Submission No 9

INQUIRY INTO SECURITY CLASSIFICATION AND MANAGEMENT OF INMATES SENTENCED TO LIFE IMPRISONMENT

Organisation: Robert Shaw Consulting

Date received: 25/10/2015

Dear Sir/Madam

There is no evidence that prisoners subject to life terms need to serve whole life terms.

In England and Wales, following the suspension of hanging, all prisoners awaiting hanging became lifers and were released when it was adjudged safe to release them. Male lifers tended to be released after serving seven to fourteen years with an average of eleven years and female lifers after an average of nine years. The re-offending rate of these lifers was lower than that of people serving longer terms today.

Serious offenders overwhelmingly reach a point of accepting responsibility for their offending, though in the case of more serious offences this may take some years, and therefore become capable of participating in restorative justice programmes. Victims overwhelmingly find restorative justice programmes a positive experience. Justice is not served by incarcerating prisoners once they have accepted their responsibility for their actions.

All assessments are valid only on the day they are made; so any classification scheme becomes obsolete and therefore useless the day after it has been made because all adults are capable of increasing their intelligence and perspectives until at least the age of 60 and in some cases beyond the age of 80. So, the overwhelming majority of prisoners have the capacity to change their perspective on their offending and to understand the nature of their responsibilities for the offence. So all prisoners have the capacity to reach the point at which it is safe to release them.

This is why the experience of releasing lifers in the England and Wales after the suspension of hanging was so positive.

Robert Shaw

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