

Members' briefing: What have the Liberal Democrats proposed on law and order?

With a general election now called for 6 May 2010, this briefing summarises the information available to date on the Liberal Democrats' crime and criminal justice policies, ahead of the publication of their manifesto.

Policy proposals

The Liberal Democrats' website states that:

For too long the debate about policing and criminal justice policy has been centred around what sounds tough rather than what works to cut crime. Labour and the Tories have become embroiled in a sentencing arms race in a bid to pander to tabloid newspaper editors and to exploit a politics of fear. As well as putting 3,000 more police officers on the beat by scrapping ID cards, the Liberal Democrats are committed to meaningful reform of the police service and to putting criminal justice policy on an evidence-based footing.

Labour's catastrophic mismanagement of the criminal justice system has led to prisons bursting at the seams; the creation of over 3,600 new criminal offences since 1997; and an unprecedented criminalisation of our children. Instead of using prison and sentencing as a proxy for real action on crime, the Liberal Democrats will use alternative measures that are proven to reduce reoffending. These include community justice panels, the nationwide use of restorative justice and rigorous community punishments as an alternative to short-term prison sentences.¹

This provides context for the party's 'Pocket Guide to Liberal Democrat Policies',² which summarises the party's key policies and identifies the following priorities on law and order:

- **Catch criminals with 3,000 more police on the beat.** It states: "By scrapping pointless ID cards, we will pay for 3,000 more police, and cut bureaucracy so they're out fighting crime not filling in forms. We will stop posturing on penalties and concentrate on catching criminals. We will also make police work better by giving local people a direct say in policing and by tackling outdated or bad working practices."
- **Crack down on gun and knife crime.** It states: "We will make hospitals share information with the police so they know where gun and knife crime is happening. The police can then target these 'hot spots' for stop and search to find these illegal weapons and destroy them. In Cardiff, where this model has been piloted, this practice has reduced violent crime by 40%."
- **Make prisoners work to pay compensation to victims.** It states: "It is only fair that criminals pay for the damage they cause. We will make prisoners work and contribute from their prison wages to a compensation fund for victims. At the moment, prisons are just colleges of crime. Making prisoners work (as well as educating and training them) will give them the skills they need to "go straight" when they are released."
- **Justice in your neighbourhood.** It states: "We will give people a direct say in how petty criminals and those who engage in antisocial behaviour are punished in their area. This will be achieved by the creation of Neighbourhood Justice Panels, like the one run by Liberal Democrats in Somerset where 95% of offenders have been turned away from further crimes."

Some of these proposals are covered in more detail in the Liberal Democrats' most recent policy document on crime, 'Safer Streets - More and Better Police',³ which was published in September 2009.

¹ http://www.libdems.org.uk/law_and_order.aspx

² <http://www.libdems.org.uk/siteFiles/resources/PDF/Pocket%20Guide%20March%202010.pdf>

³ <http://www.libdems.org.uk/siteFiles/resources/PDF/Safer%20Streets%20-%20More%20and%20Better%20Police.pdf>

On **police numbers**, it promises that over the course of a Parliament, the Liberal Democrats would put 3,000 extra officers on the beat across England, Wales and Scotland. They argue that putting 2,700 more police on the beat in England and Wales (300 would be in Scotland) would lead to more than 27,500 more arrests each year and an extra 24,500 crimes being solved.

On **local accountability** in policing, it proposes giving more power to police authorities, introducing the direct election of police authorities, and aligning police command units with local council boundaries to encourage dialogue and co-operation between the commander and the council.

On **police effectiveness**, it proposes an urgent review of whether the terms and conditions for police officers (for example a single point of entry into the force, 30 or 35-year lifetime employment and pay determined by seniority) are appropriate. It also proposes an annual fitness tests for police officers and renewed efforts to reduce bureaucracy in the police service. The Liberal Democrats have previously stated that all police officers convicted of a criminal offence involving violence or dishonesty should be dismissed.⁴

'Safer Streets - More and Better Police' also proposes a new **National Crime Reduction Agency**, "to do for policing and criminal justice what the National Institute for Clinical Excellence does in the health service". This proposal is expanded on in a contribution by David Howarth MP, Liberal Democrat Shadow Justice Secretary, to 'Transforming Justice: New approaches to the criminal justice system',⁵ a Criminal Justice Alliance-published collection of essays. He discusses the potential of what he calls a 'National Institute for Criminal Justice Excellence', which would be "a national body charged with assessing objectively the likely effectiveness of criminal justice policies". It would provide expert and impartial advice to government and sentencers on 'what works', working to what the Government sets out as the purpose of the criminal justice system.

