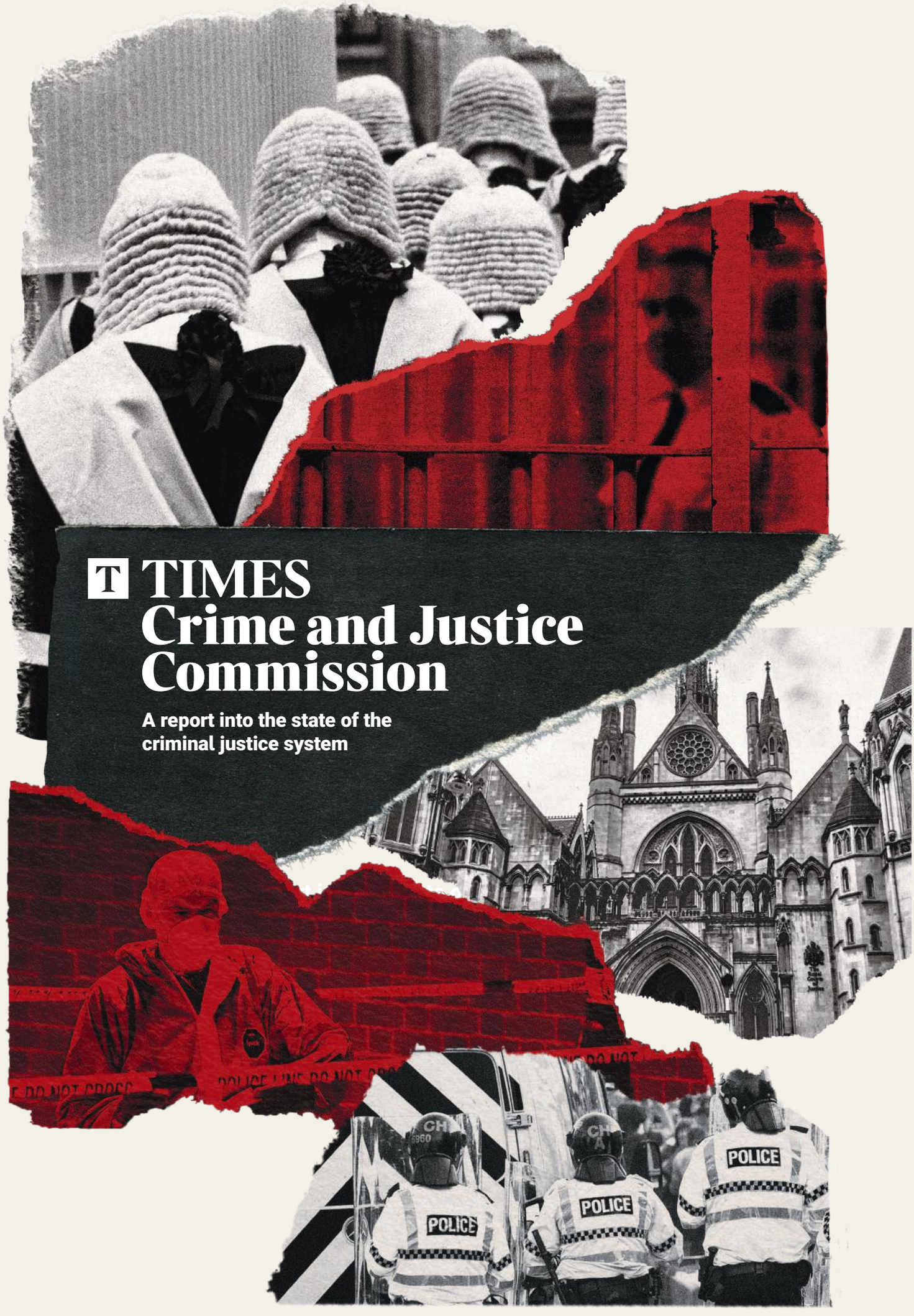

TIMES
Crime and Justice
Commission
A report into the state of the
criminal justice system
POLICE
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Editor's letter

The Times Crime and Justice Commission was set up in April last year to consider the future of policing, the courts, sentencing and prisons and draw up proposals for reform.

The problems in the criminal justice system are clear for all to see. The police are struggling to retain public trust, the prisons are overflowing and the courts backlog is causing insufferable delays. Every part of the system is in crisis and a sense of lawlessness has taken hold in too many neighbourhoods and high streets.

