C

<sup>46</sup> Francis Pakes, “British Jails Are at a Breaking Point – Here’s How the Dutch Halved Their Prison Population,” *The Conversation*, July 9, 2024, <https://theconversation.com/british-jails-are-at-a-breaking-point-heres-how-the-dutch-halved-their-prison-population-234218>.

<sup>47</sup> Appendix B

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flawed as a response to drug offences because of how common drugs are in prison.<sup>48</sup> DTTOs, Drug Treatment and Testing Orders, are a useful alternative to custody for those with drug-related patterns of offending who need help to stop using. DTTOs are a step down from a CPO where offenders whose behaviour is directly linked to substance abuse voluntarily take part in a treatment program which requires regular testing, if the conditions of the order are not met (they fail to attend check-ins or are found to be using) then they can be sentenced to a CPO or prison.<sup>49</sup> DTTOs are not a sentence themselves, rather court mandated rehabilitation, but they can also be issued in combination with a CPO, fine, or restricted movement.<sup>50</sup> They can be instrumental in helping people recover from drug abuse, which will likely prevent them re-offending. DTTOs are more common amongst first time or low-level offenders, a DTTO is essentially a second chance to get clean without receiving a criminal conviction. Karyn McClusky is on record saying that DTTOs are “controversial but can have a dramatic effect”<sup>51</sup> they are able to give offenders an end goal which will improve their quality of life, rather than a punishment to endure. However, the majority of DTTOs are not successfully completed in full.<sup>52</sup> This clearly hampers their effectiveness, although, the DTTO is not entirely useless because it has failed. One failed attempt at getting clean will make the next attempt easier. DTTOs are a starting point for people with addictions, and will be far more beneficial than a short prison sentence, where people often come out with worse drug addictions than when they went in.<sup>53</sup> This makes them a useful alternative to prison for people with substance abuse problems which can be

<sup>48</sup> Chris Clements, “Psychoactive Drugs Making Inmates Violent and Aggressive,” *BBC News*, October 2, 2023, sec. Scotland, <https://www.bbc.co.uk/news/uk-scotland-66985699>.

<sup>49</sup> The Scottish Government, “Community Sentencing Options for People with Substance Use Problems: Review Findings Summary,” Gov.scot (The Scottish Government, August 31, 2023), <https://www.gov.scot/publications/review-community-sentencing-options-people-substance-use-problems-summary-key-findings/pages/4/>.

<sup>50</sup> The Scottish Government, “Community Sentencing Options”

<sup>51</sup> Karyn McClusky, “Scotland’s Drug Treatment and Testing Orders (DTTO) Are Controversial but They Can Have a Dramatic Effect,” *Scotsman.com* (The Scotsman, February 6, 2023), <https://www.scotsman.com/news/opinion/columnists/scotlands-drug-treatment-and-testing-orders-dtto-are-controversial-but-they-can-have-a-dramatic-effect-karyn-mccluskey-4013838>.

<sup>52</sup> *Glasgow Times*, “Increase in Offenders Failing to Complete Drug Treatment and Testing Orders,” *Glasgow Times*, February 3, 2020, <https://www.glasgowtimes.co.uk/news/18207479.increase-scottish-offenders-failing-complete-drug-treatment-testing-orders/>.

<sup>53</sup> Chris Clements, “Psychoactive Drugs”

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instrumental in recovery and a first step towards rehabilitation and preventing reoffending. DTTOs offer support to offenders alongside consequences if they fail to meet the conditions of the DTTO. There exists both intrinsic motivation from the offender who understands staying clean will improve their quality of life, and external motivation from the threat of harsher sentencing if the DTTO is failed. DTTOs are therefore an important tool that should be more widely utilised in cases of drug related offending.

There is, however, a barrier to implementing wider use of CPOs and DTTOs. The fact remains that we are living in a society obsessed with punishment and retribution, where we refuse to treat offenders kindly or this is termed “soft justice”. Punitive populism reigns supreme in conversations about criminal justice in Scotland and the UK, making it difficult to implement community justice centred approaches more widely despite the wealth of evidence supporting them as the better alternative. We would rather be angry at people and deprive them of the resources to better their situations than provide access to evidence-based programs.<sup>54</sup> 56% of people in Scotland believe sentences are too lenient, despite the average person also overestimating the number of convictions resulting in a prison sentence.<sup>55</sup> Additionally, 48% of people believed community sentences do not help reduce reoffending,<sup>56</sup> contrary to the evidence which suggests they are more effective than prison. The prevalence of these misconceptions about community justice and the idea current sentencing legislation is too lenient fuels the constant increase in sentence lengths which has caused so much damage in the UK.