In a recent *Guardian* article, Chris Huhne MP, Liberal Democrat Shadow Home Secretary, also discusses the need for this new agency, as well as stating that the "Liberal Democrats would not build more prisons" and pledging that in the run up to the forthcoming election "the Liberal Democrats will not peddle the politics of fear".⁶

The Liberal Democrats have published two previous policy documents on crime and criminal justice in recent years, 'Cutting Crime by Catching Criminals' (September 2008) and 'A Life Away from Crime' (July 2008).

'Cutting Crime by Catching Criminals' called for "a sustained shift of spending priorities from the prison service to the police and probation, so that non-custodial sentences can be properly enforced". [In his conference speech that autumn, Chris Huhne MP endorsed this, calling for "a new consensus on what works, not what titillates the tabloids" and arguing that "if we want to cut crime, we should stop posturing about penalties because they are tough enough".⁷] The majority of the proposals in 'Cutting Crime by Catching Criminals' focused on the police and have been updated in 'Safer Streets - More and Better Police'. However, it also proposed:

- Separating out from the mainstream prison population offenders who are mentally ill or drug addicts by extending mental health and drug treatment for offenders.
- Tripling the number of prisoners working, and making education and training compulsory.
- Expanding specialist courts for drug and domestic violence cases.
- Strengthening the probation service to enforce community sentences.
- Dealing with minor offences and antisocial behaviour by having Community Justice Panels in every town.
- Ensuring that restorative justice projects are run locally in every community with facilities in schools and children's care homes, and backing larger pilots of restorative justice programmes in the criminal justice system.

⁴ <http://www.guardian.co.uk/politics/2009/mar/11/police-officers-criminal-records>

⁵ <http://www.criminaljusticealliance.org/transformingjustice.pdf>

⁶ <http://www.guardian.co.uk/commentisfree/2010/mar/07/liberal-democrats-criminal-justice>

⁷ http://www.chrishuhne.org.uk/speeches/000064/september_2008_conference_speech.html

'A Life Away from Crime' focused on **youth justice**, and proposed: the creation of a Youth Volunteer Force to make engagement with the community more attractive to young people; increasing diversionary activities for young people; protecting children's play areas; introducing measures to prevent young people drinking; tackling drug addiction through a greater focus on treatment for addicts and on targeting dealers; establishing Community Justice Panels to agree Positive Behaviour Orders with offenders; increasing the use of Acceptable Behaviour Contracts and other forms of early intervention; increasing the use of restorative justice; establishing community courts across the country; making community sentences more effective and better tailored to the offence; and using custody for young people only as a last resort.

Neither of these two documents is still available on the Liberal Democrats' website and some of the proposals contained in them may have been shelved due to the changed financial circumstances. However, the website does still state that:

*[The] Liberal Democrats will give communities a direct say in how petty criminals and those who engage in antisocial behaviour are punished in their area by setting up Community Justice Panels. We will make offenders face up to what they have done and allow victims to confront them through restorative justice programmes. We will make prisoners work and contribute to a compensation fund for victims. We will clean up drug addicts with treatment and move the mentally ill out of prison and into more appropriate secure accommodation.*⁸

The Liberal Democrats are strong supporters of **restorative justice**. For example David Howarth has stated that "the government and the Tories are obsessed with talking about punishment and deterrence but we should be concentrating instead on restorative justice because it works".⁹ The Liberal Democrats also support the principles of **justice reinvestment**, stating that "the idea of joining up government at local level is one that chimes with the Liberal Democrat approach to politics and is certainly a direction that policy should take in the future".¹⁰

The Liberal Democrat 2009 spring conference also passed a policy motion on prisons and criminal justice policy.¹¹ It called for: a commitment to building **smaller, 'fit for purpose' prison facilities**, funded in part by the sale of prisons in city-centre locations; reform of the prison system so that the most dangerous and serious offenders are housed in adequate facilities, with greater emphasis on rehabilitation, restorative justice, and drug, alcohol and mental health treatment; an extra 10,000 police officers [now reduced in official policy to 3,000] and neighbourhood policing across the country, funded by scrapping the expensive ID card scheme; minor offences and antisocial behaviour to be dealt with by Community Justice Panels in every town, facilitating restorative justice where offenders recognise the effects of their actions and make amends to their victims; a strengthening of the probation service to better enforce community sentences; and the immediate implementation of the Corston review to end the unnecessary imprisonment of women for minor offences.

