

Tackling crime will be one of the top priorities for Labour in government, for it is an issue of immense concern to the public. Not long ago crime was seen as something that happened to someone else. Now, particularly since the doubling in recorded crime over the last decade and a half, it is seen as something that affects us all. And it is not just specific crimes which affect our quality of life. The rising tide of disorder is blighting our streets, parks and town centres.

A few statistics reveal the crisis at the heart of the criminal justice system. Only 1 crime in 50 today results in a conviction. The number of people dealt with

later offending and indicated the critical importance of the relationship between parent and child.

It is time to consider a new strategic framework to help parents and ensure better parenting. This could include giving a higher priority to parenting programmes which help parents through education and support.

The key to successful crime prevention

But, of course, the public want action now that will improve their quality of life. And a great deal can be done in the short term to reduce crime and disorder both in residential areas and in town and city centres. The key to successful crime prevention lies in partnership, an approach supported by the Home Office's own Report on crime prevention, the Morgan Report, published in 1991.

This strategy requires local authorities, the police, local people, business and the voluntary sector to share information, to analyse the crimes which cause most problems in an area and to work out a package of measures to deal with them. We shall ensure that crime prevention is prioritised in this way across the country by placing a statutory crime prevention duty on local authorities in conjunction with the police.

Sometimes, however, a local community is so undermined by crime that something more radical is called for. That is why I have proposed a new community safety order which is designed to deal with chronic criminal anti-social behaviour including racial harassment by neighbours who make life hell for those who live near them. All too often the criminal justice system seems powerless to deal with this kind of behaviour as witnesses are intimidated into silence.

The community safety order would be a special form of injunction to restrain the behaviour of named individuals. Application for an order would be made jointly by the police and the local authority when other methods of solving the problem like mediation had failed. Breach of the community safety order could lead to imprisonment.

"Misspent youth"

One area which I am determined to reform is the youth justice system. That system should be the most effective part of the

criminal justice system, dealing with young people who need to be diverted from offending behaviour. But this is far from the case, as the Audit Commission confirmed in its Report "Misspent Youth". The youth justice system is characterised by delay and inconsistency. Too little is done to change behaviour when young people start to offend. The youth court procedure is cumbersome. Demanding and intensive community supervision programmes are spread unevenly across the country. Finally, there is a fragmented, costly and inadequate range of custodial facilities whose regimes have a poor track record in preventing further offences or discharge.

In short this is a system which needs radical overhaul. Our proposed reforms include establishing a new National Youth Justice Board within the Home Office to ensure that youth justice is given the priority that it deserves. We have proposed for consultation the replacement of the present system of cautioning with a final warning which would normally trigger community intervention with young offenders and their families by local Youth Offender Teams. We shall ensure that all areas have comprehensive bail support arrangements to reduce offending on bail.

We also propose major changes in the youth courts. This is in part modelled on the Panel System in Scotland, where there are separate mechanisms for dealing with guilt and disposal. We shall speed up the court process, especially for persistent young offenders, with stricter timetabling. We shall end the routine practice of adjourning cases until the last is ready.

We intend to improve community supervision of young offenders ensuring all parts of the country have properly staffed and trained multi-agency Youth Offender Teams. Finally, we shall reform the present chaotic, dysfunctional range of custodial facilities for young offenders.

I have concentrated on young offenders because this is such an important area for reform. But in addition we propose new measures to break the link between drug addiction and offending with a new Testing and Treatment Order which would combine random drug testing with mandatory treatment.

Reforming the courts

We intend to reform the Crown Prosecution Service. Part of the responsibility at least for the growing gulf between the

The criminal justice crisis

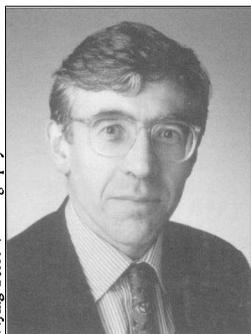
Jack Straw outlines Labour's strategy for fighting crime.

by the criminal justice system is falling. Whilst recorded crime has doubled, the number of people convicted or cautioned for those offences has fallen by almost 10%.

If we are to be successful in reducing crime and disorder we have, therefore, to develop a policy that not only is effective in dealing with those who are convicted of offences, but which also prioritises crime prevention. We have to deal with some of the underlying causes of crime such as youth unemployment, truancy, drug and alcohol abuse, the lack of facilities for young people, low income and recession, homelessness and the treatment of the mentally ill.

