

on Law & Order
FOCUS



**GENERAL ELECTION 2005:
LIBERAL DEMOCRAT MANIFESTO FOR
LAW AND ORDER**



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Since Labour took power we have had 29 Government bills, hundreds of initiatives, and thousands of targets all designed to make good on Tony Blair's famous sound bite: "Tough on crime, tough on the causes of crime."

And yet the reality is that the Government has been tough on rhetoric, but weak on solutions. Crime and public disorder are sources of misery and real concern to far too many people trying to live a normal life in Britain today. The British Crime Survey estimates that around 13 million crimes are being committed a year. The true figure is probably much higher.

Our prison population is at record levels and has grown by 20% since 1997. And when offenders have served their sentence and are released into the community, 59% are reconvicted within 2 years, with a depressing 73% reconviction rate for 18-21 year olds. It is time for a new approach. The real, effective solutions to crime are the tough liberal solutions – punishment and rehabilitation.

First we must deter and catch more criminals, and make our streets safer.

Liberal Democrats will put 10,000 more police on the beat, over and above the government's plans. We would cut the time police have to spend in the station doing paperwork and equip them with the latest technology so they can spend more time in the community, patrolling and deterring crime.

Second we must make sure that action to tackle anti-social behaviour is effective.

Currently Anti-Social Behaviour Orders have a 44% failure rate. That's much too high. Unless there is a strategy for changing the behaviour of offenders, we either push the problem behind closed doors, or shunt it from one community to another. That's why Liberal Democrats propose Acceptable Behaviour Contracts with action to tackle the underlying causes of problems.

Third we must make sure prison really does work.

As a punishment, prison is necessary. But when offenders just come out and commit more crime, the system as a whole has failed. It makes no sense letting prisoners sit around in their cells all day, when three out of four are functionally illiterate and so have little chance of finding legitimate work on their release. Prisoners will be subject to a tough working day, with education and training a top priority so they learn the skills to get a legitimate job.

Fourth we must make sure that there is payback to victims and communities.

Where prison is not appropriate, offenders should be expected to make amends to the people and communities they have harmed. This means tougher, more constructive community service for non-violent offenders, with local communities given a voice in choosing the tasks which offenders carry out.

These and other proposals are set out in this manifesto – effective, realistic and practical solutions to the complex issues of crime and punishment with a long-term strategy to bring local communities into the process so that people can be part of the solution rather than powerless victims.

Charles Kennedy

This document contains Federal Liberal Democrat policy, except in areas where policy of the Scottish and Welsh Liberal Democrats applies. A full costing document will be published at the same time as the General Election Manifesto.

Top 5 Liberal Democrat policies to reduce crime



- **10,000 more police on the streets – cutting crime and the fear of crime.** By getting rid of Labour's expensive, illiberal and ineffective ID card scheme, we can pay for 10,000 police on top of Labour's plans, in addition to completing existing plans for an extra 20,000 community support officers to back them up.
- **Get tough on anti-social behaviour.** We will tackle excessive drinking by cracking down on licensees who serve people when clearly drunk or underage. We will require big late night venues contribute to the cost of extra late night policing. Unacceptable noise and offensive behaviour will be tackled with Acceptable Behaviour Contracts agreed between the individual, their family, the police and the local authority.
- **Give prisoners skills for work not crime.** Prisoners would be subject to a tough working day, with increased resources for education and training a top priority so they learn the skills to get a legitimate job. The effort a prisoner puts into getting useful skills would be one of the factors used when considering their release date
- **Make offenders pay back to victims and their communities.** We will make more non-violent criminals do tough community work as an alternative to jail. Experience shows this reduces reoffending, gives them skills for legitimate work, and means that they pay back to the community.
- **Quality investigations, safe convictions.** Our plans to increase police resources will improve detection and investigation of crime and our co-ordinated UK Border Force will strengthen borders against terrorism, drug smuggling and organised immigration crime.