On **women offenders**, the Liberal Democrats have recently said (in answer to the question 'How will you reduce the number of women being sent to prison?', posed by the Fawcett Society): "A record number of women [were] sent to prison last year yet there is no evidence of a corresponding rise in women committing more serious crimes. The rise in older women, including pensioners, being put behind bars is particularly alarming. And about two-thirds of women in prison are there for non-violent offences. We would reform the justice system fundamentally to end the absurdity of sending drug addicts and the mentally ill to prison - it's not the place for

⁸ <http://www.libdems.org.uk/crime.aspx>

⁹ <http://www.davidhowarth.org.uk/?page=525&group=2>

¹⁰ <http://www.libdemvoice.org/david-howarth-writes-now-is-the-time-to-reform-our-penal-policy-18647.html>

¹¹

http://www.libdems.org.uk/law_and_order_detail.aspx?title=Lib_Dems_say_no_to_Titan_prisons%2c_yes_to_more_police&pPK=a0588247-d498-4b5b-8b69-c9763742b7ed

them. Leaving children abandoned by locking up their mothers is one of the best ways of creating a new generation of offenders, so we should avoid sending women to prison except where it is absolutely necessary to protect the public.”¹²

On the **National DNA Database**, the Liberal Democrats have proposed ending the permanent retention of innocent people’s DNA, arguing that DNA should be taken on arrest but destroyed if a person is not charged or if they are acquitted, and removing the DNA profiles of children under 16 from the DNA database, except those convicted of a violent or sexual offence. They have also proposed introducing full regulation of CCTV.¹³

Key individuals

Leading MPs in this policy area include:

- **Chris Huhne MP**, Shadow Home Secretary. Elected in May 2005, Chris Huhne served as Shadow Chief Secretary to the Treasury until 2006 when he became Shadow Secretary of State for the Environment, Food and Rural Affairs. Chris was runner-up in both the 2006 and 2007 Liberal Democrat leadership elections. He became Shadow Home Secretary in 2007.
- **David Howarth MP**, Shadow Secretary of State for Justice. David Howarth was elected in the 2005 general election, served as Shadow Solicitor General from 2007 and became Shadow Secretary of State for Justice in January 2009. He is standing down at the forthcoming general election.
- **Tom Brake MP**, Shadow Home Affairs Minister and a member of the Home Affairs Select Committee. Tom Brake has previously served as Shadow Secretary of State for International Development, Shadow Transport spokesman and Shadow Minister for Local Government and Community Cohesion. He is also Shadow Minister for London and the Olympics.
- **Lord Thomas of Gresford**, Shadow Attorney General. Lord Thomas was made a life peer in 1996. He has been a spokesman in the House of Lords on Welsh Affairs and Home Affairs. In December 2006, he was appointed Shadow Lord Chancellor and in 2007 he was appointed Shadow Attorney General.
- **Baroness Miller of Chilthorne Domer**, Spokesperson for the Home Office. Baroness Miller was nominated a life peer in 1998, was party spokesperson in the House of Lords on agriculture and rural affairs from 1999 to 2007 and is now a spokesperson on home affairs.
- **Baroness Linklater of Butterstone**, spokesperson in the House of Lords for penal reform. Baroness Linklater chaired the Esmée Fairbairn Foundation’s ‘Rethinking Crime and Punishment’ initiative, which looked at the use of imprisonment and alternatives to custody, from 2001 to 2008.
- **Danny Alexander MP**, Chair of the Manifesto Group and Chief of Staff to Nick Clegg. Danny Alexander is responsible for developing the Liberal Democrats’ election manifesto.

Advisers in this area include:

- **James McGrory**, Justice and Home Affairs Adviser.
- **Polly MacKenzie**, Chief Political Adviser to Nick Clegg.
- **Christine Berry**, Parliamentary Researcher for David Howarth MP.

