

# SOUNDBITES

"The Act gives the Probation Service an unprecedented opportunity to play a key role at almost every stage in the management of crime in the community. I sense the Probation Service is determined to provide a committed and totally professional service. Committees, managers and practitioners need to work together to produce a common strategy and must support each other in promoting and implementing that strategy."

**Ieuan Miles, Secretary,  
Central Council of Probation Committees**

"It is vital that the public know and understand the basic provisions of the Act in so far as it affects them, whether as offender, victim, or member of the public. There must be even greater understanding and consultation between those involved in the criminal justice system, and in particular between the bench and the probation service. It is essential that adequate resources are available for the implementation of the philosophy of the Act."

**Mrs Joyce Rose, Chairman of the Magistrates' Association**

"Too many defendants with a serious mental disorder are inappropriately imprisoned. The Act's requirement for better pre-sentence investigation, particularly of the effect of imprisonment on a defendant's mental condition (s.4), will highlight when this may happen. In turn, it may encourage the greater use of non-custodial treatment options, where these are available."

**Ian Bynoe, Solicitor, Legal Director, MIND**

"The Prison Service's plans for sentence planning, open reporting and giving reasons for parole decisions give us an unrivalled chance to enhance staff/inmate relationships and reduce re-offending. I hope this will foster a better sense of purpose within the prison community and that the new release scheme will not be discredited by a high rate of re-offending."

**Joe Pilling, Director General of the Prison Service**

"The 1991 CJA may well turn into a wasted opportunity. The confused ideology of increasingly severe punishments for certain offences whilst still trying to encourage community sanctions for minor offences will backfire. The Howard League believes the ban on the use of prison for 14 year old boys + 15/16 year old boys on remand is progress but remains sceptical as to the other long-term prospects for changes as a result of this piece of legislation."

**Frances Crook, Director of the Howard League  
for Penal Reform**

"We welcome the introduction of the Criminal Justice Act 1991. The video recording of child witnesses is to be welcomed. It has long been the wish of the Metropolitan Police to reduce the trauma to child witnesses. With the introduction of Youth Courts the 17 year old offender is given dual status. There has been no change to existing legislation governing the investigation of offences committed by 17 year old offenders and their subsequent arrest, treatment and detention by police. They are still adults. However, upon appearance at the Youth Court they take on the guise of a juvenile. The good relationship between agencies will be tested in resolving the inevitable transitional difficulties in these new and unusual requirements."

**Chief Supt. Peter Stevens, Metropolitan Police,  
Youth Affairs Branch**

"Successful implementation of the Act is crucially dependent on the willingness of all the criminal justice agencies and their partners in the health, social services and voluntary agencies to work together in a spirit of inter-dependence and mutual trust. There are signs that this is beginning to happen, but words are not enough. Programmes for the sex offender, the mentally ill, the addicted and the homeless need to be properly resourced in the community if we are not to become over reliant, as before, on the all consuming Leviathan which we know as prison. The price is too high, both in financial and human terms, to fund community based disposals and an expanding prison programme on the same basis as before."

**John Harding, Chief Probation Officer, Hampshire**

"The CJA 1991 has been 5 years in preparation and has had the most comprehensive programme of planning for implementation. It gives at least a basis for a criminal justice system in this country that makes sense - i.e. that is rational, cost effective and co-ordinated."

**Bill Weston is Secretary of ACOP, the  
Association of Chief Probation Officers**

The Act contains many valuable reforms with the potential to reduce the use of custody and improve the use of community sentences; a few misguided measures, such as the strengthened duties on courts to punish the parents of juvenile offenders; and some provisions with an element of risk, such as the gamble with the prison population which the parole changes represent. Overall, the Act is a courageous attempt to inject greater coherence and principle into sentencing practice. Courts, statutory agencies and voluntary organisations must now work closely together if the Act's positive intentions are to be fulfilled in practice."

**Vivien Stern, Director of NACRO**

"Will the Act work in the sense of reducing the prison population? I am a confirmed agnostic on that question. Cleverer people than me believe that courts will be forced to cut back their use of imprisonment under the new sentencing framework. Others say that petty offenders will still be sent to prison, they will serve longer than at present, and then the supervision and 'at risk' components will catch them out again after their release. Certainly the Act is a gamble. The whole strategy depends upon how the courts interpret the principles of sentencing. The Court of Appeal will play a crucial role in 'policing' the actions of the lower courts. But how much better if the Act had set up a Sentencing Council or Commission to do the job in a comprehensive and coherent manner."

**Stephen Shaw, Director, Prison Reform Trust**

"The first three booklets under section 95 of the Act, on race, gender and costs issues, are being sent to all judges and magistrates this autumn. So far as the work of my committee is concerned, the publication of the race booklet, which will be brought up to date each year, will be very welcome. It should provide a useful addition to the armoury of information on cross-cultural issues which we are now preparing to help those who sit in court when they hear cases involving members of ethnic minorities."

**His Honour Mr Justice Brooke, Chairman of the  
Ethnic Minorities Advisory Committee of the  
Judicial Studies Board**

"The most far reaching legislation on criminal justice matters in this generation. It gives hope and certainty to many prisoners with opportunities for prison staff to address the real needs of their charges. Sentence planning should concentrate their energies on the needs of the individual and personalise the experience of custody in a constructive manner. For long-term prisoners the lifting of parole limitations will be the critical factor in making progress realistic."

**Tim Newell, Governor, HMP Grendon**

"Child witnesses should find it easier to give evidence now that video recordings can be given in evidence. (sec. 54) We welcome sec. 95, by which the Home Secretary is to publish information relating to discrimination on the ground of race or sex, and hope that this will refer to victims as well as offenders. Under sec. 97, probation committees can make grants, and we hope that some of these will be to community based groups offering services which will also benefit victims."

**Martin Wright, Policy Development  
Officer, Victim Support**