

Building an effective criminal justice system

Submission on behalf of Totnes and Newton Abbot CLPs. This was developed by members at a policy forum event (22/06/2019) based on knowledge of our constituencies and the criminal justice system, and our reading of the NPF briefing.

SUMMARY (full text attached):

Early Intervention:

- Ensure sufficient support for young people and their families - reinstate Sure Start centres
- Provide meaningful activity for young people, especially in rural areas like ours.
- Joint working by schools, social services, youth workers, local authorities and community police.
- Repeal statutory duty for public service workers to report young people but provide comprehensive training to make them more confident in pre-empting offending. Current safeguarding training doesn't go far enough.
- More police - Devon and Cornwall has lost over 600 since 2010.
- Emphasis on community policing - proactive, not reactive approach.
- Reverse austerity.

Courts:

- Build more courts to replace the 50% of magistrates courts and 250 other hearing centres (crown/county courts) closed by Tories.
- Improve access to justice, by reinstating Legal Aid and building more courts accessible to rural areas (some people have to travel 50 miles to nearest court!)
- Abolish short sentences - but if doing so, ensure longer sentences are not punitive. Rehabilitation must underpin EVERYTHING.
- Decriminalise drugs - consider legalising some, for taxation, better health outcomes, reducing NHS strain and alleviating prison overcrowding.
- Move to a medical model of knife crime and addiction
- Diversify juries to remove bias.

Prisons:

- Build more prisons to relieve overcrowding - but reduce number of places in each to ensure no temptation to just fill all places (widening penal net).
- More prison places for women, so they are not sent halfway across the country from their children.
- Look to emulate Norway's prison system - rehabilitative, skill based and good conditions. Dignity.

- Longer sentences could have compulsory education components. Better provision of education in prisons to reduce reoffending and equip for the outside world.
- Learn skills and trades, chance for university education.
- Community sentencing - work experience? Businesses that sign up to it get tax incentives or lowered business rates (in conjunction with local authorities). Assisting charities etc.
- Community sentences could result in a qualification that would help employment.
- Better job support for ex-offenders and those nearing the end of their sentence.
- Re-invest in probation services - end all privatisation in the justice system.
- Non-violent offending shouldn't lead to a custodial sentence in most cases.
- Robust housing, employment, National Education Service, social service and welfare support for those leaving prison. Through-the-gate service should be comprehensive and widespread.

Full Consultation response.

Underpinning all of the questions answered, was a need for a reversal to the 2010-2020 Justice budget cuts of 48%. Also, our justice policy must always be evidence and expert-led, rather than being motivated by political expediency. Austerity is criminogenic and so is poverty – they go hand in hand. Also, Totnes is a constituency with many rural areas – and so our answers aim to reflect this. All too often, rural areas are excluded from the discussion when it comes to crime, in favour of urban locales – but this should not be the case.

Early intervention

One of the most important ways to reduce criminality in young people is to ensure sufficient support for them and their families. Our policy consultation group noted the decimation of sure start centres has had a hugely detrimental impact on young people – as well as their parents/families. According to research by the Sutton trust last year, over 1000 Sure Start centres have been closed – twice the figure admitted to by the Conservative party. Such centres were vital to improve the life chances of children – especially those in disadvantaged areas, of which there are many in the South West.

Young people in rural areas may also be drawn to crime out of boredom, or lack of any other meaningful activity. Austerity cuts to bus services restrict ability to travel to more urban areas. Research already shows that young people in rural areas are at risk of social exclusion due to living in isolated conditions, and in our often-rural constituency, this is a particular problem. In order to combat this, schools, social services, youth workers, local authorities and other relevant agencies should work with greater unity in order to provide better support.

Labour should commit to repealing the statutory duty for teachers and nurses to become accountable for preventing knife crime (and other crimes) as proposed by the current Conservative government. Instead, public service workers should be given full and comprehensive training that will allow them to confidently identify and act in relation to at-risk young people, either before or after a crime has taken place. Possible avenues to explore for this training could include basic understanding of the psychology of criminality, laws, and decision making.