The commission's job was to find solutions. It follows the success of The Times Education Commission and The Times Health Commission and is part of the paper's commitment to informing public debate and shaping policy ideas as well as reporting the news.

This year-long project has been chaired by the Times journalist Rachel Sylvester, supported by a distinguished group of commissioners from the worlds of policing, intelligence, the law, business, science, social policy and medicine.

They joined in a personal capacity on an advisory basis and were not expected to agree with every proposal.

With a remit to consider everything from knife crime to violence against women and girls, cybercrime to sentencing, shoplifting to mental health, policing to prisons, the commission has deliberately taken a broad approach rather than focusing on one part of the criminal justice system.

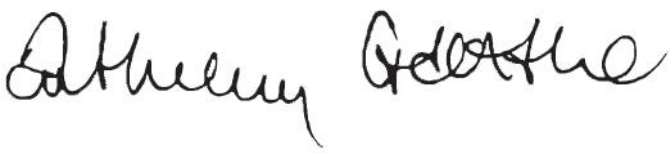
It has heard expert evidence from more than 500 witnesses including chief constables, prison governors, judges, probation officers and victims. It has visited police stations, prisons and courts in this country and around the world. It has commissioned economic analysis, opinion polls and focus group research to get as full a picture as possible of what is working and what is not functioning properly.

Three core principles became clear and underpin this report, backed up by detailed research, case studies and recommendations. First, the criminal justice system must be seen as an interconnected whole rather than being broken into its constituent parts. Decisions taken about sentencing will have an immediate impact on prisons and changes to policing will have an inevitable knock-on effect in the courts.

Second, it is time to end the sloganising about law and order and follow the evidence about what works. The only way to be truly "tough on crime" is to reduce offending and reoffending.

Third, technology has the power to transform the criminal justice system. New threats are emerging online but there are also enormous opportunities on offer from artificial intelligence, data analytics and live facial recognition tools that must be seized with both hands. Criminals are the fastest adopters of new technology in the world and the authorities must keep up.

We want the commission to be a catalyst for change. The status quo is not an option. The current approach to law and order is eroding public trust and is simply unaffordable. This report contains clear, deliverable, evidence-based policies that would make the criminal justice system both more effective and more efficient. I urge the government to support its recommendations and to bring about the reform that the country needs.



Tony Gallagher

THE TIMES

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Report compiled by Rachel Sylvester, chair of The Times Crime and Justice Commission

The Commissioners



Rachel Sylvester
Chairwoman and Times columnist



Lord Burnett of Maldon
Former lord chief justice of England and Wales



Peter Clarke
Former head of counterterrorism for the Metropolitan Police and former chief inspectorof prisons



Martin Griffiths
Trauma surgeon and NHS England's national clinical lead for violence reduction



Nick Hardwick
Former chief inspector of prisons and former head of Parole Board



Sir Max Hill
Former director of public prosecutions



Paul Johnson
Director of the Institute for Fiscal Studies



Baroness Longfield
Executive chair of the Centre for Young Lives and former children's commissioner for England



Baroness Manningham-Buller
Former head of MI5



Sandra Paul
Partner in the criminal litigation department at Kingsley Napley and author of Defending Suspects at Police Stations



Jason Pitter KC
Leader of the Northeastern Circuit of the Bar



Natasha Porter
Chief executive of Unlocked Graduates (the equivalent of Teach First for prison officers)



Dame Anne Rafferty
Former High Court judge and lady justice of appeal



Lade Smith
President of the Royal College of Psychiatrists and a forensic psychiatrist



Dame Sara Thornton
Former chief constable of Thames Valley police and former chairwoman of the National Police Chiefs' Council



Lord Timpson
Former chief executive of the Timpson Group (stepped down from the commission to join the government as prisons minister)



Claire Waxman
Independent victims' commissioner for London



Dame Sharon White
Chair of Frontier Economics and former chair of the John Lewis Partnership



Sir Tom Winsor
Former chief inspector of constabulary

Oliver Myers
Policy adviser

Daisy Eastlake
Researcher

All commissioners joined in a personal capacity on an advisory basis and not on behalf of their organisations