Community justice being more effective than incarceration is evidently not enough to change the justice system in Britain. Therefore, the cost of prison must be highlighted in comparison to community alternatives. Prison is expensive, and former justice

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<sup>54</sup> Appendix B

<sup>55</sup> Carolyn Black et al., “Public Perceptions of Sentencing National Survey Report,” 2019, <https://www.scottishsentencingcouncil.org.uk/media/1996/20190902-public-perceptions-of-sentencing-report.pdf>.

<sup>56</sup> Black et al., “Public Perceptions of Sentencing”

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secretary David Gauke is on record saying that prison is an ineffective use of public finances; he says that the average prison place in England and Wales costs £51,000 a year<sup>57</sup> and this is money not being invested into mental health support and programs to combat drug and alcohol abuse, saying, “we can spend money much more efficiently [...] prisons are expensive”.<sup>58</sup> Gauke criticises the media for fuelling public outrage which demands longer and longer sentences, which forces politicians to enter a “bidding war”<sup>59</sup> in a kind of penal populism which has grown in prominence in politics over the past 25 years.<sup>60</sup> This encourages politicians to repeatedly extend sentences, which has in part caused the overcrowding problem we now face and is again expensive and ineffective.<sup>61</sup> Gauke calls out “our addiction to longer sentences” as “an expensive mistake.”<sup>62</sup> Research funded by the Australian Government found that not only was the cost of community corrections far cheaper than imprisonment (by thousands of dollars per person), the study also suggested that imprisonment had the ability to decrease the future earning prospects of the convicted person, and that the potential criminogenic effect of prison would exasperate this cost as they are more likely to return to prison and serve a longer sentence.<sup>63</sup> Other studies have also suggested rehabilitative alternatives to prison are more financially viable.<sup>64</sup>

Public opposition can stem from fear and the need for protection of the public from dangerous/violent offenders, a survey in Scotland revealed that public protection was the most important purpose of sentencing.<sup>65</sup> Prison is then necessary in this circumstance, and we should look to progressive/rehabilitation focused prison systems

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<sup>57</sup> Nick Robinson and David Gauke, “Today,” Radio (BBC Radio 4, February 18, 2025, 7:35-7:42am), <https://www.bbc.co.uk/sounds/play/m00282z8>.

<sup>58</sup> Gauke, “Today”

<sup>59</sup> Gauke, “Today”

<sup>60</sup> Ministry of Justice, “Independent Sentencing Review: History and Trends in Sentencing,” GOV.UK, February 18, 2025, <https://www.gov.uk/government/publications/independent-sentencing-review-history-and-trends-in-sentencing>.

<sup>61</sup> Ministry of Justice, “Independent Sentencing Review”

<sup>62</sup> Gauke, “Today”

<sup>63</sup> Morgan, “How Much Does Prison Really Cost?”

<sup>64</sup> Bandyopadhyay, “Why Rehabilitation [...]”

<sup>65</sup> Carol Eden, “Public Survey Reveals Attitudes to Sentencing in Scotland - Victim Support Scotland,” Victim Support Scotland, September 2, 2019, <https://victimsupport.scot/about-us/news-list/public-survey-reveals-attitudes-to-sentencing-in-scotland/>.

Word Count: 270

such as Norway's. However, there are ways to manage risk within the community for many offenders. When it comes to sexual offenders, there are evidence-based community education programs that have been shown to be effective in the community.<sup>66</sup> This is not to say every violent or sexual offender can or should be placed in the community, it is to say that individual risk assessments should be done when sentencing and the goal should be to keep people in the community as often as possible.

This can be assisted by the use of Electronic Monitoring. Tracking or EM is "underused and at the moment, [which is] a massive missed opportunity."<sup>67</sup> In Scotland, EM is almost exclusive to RFID (Radio-Frequency Identification) which restricts people to one place, whereas GPS tracking can be used to allow free movement out with certain areas,<sup>68</sup> for example freedom of movement throughout a city excluding the home and workplace of a victim. GPS tracking therefore accounts for the need to protect victims while also working in accordance with evidence-based approaches.

