

Quakers in Britain submission to Labour Policy Forum ‘Safe and secure communities’ consultation

Introduction

Quakers in Britain is a national church of Quakers across England, Scotland and Wales. We are also a charity, working for positive change in areas such as peace and democracy.

Affiliated to Quakers in Britain are Quakers in Criminal Justice, an informal network of Quakers with experience (including lived experience) and professional knowledge of many aspects of the criminal justice system.

Quakers have worked for positive change in criminal justice since our emergence in the seventeenth century. Our testimonies to peace and equality lead to an emphasis on prevention, rehabilitation and restorative justice. We are passionate advocates of democracy, human rights and community peacebuilding.

This consultation response reflects our faith perspective and our experience and expertise in building safe and secure communities. We recognise that both structural and personal changes are needed.

1. How should Labour tackle anti-social behaviour and ensure people feel safe in their homes, workplaces and local communities?

We welcome the Labour Policy Forum’s intention to address these complex and important issues. Our response focuses on local communities. “Tough on crime and tough on the causes of crime” was a promising slogan but was not honoured in an even-handed way under the last Labour government: the response to crime was given more emphasis. Any new strategy must address causes. Many of the coercive and divisive “anti-social behaviour” strategies, pursued in isolation, proved counterproductive. In the austerity regimes that have prevailed since 2010, valuable preventive measures such as SureStart were undone, and the task of addressing causes has become harder.

Most of the interventions that improve the feeling of security and reduce fear of crime, or build community cohesion, are to be found in non-criminal justice areas such as health (and especially mental health), housing, education and employment.

Investment in programmes for young people, such as mentoring, especially in groups at a disproportionate risk of becoming involved in crime – such as young men not in education or employment – would be worthwhile. Of course, these approaches will only reduce crime, not eliminate it, and criminal justice agencies such as police, youth justice and probation will need to be involved. Where they are, close working with local partners is key, based on the smallest reasonable geography: local authority or police command unit, or smaller. Locally inspired solutions are the most effective and sustainable but this requires a commitment to devolving money and decision making, again, to the lowest decision making level or smallest geography. The Institute for Public Policy Research (IPPR) published a report on *Crime and Justice after Devolution* in 2010. It spoke in favour of greater local identification of

priorities and design of services and interventions. Labour could pursue and update the agenda developed here.

Labour's key message on anti-social behaviour must be that communities will not tolerate or harbour hate crime or discrimination of any sort. All public services and their staff must be encouraged to show this commitment through their work and engagement with the community. Successes should be publicised in a range of media: this is one small way of countering the punitive media rhetoric which denigrates and often undermines serious efforts at reform and improvement.

Some community problems can only be addressed by nationally-initiated efforts. We think Labour should work for a humane and compassionate response to drug users and look at the experience of other jurisdictions in this regard.

We welcome Labour's emphasis on the safety of women and girls. On this too there needs to be a strong sense of national direction and prioritisation. Misogyny needs to be tackled in all institutions and agencies, including in the police itself, both in terms of restraints on its expression and education to challenge and undermine it.

2. What resources and tools do the police and enforcement agencies need to keep our streets safe and to deal with neighbourhood crime?

There is a clear need for immediate police responses to harmful anti-social behaviour and neighbourhood crime, but in the medium and longer term this is not an issue for police forces alone. Neighbourhood policing, in which officers on the ground have a chance to build up trusting relationships with residents and spot "signs of trouble" early have social value, even where they may not seem cost-efficient. Additional sensitivities are required in policing communities of colour, and to the appropriateness of placing police officers in schools.

We encourage Labour to question how militarised British policing should become, and how transparently accountable armed officers should be after controversial shootings, which can rouse whole communities against the police.

Most of the significant developments in effective practice in the last two or three decades have come from the advances in frontline, multidisciplinary working. Examples include the original 1997 youth offending team legislation, drugs work and the management of high-risk offenders through multi-agency public protection arrangements (MAPPA).

Without suggesting specific tools or resources, we feel it sensible that any policy should be assessed as to whether it can and should be delivered through a multi-agency or multi-disciplinary approach, and where possible with some sort of pooled budget to ensure alignment and "buy-in".

For instance, despite some notable efforts on working with families, there has been an absence of any strategic priority to improve wrap-around service to families identified as having high needs or with children at risk of offending or dropping out of education. This priority should be restored. Support (not just classes) for parents or

families experiencing separation could and should make a difference to the trajectory of young people, away from criminal justice.

Much of police work involves dealing with people who show signs of mental distress. It therefore makes sense for mental health specialists to work closely alongside all police forces. Where homelessness is an issue, there needs to be close working with housing officials. The more efficiently people in need can be handed over to those trained and able to assist them, the less these burdens fall on the police.

3. How can prevention and diversion schemes be improved to reduce crime and reoffending?

Prevention, at its best, is about far more than liaison and diversion schemes. It involves applying the research which shows us why and how people fall into crime in the first place. The following all play their part: adverse childhood experiences (ACEs), poverty, school exclusion, failure to provide for the needs of looked-after children, lack of drug and alcohol treatment centres, insufficient mental health services, closing of youth centres which has been linked to the growth of gang culture, and intergenerational limited opportunities.