A ten-point plan for crime and justice

1. Introduce a universal digital ID system to drive down fraud, tackle illegal immigration and reduce identity theft
2. Target persistent offenders and crime hotspots using data to clamp down on shoplifting, robbery and antisocial behaviour
3. Roll out live facial recognition and other artificial intelligence tools to drive the efficiency and effectiveness of the police
4. Create a licence to practise for the police, with revalidation every five years to improve culture and enhance professionalism
5. Set up victim care hubs backed by a unified digital case file to create a seamless source of information and advice
6. Introduce a new intermediate court with a judge and two magistrates to speed up justice and reduce court delays
7. Move to a “common sense” approach to sentencing with greater transparency about jail time, incentives for rehabilitation and expanded use of house arrest
8. Give more autonomy and accountability to prison governors with a greater focus on rehabilitation and create a College of Prison and Probation Officers
9. Restrict social media for under-16s to protect children from criminals and extreme violent or sexual content
10. Raise the minimum age of criminal responsibility to 14 to take account of new developments in neuroscience

TIMES
Crime and Justice Commission

“MANIFESTO FOR THE OVERHAUL OF A BROKEN SYSTEM

The public has lost faith, courts are overwhelmed, prisons are deluged and money is running out. It is time for change

Robert Peel’s first principle of policing was that the police exist “to prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment”. His second was that the police must always recognise that their power to fulfill their duties is “dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect”. As the 19th-century prime minister and founder of the Metropolitan Police put it: “The police are the public and the public are the police.” That unwritten contract, on which law and order still depend, is now dangerously close to collapse in a broken criminal justice system.

People are losing faith in the authorities to keep them safe and to catch those who want to do them harm. A YouGov poll for The Times Crime and Justice Commission found that 55 per cent of the public do not trust the police to solve crimes and 38 per cent have little or no faith in the police to maintain law and order. Only 37 per cent of voters believe the police are doing a good job and more than half think they are doing a worse job than 30 years ago.

The murder of Sarah Everard by a serving Metropolitan Police officer, Wayne Couzens, and the jailing of the serial rapist David Carrick, who was a member of the firearms unit, are among a spate of atrocities that have undermined public confidence in the police. These high-profile scandals are set against the backdrop of a drum beat of low-level offending that seems to go unchecked. A shoplifting epidemic, a rise in knife crime, a surge in mobile phone theft and an increase in cyber-fraud have left many feeling anxious about the world around them and abandoned by the law enforcement agencies. Only 26 per cent of people believe that the police would arrest and prosecute someone if they were burgled and only 7 per cent are confident that a pickpocket would be caught. More than three quarters think it unlikely that the police would arrest and prosecute someone if they were a victim of online fraud. In a system based on policing by consent, such a demonstrable loss of confidence is a serious cause for concern.

The sense of lawlessness felt in many communities was illustrated, vividly, by the riots that erupted across England last summer following the Southport stabbings. In that case the violence was quickly and effectively stamped out but the swift justice meted out to the rioters was exceptional in a criminal justice system that



Police officers, known as "peelers" after Robert Peel, founder of the Metropolitan Police, in an illustration called Drunk & Disorderly from about 1835. The caption reads Meeting With Good Support

is more typically beset by delays at every stage. The backlog in the courts leaves complainants, victims, defendants and witnesses in limbo, often for years. Rape victims describe being trapped in the legal process as being even more traumatic than the original offence. While those who have suffered horrendous crimes are forced to wait for justice, the public watches as prisoners who have been released early from jail crack open the champagne. Baroness Casey of Blackstock, the social policy expert who conducted a review of the Metropolitan Police, said: "Sometimes it feels like it's the criminals' justice system."

During the commission's evidence gathering a series of paradoxes emerged. In many ways Britain is safer than ever before: traditional crime — burglary, car theft and low-level assaults — has fallen by 75 per cent since 1995 as a result of improved security and technology. There has been a similar pattern across most western countries. Yet the failure to tackle the everyday crimes that make life a misery in many neighbourhoods and the wider dysfunction of the criminal justice system mean that people feel less secure. New threats have also emerged, particularly in the online world, and the police have not kept up. Cybercrime and fraud now account for about half of all crimes affecting people in England and

0.1%

Proportion of cybercrime and fraud cases that result in a charge or summons

Wales but only 0.1 per cent result in a charge or summons. Criminals often operate internationally, making it harder to secure a conviction. As Sir Max Hill KC, the former director of public prosecutions, told his fellow commissioners: "I don't think crime is falling at all. We're seeing spikes of activity, in both 'traditional crime' areas and new features of criminal activity. We've got a system that is really stretched to breaking point."