Much of the criticism for this kind of monitoring comes both from fear of offenders and moral outrage at the kind of crimes they have committed. Here it becomes increasingly difficult to make the argument for evidence-based approaches that so deeply contradict the moral outrage people feel about these kinds of crimes. However, it is undeniable that the vast majority of offenders do not get life sentences, therefore will re-enter the community at some point, and we have to consider whether a prison or community sentence will have a better long-term impact on public safety. For some, a prison sentence involving education and rehabilitation programs will be the best option due to the risk they pose to society, but for almost all offenders, a community sentence will have the best chance of changing behaviour in the long term to maintain overall public safety. Scott Smith argues that any educational and correctional programs for sexual offenders in prison will not be as effective as those in the

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<sup>66</sup> Appendix B

<sup>67</sup> Appendix B

<sup>68</sup> Appendix B

Word Count: 339

community because “participants are not tested in the community concurrently with the programme.”<sup>69</sup> A program designed to prevent people committing crimes in the community must, naturally, take place in said community to have the best chance at a long-term positive outcome.

In conclusion, it is evident that community alternatives to prison are both more effective than prison in terms of reducing re-offending, and more financially viable. Prison is substantially more expensive and less effective. The problem is public opposition and politics. It is uncomfortable to think about a justice system which looks to place offenders back into the community that they hurt, but this is the best way to reduce reoffending. “Community sentences that follow evidence-based risk assessment tools, founded in a working relationship that values using trauma informed, pro-social, motivational techniques”<sup>70</sup> are the only way we are going to create a safer society and substantially reduce crime rates. Unfortunately, the Justice System is low down on the politician’s priority list, and always the first department to face budget cuts.<sup>71</sup> While, in the long term, the financial impact of implementing a community justice focused approach would be positive, it requires the upfront cost of time and effort from legislators which we, as a society, are reluctant to invest.

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<sup>69</sup> Appendix B

<sup>70</sup> Appendix B

<sup>71</sup> Gauke, “Today”

Word Count: 208

## Conclusion

Overall, prison sentences in the UK are almost always a costly waste of time. This is not to say prison can never be effective, because we see in Norway that under specific conditions where rehabilitation is the focus, it can be extremely successful. Norway has much lower re-offending rates and offenders are successfully re-integrated into society at the end of their sentence. However, Norway's prison system is the exception to the general rule that prison is ineffective and a waste of public finances. In almost all cases other than those of extremely violent offenders or those who have committed crimes of a sexual nature who are deemed a significant risk to public safety and cannot be effectively dealt with through non-custodial alternatives, prison should not be the go-to solution, because it doesn't work. Prison should be the last resort for those offenders who cannot be safely and effectively rehabilitated in the community. In these instances, prison can work if the system is designed for rehabilitation in safe, humane conditions and there is a proper strategy to re-integrate offenders at the end of their sentence. However, Community sentences are almost always the better option. They are less expensive and more effective. Individualised risk assessments should be done for every offender to assess their suitability for a community sentence. People should be given community-based, rehabilitation focused sentences in every possible case. The main reason why our justice system continues to rely so heavily on prison as a means of sentencing, despite the evidence showing it is most often wasteful, stems from the media and political discourse. Governments have struggled to implement rehabilitative approaches to criminal justice in the UK out of fear of being called out on "soft justice". However, the evidence is undeniable. Investing in mental health programs, financial support, and drug and alcohol treatment alongside community sentences is the best, most cost-effective, and humane way to respond to crime and reduce re-offending. Therefore, prison is, in almost every instance, a costly waste of time.

Word Count: 334

**APPENDIX A – Notes from Presentation by Unit manager for Bella Community Custody Unit**

- Those nearing the end of their sentences
- Nominated for European prisons award, 2nd place
- Short-term, long-term, and life sentences

Short term, up to four years

Long, 4years-life

- EDL, earliest date of liberation
- Preparation for re-integration
- Majority female staff for a safer environment
- It's about progression towards the end goal of re-integration.
- Rooms all have telephones (landlines)
- Events re all alcohol-free
- Will deliver education up to degree level

Q: what does the public/community feel about this? it is within the city so do people feel safe around it?