Further reading

Publications

- ‘Safer Streets - More and Better Police’ - <http://www.libdems.org.uk/siteFiles/resources/PDF/Safer%20Streets%20-%20More%20and%20Better%20Police.pdf>
- ‘Liberal Democrats Policy Briefing: Civil Liberties’ - <http://www.libdems.org.uk/siteFiles/resources/PDF/Policy%20Briefing%20-%20Civil%20Liberties%20Oct%2009.pdf>

¹² <http://www.fawcettsociety.org.uk/index.asp?PageID=1090>

¹³ <http://www.libdems.org.uk/siteFiles/resources/PDF/Policy%20Briefing%20-%20Civil%20Liberties%20Oct%2009.pdf>

- 'The Liberal Moment' by Nick Clegg - http://www.demos.co.uk/files/Liberal_moment_-_EMBARGOED_18.09.09.pdf
- 'Pocket Guide to Liberal Democrat Policies' - <http://www.libdems.org.uk/siteFiles/resources/PDF/Pocket%20Guide%20March%202010.pdf>

Speeches

- *Nick Clegg MP (Leader of the Liberal Democrats)*
 - 'Why I am a liberal' (15/12/08) - <http://www.demos.co.uk/files/File/Lib.pdf>
 - 'Liberal Democrat Conference' (17/9/08) - [http://www.libdems.org.uk/speeches_detail.aspx?title=Nick Clegg%e2%80%99s speech to the Liberal Democrat Conference&pPK=2ebf8cc7-32df-4b97-8065-1fdd33793384](http://www.libdems.org.uk/speeches_detail.aspx?title=Nick+Clegg%e2%80%99s+speech+to+the+Liberal+Democrat+Conference&pPK=2ebf8cc7-32df-4b97-8065-1fdd33793384)
- *Chris Huhne MP (Liberal Democrat Shadow Home Secretary) speeches:*
 - 'Speech to Spring Conference' (14/3/10) - http://www.chrishuhne.org.uk/speeches/000097/speech_to_spring_conference.html
 - 'Crime and Security Bill: DNA Database' (8/3/10) - http://www.chrishuhne.org.uk/speeches/000099/crime_and_security_bill_dna_database.html
 - 'Crime and Security Bill: Third reading' (18/1/10) - http://www.chrishuhne.org.uk/speeches/000101/crime_and_security_bill_third_reading.html
 - 'Queen's Speech Debate - Home Affairs' (25/11/09) - http://www.chrishuhne.org.uk/speeches/000085/queens_speech_debate_home_affairs.html
 - 'Antisocial Behaviour Speech' (2/11/09) - http://www.chrishuhne.org.uk/speeches/000093/antisocial_behaviour_speech.html
 - 'Autumn Conference Speech' (22/9/09) - [http://www.libdems.org.uk/speeches_detail.aspx?title=Speech%3a Chris Huhne delivers Autumn Conference speech&pPK=c2f75c18-5a46-4580-b55f-8be6448396f3](http://www.libdems.org.uk/speeches_detail.aspx?title=Speech%3a+Chris+Huhne+delivers+Autumn+Conference+speech&pPK=c2f75c18-5a46-4580-b55f-8be6448396f3)
 - 'Knife Crime Speech' (9/6/09) - http://www.chrishuhne.org.uk/speeches/000087/knife_crime_speech.html
 - 'Policing and Crime Bill Speech' (19/5/09) - http://www.chrishuhne.org.uk/speeches/000088/policing_and_crime_bill_speech.html
 - 'Policing and Crime Bill Speech' (19/1/09) - http://www.chrishuhne.org.uk/speeches/000090/policing_and_crime_bill_speech.html
 - 'September 2008 Conference Speech' (16/9/08) - http://www.chrishuhne.org.uk/speeches/000064/september_2008_conference_speech.html
 - 'Police Funding' (10/1/08) - http://www.chrishuhne.org.uk/speeches/000078/police_funding.html
- *David Howarth MP (Liberal Democrat Shadow Justice Secretary) speeches:*
 - 'David Howarth speaks about civil liberties at Liberal Democrat Conference' (20/9/09) - [http://www.libdems.org.uk/news_detail.aspx?title=Speech%3a David Howarth speaks about civil liberties at Liberal Democrat Conference&pPK=005d6738-d8a5-496d-b0a4-c7f77b00b385](http://www.libdems.org.uk/news_detail.aspx?title=Speech%3a+David+Howarth+speaks+about+civil+liberties+at+Liberal+Democrat+Conference&pPK=005d6738-d8a5-496d-b0a4-c7f77b00b385)