Supporting parents

In recent months I have highlighted the issue of parenting. Most parents do an excellent job, but many would welcome help and advice. I believe that as a country we have given far too little attention to the sort of information, help and support that parents often need. Yet we know that parental supervision is one of the most important factors in determining whether a young person breaks the law. Many studies have linked factors in childhood to



Flying Colours Photography Ltd

number of crimes committed and the number of convictions must lie with the Crown Prosecution Service.

I believe that we should now consider fundamental reform of the CPS. The starting point of any review should be the Royal Commission on Criminal Procedure whose 1980 Report resulted in the establishment of the CPS, but which recommended not a single national service as we have today but crown prosecutors for each police force area.

I should like to see reforms to the sentencing system. There is now a considerable amount of data about the lack of consistency between courts. There are also disturbing figures on the lack of progression in sentencing for repeat offenders. In a paper I published earlier this year I proposed that the Court of Appeal should be given a formal pro-active role to consult on and then deliver a system of sentencing guidelines in a properly integrated structure for all the main categories of offences.

We need tough action against violent offenders. There is a mood of public revulsion against such offences. This is epitomised in the reaction to the Dunblane tragedy and Frances Lawrence's call for action on combat knives. It is time that we as society took a firm stand against the use of weapons. That is why the Labour Party wants to see a ban on all handguns, and on the sale and advertising of combat knives.

My final point on sentencing is in relation to honesty in sentencing. I believe that we have to take action to tackle the public's confusion about prison sentencing. The present system is very complex, and it is not at all clear to those outside how long the prisoner will actually serve. I believe that the way through this is for sentencing courts to explain exactly what the sentence means. This proposal would achieve honesty in sentencing whilst maintaining the best of the current system.

In this brief article I have been able to highlight only a few of the reforms to the criminal justice system which the Labour Party would like to see. I hope that I have shown the breadth of our strategy for fighting crime. It is my contention that we shall only make an impact on today's unacceptable levels of offending with such a broad based approach. ■

Jack Straw MP is Shadow Home Secretary

A sickly youth justice system

Alex Carlile looks at some of the messages of the recent Audit Commission report.



Universal Pictorial Press & Agency Ltd

"The rate of recidivism is so high that you wonder whether locking them up is simply a financial extravagance".

These are the comments of His Honour Sir Stephen Tumim, former Chief Inspector of Her Majesty's Prisons, referring to Young Offender Institutions. They are taken from his foreword to my discussion paper published in November 1996 entitled 'Young People and Crime'.

Sir Stephen's remarks relate to a growing awareness that much is ill in the world of criminal justice. No area is more sickly than the youth justice system.

Hot on the tails of my paper came the Audit Commission's demolition job on the state of youth justice. The Commission's report 'Misspent Youth' not only criticised the practical implementation of government policy in

this area but significantly questioned the whole philosophy of government policy. Their investigation into the realities of the day to day dealings of relevant authorities with young offenders came to one undeniable conclusion. It does not work.

Empty assurances

This is what many of us have suspected for some time. However to be informed that, in effect, less is being done now to deal with young offending than was done ten years ago, and that to all intents and purposes we are throwing a billion pounds a year down the gutter, is little less than remarkable.

Following its publication Paddy Ashdown attempted to raise the concerns developed in the Audit Commission report at Prime Minister's Question Time. It is not surprising, yet it is wholly indicative of the state of current political debate on law and order issues, that the Prime Minister arrogantly dismissed all criticism and told Mr Ashdown that he can not have read the report properly! Mr Major attempted to reassure Mr Ashdown with the promise of yet another new Green Paper.

By the time this article is published that Green Paper may well have surfaced. Yet prior to its publication I am (sadly) confident to predict one thing about its contents. There is no doubt that the Government will not base its policy on the best available evidence of what is most likely to prevent offending in the first place, and to stop offenders from re-offending.

In all areas of the current politics of 'law and order', research and evidence comes a poor second to prejudice and inertia. Of course custody will always be necessary for the serious and violent offenders but we need look no further than the 'prison works' slogan to see political ineptitude.

A focus on effectiveness

If research and evidence are to be the key determinants in any new approach to criminal justice matters, research and evidence of what exactly are we looking for?

It is time that the law and

order debate moved beyond the inane soft-hard rut it is in now and focused sharply on effectiveness. If there is evidence that new public policy can effectively prevent crime, then it should be implemented for the sake of public safety. If there is evidence that public policy can address criminality and reduce reoffending, then it should be implemented for the sake of public safety. If there is evidence that in certain cases only custody can protect the public then it should be used in the name of public safety. Policy should be geared towards reducing the number of victims.