- The design of the building is inoffensive, so people like it
- Any people driving past don't even notice it because it looks like houses
- People seem in favour of it when it comes to visits
- It is about re-integration rather than punishment
- The media can be scrutinising when it comes to "bad" criminals staying at the community custody unit
- Ongoing support for the community while people are inside and when they leave
- Some people get custodial leave to visit family (especially mothers) and they have an out-off-custody licence

Q: Is a facility like this the only way to rehabilitate people or can we find an in between of standard prisons and this that might be more cost effective, or fit a higher-security model, but still work for rehabilitation?

- Costly (yes) except a prison riot would be very costly too
- Treat an individual the way they should be treated in the community they will be more compliant
- These units WORK

**APPENDIX B – Email exchanges and “Community Justice” Questionnaire and answers by Scott Smith, Learning, Development and Innovation Lead at Community Justice Scotland**

To: Peter Smith, Scott Smith

Tue 04/02/2025 19:45

Hi there,

I am one of the students who attended the presentation you gave at \_\_\_\_\_ School, \_\_\_\_\_, in December.

I am writing my Advanced Higher Modern Studies dissertation on the statement "Prison is a Costly Waste of Time" arguing that prison is overused and ineffective in most cases, therefore community-based approaches have to be the focus of the justice system.

I was wondering if you would be open to answering some questions about community-based approaches to criminal justice. This could be in the form of a form where you can type open-ended answers or a list of questions in an email if you prefer.

Kind Regards,

To:

Fri 07/02/2025 09:32

Hi

We would be glad to help with this. What a great topic for your dissertation – there is a lot of evidence both from Scotland and across the world, that in many cases prison does very little to reduce reoffending.

Please send over the questions in whatever format suits you best. I am going to be away from work next week so it may be week commencing 17<sup>th</sup> February by the time I can get back to you. Hope this okay.

Best wishes

Pete

To: Peter Smith

Thu 13/02/2025 14:33

Hi Peter,

Thank you so much for agreeing to help me out with this research.

Here is the link to the form: <https://forms.office.com/e/asGRPUc2sB>

You can fill it out at any time and it will notify me.

Thank you again for your time and if you have any questions about the form, feel free to ask.

Kind Regards,

To:

Mon 17/02/2025 09:23

Hi

Apologies for the delay in getting back to you – I've been on annual leave.

Yes, happy to help – please just send the questions any way that suits you.

Best wishes

Scott.

To: Scott Smith

Thank you so much for your help,

Here is the link to the form: <https://forms.office.com/e/asGRPUc2sB>

You can fill it out whenever suits you, if you have any questions feel free to ask.

Kind Regards,

To:

Hi

I've replied to your questionnaire. Apologies for the delay.

If you need any clarification, please just get in touch. Really interesting questions!

Good luck, and all the best

Scott.

1. Please enter your full name and job title (unless you wish to remain anonymous, in which case only enter your job title) Required to answer. Single line text.

Scott Smith, Learning, Development and Innovation Lead

2. Do you believe that community justice is currently being implemented in the maximum number of cases/should it be utilised more widely?

It should be utilised more widely. Evidence shows that short term prison sentences are not as effective as alternative community sentences in reducing recidivism (<https://www.gov.scot/publications/reconviction-rates-scotland-2020-21-offender-cohort/documents/>). Community interventions involve statutory risk assessment as a minimum (LS/CMI) if supervision is mandated as a requirement, and as such, there is a global evidence base informing individualised need intervention that provides a better chance at reducing recidivism (thus making the country safer). Very little of this work is being done within the prison estate in short term cases, and one therefore has to question ultimately what the purpose and driver of the sentence is (given how widely discredited 'scare them straight' tactics are in their effectiveness within research - <https://www.college.police.uk/research/crime-reduction-toolkit/scared-straight>). Prison by its nature in the short term setting creates more chaos - it can drive people away from social support, make people unemployed, increase contact with criminal others, and ultimately increase stigma - it's difficult to imagine how, when (whilst the understandable at times) emotion is removed, anybody can argue this as a constructive intervention.