Safer Communities, Safer Citizens

Ensuring that people feel safe in their homes and communities is at the heart of what we stand for as Liberal Democrats. Crime affects people's ability to live a full and fulfilling life. Liberal Democrats recognise that it is the duty of government to take action to reduce crime and the fear of crime. We are committed to effective, realistic policies which will prevent crime from happening in the first place. Liberal Democrats believe that the main guiding principles in the areas of crime, policing and the criminal justice system should be:

- Addressing the underlying social causes of crime through a coherent set of policies embracing community regeneration, youth-work, housing, drug and alcohol strategies, health and childcare.
- Investing in the education system to ensure there are adequate resources to give every child the skills for legitimate work.
- Empowering local communities to reduce crime in their own areas, including through locally accountable and responsive policing, local authority crime prevention, and lay participation in juries, magistrates' courts and restorative justice programmes.

Equipping the police to fight twenty-first century crime

The police are the frontline criminal justice response to crime. They are also key players in preventing crime. A strong and effective police service is vital for public confidence in law and order. Liberal Democrats would make policing more responsive and effective through:

- 10,000 more police on the streets – cutting crime and the fear of crime. By getting rid of Labour's expensive, illiberal and ineffective ID card scheme we can pay for 10,000 police on top

of Labour's plans, in addition to completing existing plans for an extra 20,000 community support officers to back them up.

- Equipping the police with the latest technology and simplifying police bureaucracy to allow them to spend more time on patrol, and less time tied to the desk. The average police officer today spends more time in the police station than they do on the street. Better use of technology will release more resources for crime-solving and improve police visibility.

- Making better use of police time by concentrating police effort on drug traffickers and those drug users who resort to crime to feed their habits, while expanding drug rehabilitation, rather than criminalising people possessing cannabis only for their own personal use.

- Giving local communities a say in how their neighbourhood is policed. Minimum levels of service will be set out clearly in a Local Policing Contract, which will require Chief Constables and police authorities to come to an agreement with local authorities on how the policing element of council tax is spent – a "minimum policing guarantee".

- Building trust between local communities and the police. Liberal Democrats have always advocated community policing and this is as important as ever. A strong relationship between the police and the community, including ethnic minorities, encourages the flow of accurate intelligence to the police, which is essential to catching criminals.

- Establishing police hate crimes investigations units to co-ordinate information and action against racist, homophobic and other hate crimes. It was the Liberal Democrats who led the call for an amendment to the laws on incitement to racial hatred to criminalise those who use religious words as a pretext for race hate.

Liberal Democrats recognise that the nature of crime is changing. Increasingly the police are faced with organised crime and the threat of terrorism. It is because of the cross-border nature of much serious crime that we firmly welcome EU initiatives such as the European Police College, located in the UK, and the co-ordination of investigations and prosecutions. We will take the fight to the criminals through:

- A co-ordinated UK Border Force to strengthen borders against terrorism, drug smuggling and organised immigration crime working in co-operation with the new European Border Management Agency.

- Making Europol more effective in combating and preventing serious crime by increased sharing of expertise and intelligence, with data protection safeguards and parliamentary oversight.

Quality Investigations, Safe Convictions

Liberal Democrats will bring about safe convictions for the guilty by ensuring the quality of police investigations, not by unbalancing the criminal trial process or restricting trial by jury. Our plans to increase police resources will improve detection and investigation of crime. We will repeal measures to routinely admit evidence of hearsay statements or the previous convictions of the accused in court as enacted recently. Such evidence diverts the attention of the jury away from the real issues and can lead to wrongful convictions. A thorough and well-resourced police investigation together with a jury trial, is the only way to fairly try suspected offenders. We will admit evidence from communications interception. We opposed Labour's plans to allow the Home Secretary the power to order house arrest – removal of a person's liberty must be by judges, not politicians.



Paying back to victims and to the community

Liberal Democrats believe in the principle of restorative justice. This means we think criminals owe a debt to their victims and a debt to the community, and that they should be made to do work to repay that debt. This "pay back" approach gives the victim greater involvement in the treatment of offenders, and is effective in making the offender understand the consequences of his or her actions. We will:

- **Give victims a greater voice** by bringing the offender and the victim face to face where appropriate and aiding direct reparation either in cash or in kind.
- **Give communities harmed by crime a greater say** in what work offenders do as part of their community service.