Media articles

- 'Now is the time to reform our penal policy' by David Howarth (2/4/10) - <http://www.libdemvoice.org/david-howarth-writes-now-is-the-time-to-reform-our-penal-policy-18647.html>
- 'We pay millions - to lock up the wrong people' by Vince Cable (8/3/10) - <http://www.dailymail.co.uk/debate/article-1256072/VINCE-CABLE-We-pay-millions--lock-wrong-people.html#ixzz0hVIBdkNP>
- 'Tough on crime? Jail's not the answer' by Chris Huhne (7/3/10) - <http://www.guardian.co.uk/commentisfree/2010/mar/07/liberal-democrats-criminal-justice>
- 'Don't despair, Britain isn't a broken society' by Vince Cable (21/2/10) - <http://www.dailymail.co.uk/debate/article-1252593/VINCE-CABLE-Dont-despair-Britain-isnt-broken-society.html>

- 'We can't be complacent about falling crime' by Chris Huhne (21/1/10) - <http://www.guardian.co.uk/commentisfree/2010/jan/21/falling-crime-police-prisons>
- 'Ignoring drug experts sets a dangerous precedent' by Chris Huhne (3/11/09) - <http://www.yorkshirepost.co.uk/opinion/Chris-Huhne-Ignoring-drug-experts.5788364.jp>
- 'Only the Lib Dems will safeguard civil liberties' by David Howarth (19/9/09) - <http://www.guardian.co.uk/commentisfree/libertycentral/2009/sep/19/lib-dem-conference-civil-liberties>
- 'Believing in our children, not criminalising them' by Nick Clegg (16/7/09) - <http://operationblackvote.wordpress.com/2009/07/16/believing-in-our-children-not-criminalising-them/>
- 'Tory anti-Europe dogma helps crooks' by Chris Huhne (4/6/09) - <http://www.guardian.co.uk/commentisfree/2009/jun/04/tory-anti-european-criminals>
- 'Scalpel-sharp intelligence is needed to slash knife crime' by Chris Huhne (30/3/09) - http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article5998477.ece
- 'My top priorities as Lib Dem shadow secretary of state for justice' by David Howarth MP (13/2/09) - <http://www.libdemvoice.org/david-howarth-mp-writes-my-top-priorities-as-lib-dem-shadow-secretary-of-state-for-justice-11278.html>
- 'A third way of punishing crime' by David Howarth (16/7/08) - <http://www.guardian.co.uk/commentisfree/2008/jul/16/justice.law>
- 'Toughing it out on justice' by David Howarth (16/6/08) - <http://www.guardian.co.uk/commentisfree/2008/jun/16/ukcrime.prisonsandprobation>

Analysis

- 'Liberals don't care about victims of crime' by Ed West (15/3/10) - <http://blogs.telegraph.co.uk/news/edwest/100029886/liberals-dont-care-about-victims-of-crime/>
- 'Do Lib Dems have a counter-narrative to "Broken Britain"?' by Jane Watkinson (22/2/10) - <http://liberalconspiracy.org/2010/02/22/do-libdems-have-a-counter-narrative-to-broken-britain/>
- 'Prisoner Learning: The Liberal Democrat Approach - An interview with David Howarth MP' (1/2/10) - <http://www.prisonerseducation.org.uk/index.php?id=365>
- 'What to make of Nick Clegg's four steps?' by Mark Pack (12/1/10) - <http://www.libdemvoice.org/what-to-make-of-nick-cleggs-four-steps-17528.html>
- 'Huhne: scrap ID cards and put 10,000 bobbies on the beat. Three reasons why he's wrong' by Stephen Tall (30/6/09) - <http://www.libdemvoice.org/huhne-scrap-id-cards-and-put-10000-bobbies-on-the-beat-three-reasons-why-hes-wrong-15512.html>
- 'Huhne: police officers with criminal convictions should be sacked. (Question: should they?)' by Stephen Tall (11/3/09) - <http://www.libdemvoice.org/huhne-police-officers-with-criminal-convictions-should-be-sacked-question-should-they-12442.html>
- 'Chris Huhne is no localist' by Douglas Carswell MP (6/9/08) - <http://www.talkcarswell.com/show.aspx?id=122>
- 'Are Lib Dems crime-busters?' by Channel 4 News (20/9/06) - <http://www.channel4.com/news/articles/world/are+lib+dems+crimebusters/169320>

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