In short the current political debate is a false debate. Public safety, not political expediency, must become the priority and *public safety can only be achieved through a comprehensive approach to criminal behaviour*. The most worrying implication of the Audit Commission's report on young offenders was that the youth justice system may actually be hindering effective action, in addition to being a financial extravagance.

Challenging criminality

For public policy makers the excuses are running out. *Misspent Youth* was only the latest in a long line of research studies which have argued that more can and must be done to implement comprehensive strategies against crime. For those in the know it is clear that early intervention work, support for parents and families, structured nursery education, school support projects, positive leisure opportunities and programmes targeted at substance abuse are all critical to challenge the development of criminality in our society. It is also equally clear that more flexibility in sentencing, the introduction of family conferencing and multi-agency co-operation can achieve extremely positive results and can directly address the behaviour of young offenders.

These measures are critical as official statistics also demonstrate that young offenders become adult offenders. In the UK in a recent sample 67% of adult offenders over the age of 21 had also offended under the age of 21. Tackling youth

offending is the only long term answer to the wider problem of crime in our society.

Many of the projects and measures outlined above are or have been in operation sporadically throughout the UK. There are, however, several fundamental problems. All too often such projects have relied on the commitment of inspired individuals rather than systems being in place, all too often they are short lived, are not properly monitored and information is not distributed to other areas. All too often they face bureaucratic inertia as a block to their development. The conclusion is clear - the political centre must take the responsibility to lead the development of multi-agency, locally based, comprehensive *crime strategies based on evidence and ongoing monitoring of their effectiveness*. The criminal justice system is part of this process.

The question of cost

A final obstacle to a more comprehensive approach to criminality is argued to be the cost. However, I do not believe that this is insurmountable. Many more constructive projects could be achieved through effective multi-agency co-operation and use of existing budgets. With proper multi-agency systems in place much replication and contrary action could be avoided. Furthermore the voluntary sector, business, the churches and many other organizations are key supporters to this approach. Savings achieved through reduced offending and reduced use of custody where constructive alternatives are available easily justify such changes. The problem is that savings made will not always be clearly identifiable to the organisations that play a key role in creating those savings, thus reducing their incentive to act despite the criminological evidence of cost/benefit. This, again, is a bureaucratic problem which central government must acknowledge and deal with.

The Audit Commission has given one example of the progress which can be made. To quote the report: "If one in five young offenders accepted a caution plus programme instead of being processed through the

courts, about £40 million a year could be released to fund services that challenge offending behaviour and prevent crime."

It is not in the public interest for the 'financial extravagance' of an ineffective criminal justice policy to continue. It can not be justified in financial terms, it can

not be justified in public safety terms. It is time for a thorough re-evaluation and politicians must take the lead.

Alex Carlile QC MP is the Liberal Democrat Spokesman on Justice and Home Affairs

CJM sorts out some of the 13 new Bills for the 1996/97 Parliamentary session

THE POLICE BILL

- Increased surveillance measures and tactics such as police powers to bug, forcibly enter and search private property, placed on a statutory footing
- New Surveillance Commissioner to deal with complaints
- National Criminal Intelligence Service placed on a statutory footing
- Creates a national Criminal Records Agency for England and Wales to carry out vetting checks on job applicants, and to which employers and workers have access
- Creates a National Crime Squad for England and Wales

THE FIREARMS (AMENDMENTS) BILL

- All higher-calibre hand-guns above .22 banned
- Less powerful weapons confined to gun clubs under stringent security
- Tighter police licensing procedures

PROTECTION FROM HARASSMENT BILL

- Stalkers could face up to five years in jail and an unlimited fine
- Anyone using words or behaviour on more than one occasion - twice would be enough - which puts their victim in fear of violence will be at risk of the penalty
- A lesser offence, designed to catch words or behaviour causing harassment or distress would carry a fine of up to £5,000 or six months imprisonment
- Victims will not have to prove actual intent



THE KNIVES BILL

A private member's bill with Government support

- Makes it an offence, punishable by up to two years in prison, to market a knife in a way suggesting it is suitable for combat or likely to encourage violent behaviour
- Gives police wider stop-and-search powers where knives are concerned, allowing, for instance, police to stop and search pupils in school playgrounds if they suspect knives are being carried

OTHER LEGISLATION FOR THIS SESSION INCLUDES:

The Crime (Sentences) Bill (see p10-11)
The Crime and Punishment (Scotland) Bill
The Sex Offenders Bill, and 7 other private members' bills