Tougher, more effective community sentences

Prisons are essential for protecting the public from violent and prolific offenders. We believe there should be a presumption of imprisonment for anyone who commits violent crime. In the last ten years, however, the courts have been using prison sentences for less and less serious offences. In 1992, 1 in 20 offenders dealt with by magistrates were sent to prison. In 2002 the figure was 1 in 7. The result: chronic overcrowding, staff shortages and a huge strain on resources for education, training and rehabilitation. A recent Home Affairs Committee report on activity in prisons found that 60% of the prisoners spent no time in vocational training or offending behaviour/drug treatment programmes, 47% spent no time in education and 31% no time in prison work.

The Liberal Democrat principle of "pay back" is at the heart of our proposals for tougher, more effective community sentences for non-violent offenders. Too many prisoners return to a life of crime. Instead of spending

a few weeks sitting in a prison cell doing nothing – at a cost of thousands of pounds to the taxpayer - these individuals should be actively paying back their debt to the community. Community sentences can be more effective than prison at reducing reoffending and giving offenders skills for legitimate work, and are more cost-effective.

We will:

- **Make more non-violent offenders do tough community work as an alternative to jail.** At present, community work is not sufficiently demanding on offenders and the work is not always relevant to the needs of the local community. We will comprehensively reform community sentences to give offenders the skills for legitimate work and to require offenders to do work which makes a real difference to the quality of life for local people. Offenders would be closely monitored using the latest tagging technology.
- **Give local people a say in dealing with low-level crime**



and anti-social behaviour by establishing Community Justice Panels. Offenders arrested for minor crimes like graffiti or being drunk and disorderly would be given a choice - go to court in the normal way and face a criminal record, or go before a panel of local people. The offender would be expected to explain and apologise for his actions, and agree to a programme of work or reparation to make amends for the damage he has done. This process would rebuild links with the law-abiding community, and save valuable court time.

Prison – skills for work, not crime

Our prisons are not working. The number of prisoners is rising - the prison population recently reached 75,000 for the first time – and prison overcrowding is reaching critical levels. This greatly undermines constructive efforts to reduce reoffending. The failure of the present system is clearly demonstrated by the fact that over half of prisoners are reconvicted within two years of release.

There is clear evidence that

improving the education and training of offenders can play a crucial role in reducing offending behaviour. With four out of five prisoners functionally illiterate, and over half of prisoners reoffending, it is time to make prison work. We will:

- **Ensure that prisoners are subject to a tough working day**, with increased resources for education and training a top priority so they learn the skills to get a legitimate job. The effort a prisoner puts into getting useful skills would be one of the factors used when considering their release date. All this is part of our emphasis on tackling the causes of crime.

- **Help to break the cycle of drug-related crime** by providing more drug treatment places in prisons.

Effective solutions to anti-social behaviour

Anti-social behaviour causes misery to many communities, and makes many city centres no-go areas at the weekend. While Liberal Democrats support the appropriate use of ASBOs and many anti-social behaviour measures, we believe they can be

improved with effective measures to change behaviour. At present they focus on exclusion and punishment. Without a strategy for changing the behaviour of offenders, the problem is either pushed behind closed doors, or shunted from one community to another.

With our strong local campaigning roots, Liberal Democrat councils have done much innovative and pioneering work to combat anti-social behaviour. Our solutions are constructive, realistic and workable. We will tackle the problem more effectively than the government by using a wide range of measures with the co-operation of all the relevant agencies at community level:

- **Acceptable Behaviour Contracts (ABCs)**, developed by Liberal Democrats in Islington, have been shown to be an effective alternative to ASBOs in reducing anti-social behaviour. Young people aged 10-18 sign a 'contract' with the local authority and other agencies such as the police and housing association, specifying behaviour they will not engage in. This has proved extremely successful as a means of educating parents and children to take

responsibility of the unacceptable behaviour.

- Parental Control Agreements are similar to ABCs but apply to children under the age of 10. Parents or guardians who sign up to a PCA are expected to take full responsibility for their child's behaviour.

- Involving local people in tackling anti-social behaviour. The Community Justice Panels we propose would give the public an unprecedented say in the way that local crime and anti social behaviour problems are dealt with, as well as offering offenders a way to pay back for the harm they have done to their community.