There is a mismatch between public perception and reality on law and order. Sentences have doubled over the past fifty years but most people think they have got shorter. Prisons are brutal, violent places but many who have never been inside them are convinced they are like holiday camps. The English legal system is admired around the world and yet courtrooms are shut with leaking roofs. A disconnect exists between the "tough on crime" rhetoric used by politicians of all parties and the failure to invest in the criminal justice system. Successive home secretaries have legislated to ratchet up sentences, with little concern for the impact on the overflowing jails. The courts backlog means that a fifth of the prison population is made up of people on remand awaiting trial. Cuts to mental health services have left the police picking up the pieces. Prime ministers and their advisers have too often put politics before national interest and thwarted sensible reforms that they feared would make them look soft.

The "penal populism" that has taken hold may have given politicians a short-term sugar rush but it has also created more victims in the longer term. Instead of prisons being places where offenders' lives can be turned around, many have become dysfunctional holding pens that are turning out even more hardened criminals. In England and Wales, 37 per cent of people leaving prison reoffend within two years, rising to 57 per cent of those who have served short custodial sentences. In Norway, which puts a much greater focus on rehabilitation, it is only 20 per cent.

The criminal justice system is stuck in a doom loop of retribution and recidivism that is doing nothing to make the streets safer. An extraordinary 80 per cent of offending is reoffending. As persistent offenders circle round the revolving door to prison, less than 10 per cent of criminals are responsible for almost half of all crime. Many of them are addicted to alcohol or drugs, but nothing is done to deal with the problem underlying their criminality. Lord Timpson, the prisons minister and a member of the commission before going into government last year, said: "The reason why over time there are so many people in prisons is because of reoffending. You've got to get the reoffending levels down otherwise you're permanently in a state where you've got to keep building more prisons."

The human cost is huge but so is the economic impact. The Ministry of Justice has embarked on a £10 billion prison-building programme, in which some individual cells will cost more than £1 million. These budgets do not include the running costs of the additional jails. Already, the cost of reoffending has risen to £23.6 billion a year in England and Wales and is now more than half the total financial impact of crime. An economic analysis for the commission by Crest Insights, a crime, justice and policing think tank, found that the price of repeat criminality had driven the annual cost of law-breaking to £46.8 billion. The cost of reoffending alone has increased by more than a third since 2016 and is more than the entire Home Office annual budget for the police.

There are now more people in prison than in the army. At a time when public finances are squeezed and demands are pressing on all sides, this is unaffordable and reduces the money available for other services including health, education and defence. As Paul Johnson, director of the Institute for Fiscal Studies and a member of the commission, said: "There's obviously a huge cost to crime. A lot of crime is committed by people who have been through the system once, twice, several times and that's a remarkably high fraction, actually, of total offending. That adds to all of these costs. If you could significantly reduce reoffending, then you are clearly going to cut the cost quite significantly."

The commission has been evidence-based and sought to learn from the best examples in this country and abroad in a dispassionate, non-ideological fashion. Through fortnightly evidence sessions, round-table meetings and focus groups, it heard from more than 500 expert witnesses. They included chief constables, judges, probation officers, prison governors, victims, business leaders, scientists, cultural figures and politicians including two former prime ministers, eleven of the people who have served as home secretary and ten of those who have held the role of lord chancellor over the past thirty-five years.

As well as visiting police stations, prisons, young offender institutions and courts around England and Wales, the commission conducted international fact-finding tours in Spain, Sweden, the Netherlands, Estonia and the United States. What emerged was that Britain is increasingly an outlier when it comes to crime and punishment. Other countries have found a better balance between retribution and rehabilitation, driving down their crime rates and prison populations by reducing reoffending. It is time to set aside politics and follow the evidence of what works around the world. There is a choice to be made. Many of the political big beasts who sat around the cabinet

table either as home secretary or lord chancellor over the past three decades now regret that they did not seize the opportunity to introduce reform.

Some of them were thwarted by No 10 but two former prime ministers also told the commission that they believed a radical change was required. Sir Tony Blair, the former Labour prime minister, said: "The criminal justice system has completely broken down. A large part of police time is spent on things that really aren't to do with crime-fighting and the criminal justice system itself is incredibly antiquated. You can use technology to improve those processes enormously."

Sir John Major, Blair's Conservative predecessor, described the state of prisons as a "total and utter disgrace". He said: "This is a moral issue. If people misbehave, society has a right to punish them but the punishment should be suitable for the crime and you should not make it worse by incarcerating people in circumstances in which no civilised person should live."