And if all of that is not enough to over-ride the 'punitive populism' that drives the insatiable urge for more prisons, then cost becomes an interesting argument. Prison is unbelievably expensive (<https://www.gov.scot/publications/costs-of-the-criminal-justice-system-in-scotland-dataset-2016-17-published-december-2019/>). Add on the spiralling costs of the new Barlinnie Prison! There is an argument that, as a country, we need to start asking the question "do we want to be annoyed with people for a few weeks/months, or do we want to fund vital community services instead such as education, heating allowances, victim support services, etc". In my opinion you can provide a better intervention for significantly cheaper money. It's an absolute no brainer to me. I guess an interesting question therefore becomes why is this clear logic not embraced? (but that's not for me to answer!)

3. Would you change the way people are selected for community justice sentences, if given the chance?

I would argue for more funding for comprehensive assessment using evidence based risk/need assessment for everyone before sentencing, in order to increase the confidence in the intervention for the sentencer. Additionally, if more people are to be selected for community intervention, then these services need to be funded appropriately (which will still be massively cheaper than prison!), to give them the best chance of working. Then I believe you will, with time, increase confidence in the intervention, and it may start to become the default position unless argued otherwise.

4. Do you believe that prison can ever be used effectively?

Yes from a Long Term Sentence perspective. Long Term Prisoners are subjected to more support, more evidence based intervention, and addressing of their needs.

You will undoubtedly find examples of where short term prison has worked to turn people around. However for a truly vast number of people, this I believe is 'pie in the sky' stuff.

5. How would you propose dangerous offenders be treated in relation to community justice and would you say prison is ever necessary?

Prison is undoubtedly necessary for some. There are cases where it is judged as unable to manage the risk in the community, and in these instances, prison is of course the only option.

The word 'dangerous' is highly subjective. Many crimes are arguably 'dangerous' to the victim or society, regardless of their level of severity. Drink drivers, for example, can be strongly argued as unquestionably 'dangerous', however they are unlikely to be jailed. Perhaps a more helpful term is 'violent' or 'sexual' offenders.

In terms of violent and sexual offenders, to me it comes back to whether their risk is assessed as manageable in the community. There are evidence based behavioural change programmes that people who commit horrendous acts are subject to (for example Moving Forward to Change or Caledonian). I would argue that these are naturally not as effective in

the prison estate for the simple reason that participants are not tested in the community concurrently with the programme (indeed there is no Caledonian programme within prison - it's not accredited in that environment). It is imperative to me if community is considered as an option that there is a commitment by the offender to engage meaningfully in these programmes alongside their close monitoring (often by multiple agencies). Victim safety planning and support must also play a key role.

I understand wholly how my opinion here though is not popular with society. Some crimes are so horrendous that they are naturally emotive. However I do believe that objectively following evidence of 'what works' becomes even more important when emotions are heightened. I would make an equal plea though to increase the funding and support victims of horrendous crimes properly as well.

In short, we should be locking up people who scare us through unmanageable risk. For everyone else, there is arguably a better way. Like it or not, the vast majority of people leave justice services eventually - the key question is really, 'what position do you want them to be in when they re-join society'.

6. If so, what would you propose be done to improve the effectiveness of prison, and does this involve integrating community justice practices with the prison system?

Investment in evidence based programmes in prison is of the utmost importance. Community Justice services should already be working collaboratively with their prison colleagues for anybody being released on license.

For other shorter term prisoners, thought in to what needs to be in place for release needs to improve - it makes sense on working on addressing criminogenic need in the community before release (however this would require many more staff and much more money). The third sector carries a lot of this bridging work currently- I despair to think what it would be like if it weren't for them

7. What are the uses of Electronic Monitoring in relation to community justice in Scotland?

It is underused and at the moment, and a massive missed opportunity in my opinion. We are still using RFID technology (simply restricts somebody to one place) instead of GPS. GPS provides a real credible alternative to custody in those cases where victim safety is a real concern.

8. What kind of community sentences do you find to be the most effective, and why is that?  
Multi Line Text.

Community sentences that follow evidence based risk assessment tools, founded in a working relationship that values using trauma informed, pro-social, motivational techniques, are the most effective.

9. What would you say to those who oppose community justice in order to convince them it is a better alternative to prison?

I've tried many many times. To me the evidence that they are more effective is unquestionable, and I find it worth reflecting on that this does not seem to be conclusive enough.

I think in short that you will never convince many people. I absolutely accept and respect that if somebody has been the victim of a horrendous crime, then they hold a valid and understandable position that prison is the most appropriate punishment. In those instances, I wish they were supported more in their recovery. It is human nature that many will be impacted by reading their stories, and it is natural that demand for punishment will be harsh.