- Eviction should still be available as a last resort for local authority tenants who breach an Acceptable Behaviour Contract or an injunction. We welcome the Government's adoption (October 2004) of Liberal Democrat plans for residential 'treatment' programmes for anti-social tenants who are at risk of losing their homes. Local authorities should not just move the problem somewhere else.

- Cutting alcohol-related crime. Drink is responsible for much of the violence on our streets, particularly late at night and consequently for much of the public's fear of crime. Drink also fuels domestic violence, particularly against women. We will tackle excessive drinking by cracking down on licensees who serve people when clearly drunk or underage. We will require big late night venues to contribute to the cost of extra late night policing.

- Where an ASBO is necessary, ensuring it is accompanied by measures to tackle the underlying causes of the person's behaviour, such as advice on debt management, drug rehabilitation, and help for nuisance neighbours to tackle their anti-social behaviour.

- Graffiti should be deterred

through a combination of street patrols and quick action by local authorities to remove graffiti as it appears. Graffiti removal should involve the perpetrators as much as possible, so that people are seen to be actively mending the damage they have done.

- Neighbourhood wardens and community support officers should work as a team during the evenings and at night to combat noisy neighbours, with police backup if needed.

- Our plans for a less prescriptive Minimum Curriculum Entitlement will allow pupils more flexibility to choose an individual learning programme from a broader choice of academic and skills-based courses. We will promote schemes to combat bullying, truancy and classroom disruption.

Fighting the criminal drug industry

The prohibitionist approach to drugs over the last 30 years has failed. The UK has one of the highest rates of illegal drug use in Europe with four million Britons reporting using illegal drugs in the past 12 months. Aside from the health and social problems drug abuse creates for the users themselves, hard drugs are a big factor in causing other crime. Crime associated with illegal drugs costs the UK £16bn a year, ranging from burglaries and robberies by addicts trying to feed their habit, to gun crime. Our record prison population is largely explained by the increase in imprisonment of drug offenders.

The current focus on criminal sanctions makes the problem worse as it brings many young people, who would otherwise be law-abiding, into contact with both the criminal world and the criminal justice system, and it diverts large public resources which could be better used elsewhere.

The Liberal Democrat approach to reform of the drugs laws is about being effective to reduce

the harm drugs cause society - beating the dealers, dismantling the market in illegal drugs, and helping addicts to break the cycle of drugs and crime.

We will:

- **Fight the criminal drug industry** through a combination of tough police action against drug dealers and a more sensible legal structure for drug users. Our policy of non-prosecution for possession, cultivation for own use or social supply of cannabis would shift police resources away from targeting the users to cracking down on the dealers and drug traffickers. In the longer term, we would seek to put the supply of cannabis on a legal, regulated basis subject to securing necessary renegotiation of the UN Conventions.

- **Help to break the cycle of drug-related crime** by providing more drug treatment places in prisons. Our policy will also free up money for education and treatment services, which will in turn cut the number of addicts. Every pound spent on treatment saves three pounds in costs to the criminal justice system.

- **Establish a standing Drugs Commission** to advise on drugs policy, with a remit extended to cover legal substances such as alcohol, solvents and tobacco, and requiring the Commission to carry out regular audits of drugs policy with major reports every five years.

- **Crack down on illegal drug trafficking** by introducing a new offence of 'dealing' to allow more effective action against those proved to be supplying illegal drugs over long periods of time and making the selling of drugs near schools and other sensitive locations an aggravating factor in sentencing.

- **Reduce drug affected driving** by encouraging the police to carry out roadside sobriety testing of suspected unfit drivers when appropriate.

Liberal Democrats will reform

unnecessary and counter-productive criminal penalties by:

- Ending the use of imprisonment as a punishment for possession for own use of illegal drugs of any class. Instead, non-custodial sentences such as community sentences and Drug Treatment and Testing Orders could be used. Reclassification would allow for a more credible education-based approach to deterring users.

Liberal Democrats will promote a more effective policy to reduce drug dependency and its adverse consequences by:

- Developing a strategy for specialist heroin treatment in which heroin or methadone could be administered under controlled conditions with other medical treatment and testing, and counselling and withdrawal programmes available.



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