

Alternatives to prison in dealing with offenders



Assess the alternatives to prison in dealing with offenders

We live in a society that is screaming for help. When it comes to a medical illness that a doctor can cure, he is allowed to go through great lengths to provide the best care possible. The same applies to the government who relies on the prison system to maintain law and order in dealing with offenders in order to live in a peaceful society. The idea for the use of a prison as a whole is to rehabilitate and, in most cases, restructure the way of living so that, when released, a person is better off in society than behind bars. However, there are several alternatives to prison that can be considered according to the offence committed.

A well known alternative to prison is the system of fines. Fines are known as monetary sanction imposed upon a convicted offender which can vary according to where the crime was committed and the gravity of the crime. Offences which warrant a fine are classified according to the level of seriousness; the more serious offence obviously refers to a higher fine. This method is normally used for small offences committed. Fines are not considered appropriate for murder, rape, serious drug offences, aggravated robberies, and major re-offences by any member state. Any offence carrying a maximum prison sentence of at least three years in Croatia, any 'intentional violent crime' in Moldova, and any war crime conviction in Bosnia & Herzegovina cannot be dealt with by a fine.(2010) However, this method did not prove to be quite effective since it concludes that if people could afford the fine, the punishment would not be effective, and where people could not pay the fine, it was likely that their family would suffer the financial consequences.

Pre trial detention is the time period that an offender is incarcerated between being arrested and his trial. Detention is only supposed to be used so as to ensure that the person will not pose a danger to other people. It undermines the chance of a fair trial and the rule of law in a number of ways. People in pre-trial detention are particularly likely to suffer violence and abuse. Without the protection of law, and isolated from their family, it is difficult to withstand such pressure. High rates of pre-trial detention are also contributing to prison overcrowding, poor prison conditions and growing the risk of torture. Pre-trial detention has a hugely damaging impact on defendants, their families and communities. Even if a person is acquitted and released, they may still have lost their home and job. They face the stigma of having been in prison when they return to the community. Unfortunately, in many countries pre-trial detention continues to be imposed systematically on those suspected of a criminal offence without considering whether or not it is necessary, or whether less intrusive measures could be applied.

A good alternative to prison is education as it has the potential to be a major driver of rehabilitation. At best, it opens prisoners' minds to new possibilities and ways of understanding that can give them a way out of the cycle of reoffending. It can also have positive effects elsewhere, for example by raising prisoners' skills so that they are more likely to be able to access a stable job after release, which in itself will help with reintegration.

Considered more broadly, courses that encourage prisoners to think in a different light about family and other personal relationships may lead to better communication within families and a more positive, stable home

environment. Education helps one broaden his mind and also helps a person to think more positively.

Due to an advancing technological world, a new way of dealing with offenders has been found. The use of electronic monitoring was first applied in a criminal justice case in England and Wales in 1989, when a man was granted bail on condition that he 'voluntarily agreed' to have a device attached to him (Lilly and Himan, 1993: 1)119 The use of electronic monitoring is becoming increasingly widespread and is now used to monitor over 10, 000 offenders in Europe on any given day. Where it has been established, electronic monitoring of a curfew has become an ever-more important part of criminal justice systems and is used at various stages of criminal cases: as a condition of granting bail before trial; as a sentence in its own right; and as a condition of early release from prison. When an offender is monitored electronically, a tracking device is fitted to their ankle and a monitoring unit is positioned in the person's house or other place of curfew. Currently, the equipment is based on radio frequency technology where the tag acts as a transmitter. The tag sends signals to the monitoring unit which in turn send signals to a control centre. Dick Whitfield stated that one common thread that can be observed within Europe is that the growth of EM has been 'very largely politically driven(2007) - much more than most criminal justice developments.(It means it is also politically more vulnerable, too'. This method is mostly used for small offences; this also helps to control prisons in a better way since many small offenders can stay at home with this device. It is also safe since the offender will not be able to move a long distance due to this electronic tag.

A good prison policy aiming at the social reintegration of prisoners is an important factor when considering the social life of an offender after imprisonment. Even though the purpose of a prison sentence is to punish offenders and put them where they can do no harm, while preparing them for subsequent release and reintegration into society, , imprisonment does not achieve the second objective as a large number of former prisoners reoffend within five years of their release. There are many causes for this, including socialisation to prison culture, lack of family support, lack of education and vocational training and social prejudices. Spending many years in prison may be a factor in de-socialisation as it very often destroys prisoners' ties with their families, friends and the rest of society. The chances of successful social reintegration also depend on the nature of the offence committed and the sentence served. In this connection, the possibility of alternatives to imprisonment for petty offenders might be social integration.

Community service has proved to be an effective solution while dealing with offenders. Judges can sentence defendants to perform unpaid community work called “ community service” to repay a debt to society for having committed the offense. The defendant may be required to perform community service in addition to receiving some other form of punishment, such as probation, a fine, or restitution. In 1992, Zimbabwe introduced Community Service(2004). Very quickly this alternative proved itself to be more humane, less expensive and a more efficient response to crime. An example of community service would be: Someone convicted of persistently dropping litter may be sentenced to pick up litter, or a convicted drunk driver

may be required to appear before school groups to explain why drink driving is a crime and an ethical breach. This in fact makes the offender realise that whatever offence he committed was wrong. Therefore this method psychologically helps the offender to be a responsible citizen instead of ruining his life by going to jail.

Death penalty can be considered as an option while dealing with offenders. This form of punishment has in fact been banned in many countries due to the beliefs of each of them, for example, a country might have religious beliefs about taking the life of someone as something wrong. However, it is not always the case since the offender must have done something which is not humane to deserve this form of punishment. If someone may allow himself to rape/kill/murder another person, then why should he be allowed to stay alive? This form of punishment has been a debatable one over years; yet many do not believe in it. Death penalty should actually be applicable to offenders who commit serious offences who would instead have a lifetime imprisonment as punishment. This would also increase the economic budget of a society which would have to spend unnecessary money on such offenders; this money could instead be used to reduce poverty.

We certainly cannot have a specific alternative to prison in dealing with offenders, but we can surely choose the best punishment according to the offence committed. This would help to reduce the number of criminals in our society since many of the offenders stand a chance of being re-integrated in the society instead of becoming a worse person by going to jail.

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