I think decision makers need to remain objective, be brave, and administer what the evidence says works. Just because something is popular does not necessarily make it correct. Politicians will understandably find this challenging as they require populism to be elected. Thank goodness we have an independent judiciary!

10. Do you think a prison system like Norway's or the Netherlands' is the answer to reoffending in the UK, or is a focus on Community Justice the better alternative?

I'd like to see both!

11. Would you say that public opinion and politics are the key reasons that community justice centred approaches are difficult to implement in the UK?

Undoubtedly. Community justice funding is ring fenced for a reason! See my answer to question 8.

12.Would you like to remain anonymous (and only be referred to by you job title) in the research?

Yes

**No**

13.Do you consent to the answers provided being used in my Advanced Higher Modern Studies Dissertation which will be submitted to the SQA for the purpose of a grade classification?

**Yes, I consent**

No, I do not consent

14.Do you understand fully that your consent to participate in the research can be withdrawn at any point?

**Yes**

No

**APPENDIX C – Notes from Nancy Loucks and Eilidh Graham Presentation.**

Q: do you think that encouraging more non-custodial sentences would reduce the negative impact of crime and the justice system on families?

- "We have to", "I don't think my son should have been locked up at a young age"
- "There is so much more we can do before someone goes into prison"
- "They are all coming out a lot worse than they came in"
- Eilidh Graham - affiliated with families outside.
- Increasing prison population = less resources
- 218/time out program in Glasgow

**Bibliography:**

Bandyopadhyay, Siddhartha. "Why Rehabilitation – Not Harsher Prison Sentences – Makes Economic Sense." *The Conversation*, March 24, 2020. <https://theconversation.com/why-rehabilitation-not-harsher-prison-sentences-makes-economic-sense-132213>.

Bartle, Jarryd. "We Know That Prison Doesn't Work. So What Are the Alternatives? | Jarryd Bartle." *the Guardian*. The Guardian, August 16, 2019. <https://www.theguardian.com/commentisfree/2019/aug/16/we-know-that-prison-doesnt-work-so-what-are-the-alternatives>.

Black, Carolyn, Rachel Warren, Rachel Ormston, Ipsos Mori, and Cyrus Tata. "Public Perceptions of Sentencing National Survey Report," 2019. <https://www.scottishsentencingcouncil.org.uk/media/1996/20190902-public-perceptions-of-sentencing-report.pdf>.

Cantürk, Müge, Haydeh Faraji, and Ahmet Tezcan. "The Relationship between Childhood Traumas and Crime in Male Prisoners." *Anatolian Journal of Psychiatry* 22, no. 1 (January 19, 2021): 56–60. <https://doi.org/10.5455/apd.111825>.

Carrie, Kaigan D. "Prison Officer Training in Scotland and Norway: Is It Fit for Purpose?" *Prison Service Journal*, no. 267 (July 3, 2023). <https://www.crimeandjustice.org.uk/prison-service-journal-267>.

Carter, David, and Kate McLean. "7.2. Retribution." *Psu.pb.unizin.org*, 2019. <https://psu.pb.unizin.org/criminaljusticemclean/chapter/9-2-retribution/>.

Clements, Chris. "Psychoactive Drugs Making Inmates Violent and Aggressive." *BBC News*, October 2, 2023, sec. Scotland. <https://www.bbc.co.uk/news/uk-scotland-66985699>.

Eden, Carol. "Public Survey Reveals Attitudes to Sentencing in Scotland - Victim Support Scotland." *Victim Support Scotland*, September 2, 2019. <https://victimsupport.scot/about-us/news-list/public-survey-reveals-attitudes-to-sentencing-in-scotland/>.

First Step Alliance. "Rehabilitation Lessons from Norway's Prison System." *First Step Alliance*, January 3, 2022. <https://www.firststepalliance.org/post/norway-prison-system-lessons>.

Gallagher, Jessica. "How a Doubling of Sentence Lengths Helped Pack England's Prisons to the Rafters." *The Conversation*, September 19, 2024. <https://theconversation.com/how-a-doubling-of-sentence-lengths-helped-pack-englands-prisons-to-the-rafters-239242>.

Glasgow Times. "Increase in Offenders Failing to Complete Drug Treatment and Testing Orders." *Glasgow Times*, February 3, 2020. <https://www.glasgowtimes.co.uk/news/18207479.increase-scottish-offenders-failing-complete-drug-treatment-testing-orders/>.