Reactionary policing and dealing with crime after the fact doesn't actually address the root causes – and in many cases, the root cause is poverty. But in order to make policing more proactive, Labour must reverse the 21,000 police job losses enacted by the Tories, as well as ensuring all areas of the country are protected. Totnes has suffered cuts to policing, and Devon and Cornwall have lost over 600 personnel. Community policing is a great asset in fighting crime but needs greater numbers of officers to achieve this.

As a result, we would like Labour to fully fund the key services that would be instrumental in preventing crime in young people, as well as fully funding better training for those working with young people. Most importantly, committing a crime at a young age shouldn't affect your chances of getting on in life.

Courts

For a start, Labour should commit to building more courts. Since 2010, more than half of magistrates' courts have been closed in England and Wales. This forces judges, magistrates, defendants, witnesses and all involved in proceedings to sometimes have to travel 50 miles to their nearest courts. Most have been sold off for profit. This is detrimental to those in rural areas.

Equally, since 2010, more than 250 hearing centres have been closed down (this includes crown courts, county courts and tribunal centres) – raising £223million in sales to fund the Digital Modernisation programme, after the Treasury said a third must be paid for by selling courts. In addition to legal aid cuts, this reduces the ease of access to justice for some of society's poorest, who may not be able to afford to make a 50 mile journey to an unfamiliar area.

In terms of sentencing, Labour should follow Scotland's lead and abolish short sentencing, which are neither efficient economically nor conducive to reducing reoffending. It is important that if we are to support abolishing short sentences, we do not support punitive, retributive punishment. We must increase the emphasis of rehabilitation throughout the justice system.

Our policy consultation group agreed that drug decriminalisation should be the norm in this country, as it provides many benefits, such as better citizen health (reducing NHS strain), economic boosts through taxation and regulation, and would help to encourage a holistic, medical model to dealing with drug addiction, rather than punitive sanctions. It would also improve outcomes for those suffering chronic pain conditions and illnesses, who currently have to choose between damaging pharmaceuticals and opioids or being jailed for smoking cannabis that alleviates their symptoms.

In terms of reducing the sentencing inequalities that pervade the justice system, juries should be far more representative of modern society. Research shows bias would be far less of an issue if a BAME defendant was facing a more ethnically diverse jury, for example.

Prisons

By looking abroad to prison systems like Norway, for example, with some of the lowest reoffending rates in the world, we could learn some vital lessons in the way we treat offenders.

Whilst advocating in prior sections for shorter sentences, longer sentences, without ample chances to acquire skills and education, are simply warehousing and should be avoided at all costs. Prison could be the ideal place to ensure compulsory education and/or learning skills and trades – and perhaps could be incorporated into sentencing. There must also be ample chances to get/continue with university-level education if desired. Community sentences do have their place and should also be explored, but should take the form of work experience, volunteering with a charity or compulsory education/working for a qualification. Perhaps a scheme where businesses were given tax breaks or lower business rates by local authorities, to take on ex-offenders or those close to the end of their sentence in order to help them reintegrate into the community.

Non-violent offending should not lead to custodial sentencing for either men or women, and as women commit more non-violent crimes, it is a particular issue. More community-based working for

female offenders would be helpful as they would ensure they face justice but also can remain as caregivers for any family they have. In fact, releasing the majority of non-violent offenders from prison would be a way to reduce prison overcrowding that contributes to many issues with prisons running. However, for this to be done, probation and housing, employment and education services must be robust and well-funded enough to provide the through-the-gate care these individuals may need. Many offenders have been in care or in prison on and off throughout their lives, so teaching and helping them to integrate is key. Labour's National Education Service could be a huge asset in that area.

<https://www.actionforchildren.org.uk/news-and-blogs/press-releases/2018/april/as-many-as-1-000-sure-start-centres-may-have-closed-since-2009/>

<http://acre.org.uk/cms/resources/policy-papers/new-acre-children-youngpeople-ppp-rgb-2014.pdf>

<https://sparq.stanford.edu/solutions/diverse-juries-make-better-decisions-0>

<https://www.theguardian.com/law/2019/jan/27/half-of-magistrates-courts-in-england-and-wales-closed-since-tories-elected>