Given the massive costs of reoffending in England and Wales (estimated by the Ministry of Justice to be around £18 billion) together with the cost of housing a growing number of prisoners across the prison estate at £48,000 per person per year, a radical approach to prevention is called for. This would not only bring huge savings down the line but contribute to the well-being of society overall.

Local, community-based responses to alcohol abuse and the crime associated with it can be made, but this really needs a national strategy which reaches all parts of the UK at local level. There are many aspects of local social policy that require overarching national or regional strategies before they can ever make a difference at neighbourhood level. There is always a danger of demanding or hoping that local communities solve their own problems when they no longer have the resources or morale to do so.

4. What approach should the Labour Party take to improving justice?

Court back-log

It is clear that 'justice delayed is justice denied'. But this has been happening for a long time. When the heads of the four criminal justice inspectorates in England and Wales came before the Justice Committee (June 2020) to answer the question 'what is the most serious issue we face?' the answer was 'the court back-log', given as 40,000 in the crown court and 483,678 in the magistrates court. For the sake of victims, witnesses and defendants this must be tackled. Court services could be provided in accessible community settings with appointment times that are convenient for working people.

Prison, probation and rehabilitation

The longstanding crisis in Her Majesty's Prison and Probation Service (HMPPS) has its roots in the long-term underfunding of both prison and probation services.

Furthermore, staffing levels, recruitment, retention and morale in both areas have been deeply affected by poor policy choices in the recent past: the 'Fair and Sustainable' cull of prison staff and the 'Transforming Rehabilitation' exercise which part-privatised and effectively dismantled probation from 2014, leading, among other things, to a collapse of sentence confidence in community penalties. The newly unified statutory National Probation Service has not recovered from the damage that has been inflicted on it. The stresses under which often inexperienced officers with impossibly large caseloads (because of staff shortages) struggle cannot be underestimated. We support the ideal of trauma-informed practice for all service users who need, but recognise that it is a long way from being realised.

There is a counterproductive trend towards ever-longer sentences, despite no evidence that this works as a deterrent. It is our experience, through the work of prison chaplains and visitors across the prison estate, that the system is unable to recognise when a prisoner has accepted guilt, started to turn their life around and is keen for the rehabilitation and resettlement work that over-crowded prisons are unable to provide. Parole hearings have long waiting times and are frequently postponed. Lord Ramsbotham, former Chief Prison Inspector, stated that 'enforced idleness is not good for mental health'. In a retrograde step, the Secretary of State for Justice has recently limited recommendations that can be made to the Parole Board, strengthening the role of the department over those voices of professionals who have knowledge of the person under consideration.

The current Justice Secretary has not accepted the main recommendations from the House of Commons Justice Committee on dealing with the legacy of the abolished sentence of Imprisonment of Public Protection (IPP) in England and Wales, created in 2003. The call for evidence produced the highest number of submissions that the committee had ever received, most of which were hugely critical of IPP, which was technically abolished in 2012. The findings must not be dismissed in this way. We call on any future Labour government to take forward the recommendations at the first opportunity, and to press for them while still in opposition. This includes developing a new IPP action plan with clear performance measures.

Evidence-based approaches

Longstanding empirically-based answers are available to all of the questions on justice in this consultation document, in academic research and the reports of think tanks, working parties and committees of enquiry. We appreciate that such questions should be asked anew with new generations of voters, but we sincerely hope that Labour will respect established and unfolding truths about creating safe and secure communities. There is no need to reinvent the wheel. We advocate the full implementation of a number of ground-breaking expert reports and reviews that have addressed a wide range of areas relevant to this consultation. These are: 2007 Corston (women offenders); 2009 Bradley (mental health); 2015 Taylor (under-18s); 2016 Coates (education and more); 2017 Lammy (BAME); 2017 Farmer (improving family ties); and the Neurodiversity Action Plan currently under consideration.

The strategy of 'justice reinvestment' is relevant here. It usually means saving money on criminal justice interventions and investing it back into the poorest communities where crime and victimisation rates are highest, and that have the largest rates of

resettling offenders returning to them from prison. It is undeniably a good idea, but no political party has taken it seriously since it first emerged in the 1990s. We encourage Labour to consider it.

Labour must also give more strategic attention to restorative justice (RJ), and the variety of practical forms and legal and administrative contexts in which it can be applied. Much lip-service has been paid to it over the past 30 years, some progress has been made in its use with young offenders, but its potential as a means of addressing crime and anti-social behaviour, and its utility as a means of reducing conflict in communities, remains unrealised. There is a postcode lottery in availability. While RJ services should be victim-led, with victims having a right to information on it (as well as other relevant services), the proven value of its positive impact on offenders should be recognised.

5. In what ways can devolution and constitutional reform empower people and bring our communities closer together?

Cleaning up Westminster

Quakers have engaged with political power since our earliest days. We are committed to democracy as the embodiment of our testimonies to equality, peace, truth and integrity. In recent years we have become concerned about the increasing amount of policy, legislation, rhetoric and behaviour that threaten both the structures and the culture of democracy.