Hale, Joseph. "Does Prison Work? A Comparative Analysis on Contemporary Prison Systems in England and Wales and Finland, 2000 to Present," 2020. [https://www.wlv.ac.uk/media/departments/faculty-of-social-sciences/documents/wolverhampton-law-journal/edition-4/\(2020\)-4-WLJ-64.pdf](https://www.wlv.ac.uk/media/departments/faculty-of-social-sciences/documents/wolverhampton-law-journal/edition-4/(2020)-4-WLJ-64.pdf).

Howard League for penal reform. "Sentence Inflation: A Judicial Critique," September 2024. [https://howardleague.org/wp-content/uploads/2024/09/Sentencing-inflation-a-judicial-critique\\_\\_September-2024-1.pdf](https://howardleague.org/wp-content/uploads/2024/09/Sentencing-inflation-a-judicial-critique__September-2024-1.pdf).

Jacobson, Jessica, and Mike Hough. "Missed Opportunities and New Risks: Penal Policy in England and Wales in the Past 25 Years." Birkbeck Institutional Research Online, 2018. <https://eprints.bbk.ac.uk/id/eprint/20518/1/PQ%2089%201%20Jacobson%20and%20Hough.pdf>.

Kirby, Emma Jane. "How Norway Turns Criminals into Good Neighbours." *BBC News*, July 7, 2019. <https://www.bbc.co.uk/news/stories-48885846>.

Margulies, Joseph. "Why Prisons Are Criminogenic." *verdict.justia.com*, January 3, 2022. <https://verdict.justia.com/2022/01/03/why-prisons-are-criminogenic>.

McClusky, Karyn. "Scotland's Drug Treatment and Testing Orders (DTTO) Are Controversial but They Can Have a Dramatic Effect." *Scotsman.com*. The Scotsman, February 6, 2023. <https://www.scotsman.com/news/opinion/columnists/scotlands-drug-treatment-and-testing-orders-dtto-are-controversial-but-they-can-have-a-dramatic-effect-karyn-mccluskey-4013838>.

Ministry of Justice. "Independent Sentencing Review: History and Trends in Sentencing." *GOV.UK*, February 18, 2025. <https://www.gov.uk/government/publications/independent-sentencing-review-history-and-trends-in-sentencing>.

Morgan, Anthony. "How Much Does Prison Really Cost? Comparing the Costs of Imprisonment with Community Corrections | Australian Institute of Criminology." *www.aic.gov.au*, April 24, 2018. <https://www.aic.gov.au/publications/rr/rr5>.

Pakes, Francis. "British Jails Are at a Breaking Point – Here's How the Dutch Halved Their Prison Population." *The Conversation*, July 9, 2024. <https://theconversation.com/british-jails-are-at-a-breaking-point-heres-how-the-dutch-halved-their-prison-population-234218>.

Prison Reform Trust. "Bromley Briefings Prison Factfile," February 2024. <https://prisonreformtrust.org.uk/wp-content/uploads/2024/02/Winter-2024-factfile.pdf>.

Robinson, Nick, and David Gauke. "Today." Radio. *BBC Radio 4*, February 18, 2025. 7:35-7:42am. <https://www.bbc.co.uk/sounds/play/m00282z8>.

Scottish Government. "Electronic Monitoring: Uses, Challenges and Successes - Gov.scot." *www.gov.scot*, April 2019. <https://www.gov.scot/publications/electronic-monitoring-uses-challenges-successes/pages/4/>.

Scottish Prison Service. "Bella Centre | Scottish Prison Service." *www.sps.gov.uk*. Accessed January 1, 2025. <https://www.sps.gov.uk/prisons/bella-centre>.

Scottish Sentencing Council. "Community Sentences." *Scottish Sentencing Council*. Accessed February 19, 2025. <https://www.scottishsentencingcouncil.org.uk/sentencing-information/community-sentences>.

Yukhnenco, Denis, Leen Farouki, and Seena Fazel. "Criminal Recidivism Rates Globally: A 6-Year Systematic Review Update." *Journal of Criminal Justice* 88, no. 1 (September 1, 2023): 102115–15. <https://doi.org/10.1016/j.jcrimjus.2023.102115>.