This rigorous and common sense report from Policy Exchange is a breath of fresh air.

I said in my Cabinet Office review on crime in 2008 that the public want the basics right: a clear acknowledgement of the difference between right and wrong and a strong sense that when someone breaks the law they face appropriate consequences. This does not seem a lot to ask of our Criminal Justice System.

Prisons are full and the new Coalition Government has pledged to reduce numbers of offenders sent there. This means more community sentences – and possibly for more serious crimes. Therefore it is imperative that community sentences are given the radical overhaul this report outlines.

Central to this is the need to ensure that one of the foremost tenets of sentencing is no longer ignored in community sentences – and that is punishment. How on earth can we expect victims of crime and the public at large to back such reforms if they, rightly, have little confidence that community sentences actually punish wrongdoers?

In a civilised society, the law demands that when someone becomes a victim of crime, they do not take the law into their own hands. They step aside and let the state deal with that perpetrator on their behalf. But the victim should be able to expect that when the state catches and prosecutes a criminal on their behalf, punishment should be part of that deal. That’s not to say that victims don’t support rehabilitation – they do as they don’t want a crime to happen to anybody else. But it’s not an either or; and at the moment punishment in community sentences is an optional extra when it should be at the forefront.

I represent victims, and I need to be able to look them in the eye when an offender is given a community sentence – often for a serious crime – and say that the sentence will adequately punish the offender for what they have done and thus deter them from doing it again. At present can I really say that making costumes for the Notting Hill Carnival, working in a charity shop or making tea for the elderly is a punishment? No – it’s what civic-minded volunteers choose to do.

We need to change who will be in charge of overseeing these sentences, removing it from the Probation Service, some of whom see punishment at best as an optional extra and at worst as a dirty word. But punishment is not a dirty word for victims and the public as a whole – and nor should it be. And it’s not good enough that when offenders don’t turn up, excuses such as ‘I forgot’ or ‘I slept in’ are accepted or that there is a blind eye turned towards breaches. That is a slap in the face for a victim expecting proper punishment.

When even 50% of magistrates see community sentences as a soft option what hope have we of convincing the public that anything short of prison fits the bill for serious crime? And if magistrates believe prison to be the only credible punishment, then why wouldn’t we expect them to sentence accordingly?
I have called time and again for community sentences to be tough, to be intensive, and to be visible to local communities against which a harm has been done. But I have come up against if not political reluctance, then institutional cultural reluctance and even outright hostility from many in the criminal justice sector. It’s as if the legal principle of punishment in sentencing is somehow unseemly – rather than a legitimate and correct response to those who step outside society’s agreed rules.

To have the confidence of those who pass sentence, the public, and of victims in particular, this must change. Turning this report’s recommendations into action would, I believe, go a long way towards achieving this.

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