We are keen to ensure that if elected, Labour does not accept our weakened democracy as the status quo, and instead takes steps to strengthen it. We agree with the finding of the Commission on the UK's Future that significant reform is needed to restore ethical standards and their safeguards, and therefore help improve trust in politicians and our political system. We would like Labour to prioritise truth and integrity as fundamental values underpinning our democracy.

We ask the Labour Policy Forum to consider how the Commission on the UK's Future's proposals can be improved to ensure that the system does not still rely on the governing party to regulate itself. For example, the Commission report suggested that the Prime Minister or Parliament should decide whether to accept the proposed Integrity and Ethics Commission's recommendation on how to deal with rule breaches by members of parliament. If the governing party has a strong majority in parliament, this leaves the power with that party. Similarly, the Commission on the UK's Future report does not specify who will make sure the recommendations of the citizens' jury are implemented, and whether this body will be independent or party-political. This risks leaving the system open to abuse by a governing party with a strong majority.

Promoting human rights

Quakers believe there is 'that of God' in everyone and that every human being should have the chance to flourish. Labour must do everything it can to ensure the Human Rights Act is protected.

We welcome the Commission on the UK's Future's recommendations to entrench and expand some human rights in UK law. We would like environmental rights to be included in that list.

The rights to freedom of assembly and expression have been undermined by recent changes in policy and legislation. These rights are key to a thriving democracy, ensuring that people can raise concerns when their voices aren't being heard through other democratic channels such as voting. Protest has helped bring about many positive political changes in history, such as votes for women and the end of apartheid. We welcome the Labour leadership team's emphasis on policing by consent. We ask Labour to ensure that peaceful protest is enabled, and the policing of protests is limited, proportionate, consistent, predictable and accountable. This includes repealing Part 3 of the Police, Crime, Sentencing and Courts Act (PCSC Act) and scrapping the Public Order Bill. These could be replaced with legislation that enables peaceful protest.

Nurturing civil society

We believe civil society is fundamental to democracy and social change. Charities and other civil society organisations can bring a huge amount of knowledge, expertise and ideas to benefit policymaking at a national and local level. Civil society engagement results in better-designed policies, and ensures that essential services have a greater positive impact. It also helps the collective experiences and views of ordinary people to influence political and policy decisions, and enables people to participate in efforts to bring about social change.

Yet civil society in the UK has had to contend with a challenging political and operating environment for years, including:

- Legislation such as the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 and Elections Act 2022
- The politicisation of regulatory bodies such as the Electoral Commission
- A dominant narrative that seeks to de-legitimise campaigning and other work on injustice and discrimination e.g. criticism of the National Trust for exploring its colonial history.

We ask the Labour to take steps to improve the relationship between government and civil society. A cross-departmental engagement strategy is needed to set out how a Labour government would involve civil society organisations, and the people they work with, in all strategy and decision-making processes. This includes full consultation, pre-legislative scrutiny and equality impact assessments ahead of all planned new legislation, and meaningful engagement ahead of emergency legislation. The strategy must ensure that all engagement between civil society and government is meaningful, inclusive, and deliberative.

We think it would be helpful to appoint a standalone Minister for Civil Society who acts as a champion for civil society within government and beyond. They would be most effective if placed at heart of government in the Cabinet Office. The Civil Society Directorate should also be moved back to the Cabinet Office and given responsibility for setting strategy and targets on civil society across government.

There must be clear accountability mechanisms so that it can hold other departments to account.

Regulators exist to provide accountability. It is therefore crucial that they are independent from both government and party politics. This enables them to be effective, and credible in the eyes of the public. We ask Labour to protect the regulatory independence of the Electoral Commission, Charity Commission, Office of the Regulator of Community Interest Companies, and Equality and Human Rights Commission. Restoring the independence of the Electoral Commission will require amending or repealing Part 3 of the Elections Act 2022.

Reform of the public appointments process is needed to increase the power of parliament, increase fair competition, and prevent the appointment of unqualified candidates. We ask Labour to give the House of Commons formal control of appointment processes, provide Select Committees with an effective power of veto at pre-appointment hearings, and ensure terms for the Chairs of regulatory bodies are non-renewable and fixed.

6. What are the specific implications of policy proposals in this area for (a) women, (b) Black, Asian and minority ethnic people; (c) LGBT+ people, (d) disabled people and (e) all those with other protected characteristics under the Equality Act 2010?

People with protected characteristics have been disproportionately negatively affected by recent changes in policy and legislation around democracy and human rights. For example, Black people are disproportionately affected by stop and search, which has been expanded in England and Wales via the PCSC Act and Public Order Bill. The PCSC Act also put many Gypsies and Travellers at risk of criminalisation through creating new police powers and sentences around trespass. The introduction of voter ID in the Elections Act will disenfranchise many people from minoritised groups. We ask Labour to repeal parts 3 and 4 of the PCSC Act, scrap the Public Order Bill and reform electoral law so that everyone who is eligible to vote can participate fully in elections and can engage in public debate.