The commission met many dedicated public servants trying desperately to deliver justice every day, against the odds. At each stage they felt thwarted. There were police officers stuck behind desks who wanted to be out in the community; barristers juggling impossible case loads; probation officers overwhelmed by demand; judges exasperated by the crumbling court estate; and prison governors hemmed in by bureaucracy. The common theme was a sense of frustration with a dysfunctional system that was scuppering good intentions with sometimes tragic consequences. There were too many brave victims, survivors and families who described how their suffering had been compounded by the justice system that was supposed to protect them.

One powerful piece of testimony came from Farah Naz, whose niece Zara Aleena was sexually assaulted and murdered as she was walking home in Ilford, Essex, in 2022. Her killer had been released from prison on licence nine days before he committed the crime and an inquest found that failures "across multiple agencies" had contributed to her death. Nobody had joined the dots to understand how dangerous he was because information had not been shared properly between the prison, the probation service and the police. "Zara could be alive had systemic errors not been made," her aunt told the commission. "Everybody had a part in killing her."

She insisted, however, that it was not only the police, the prison or the probation service that had blood on their collective hands. She said a political environment that prioritised punishment over public protection was also to blame. "An MP said to me one time, 'Farah, prevention doesn't buy you votes; what gets people voting for you is to say, 'We caught X amount of people, we've got them in prison for X amounts of years.' You never know you've prevented a murder. But if the man who killed Zara had had the correct intervention when he first committed a crime at twelve, if there were services that taught him how to manage his anger, express his emotions, then maybe things wouldn't have escalated. If, when he was four and there was drug and alcohol abuse at home, early intervention had been prioritised then perhaps this would not have happened."

> "Sometimes it feels like it's the criminals' justice system

To return to Peel's first principle, if the prevention of crime is the primary objective then a mindset shift is required. Of course there are some people who have committed heinous crimes who must be locked away for a very long time. Some will never be released and prison plays an important role in public protection as well as punishment but that is not the whole story. The only way to drive down crime in a sustainable way is by reducing offending and reoffending. That means focusing on the causes of crime — including addiction, mental health, family problems and a lack of education — as well as responding to offences when they take place. It also requires a greater emphasis on rehabilitation.

The criminal justice system has to be understood as a single, interconnected whole, rather than as a series of disparate units that can be tinkered and toyed with for short-term political ends. There must be a new approach to sentencing, including more house arrest, curfews and community punishment, enforced with tagging and technology. The courts must be rebalanced to allow cases to flow through the system, delivering justice in a timely fashion. Victims need greater support to navigate their way through a fragmented process. The police must tackle low-level disorder as well as serious crime and do more to restore public trust. A licensing system should be introduced for the police and a new College of Prison and Probation Officers created as part of a professionalisation of the prison service that would give more autonomy to governors in return for greater accountability.

In the present financial climate, the answer cannot lie in simply spending more money but in reimagining how the system works to make a better use of resources. Technology creates new dangers as criminals take advantage of the online world but it also provides enormous opportunities to improve the efficiency of the police and protect the public. It is time to move beyond the false ideological divide between liberty and security to embrace the benefits offered by digital ID and live facial recognition technologies while also protecting children from the dangers they face on the internet. That means harnessing the power of data and AI to spot gaps and draw connections.

The following chapters will set out a series of recommendations to create a fairer, more effective, more productive and more connected criminal justice system. They are pragmatic and deliverable.

The burning platform of the current crisis has created a once-in-a-generation opportunity to bring about change. The current approach is failing to maintain public confidence, keep the streets safe or bring justice to victims in a timely fashion. It is cripplingly expensive and a bad use of taxpayers' money. Focus groups and polling conducted for the commission suggest that the public are open to a new approach to criminal justice that drives down reoffending by better balancing prevention and punishment. That is the only way to be truly tough on crime.



On the front line: police officers put themselves in danger but they are losing public confidence


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SHOPLIFTING, ROBBERY & ANTISOCIAL BEHAVIOUR



Shoplifting is at record levels, driven by addiction. Both are at the root of more serious crimes

Dame Sharon White was visiting the John Lewis shop in Glasgow when she saw a group of teenage boys scoping out the technology department, clearly looking for an opportunity to shoplift the headphones and gadgets. "I found myself following them," she said. "It was a slightly mad thing to do." A security guard came over to speak to the potential thieves "and everything was fine, but the next day they then stole from our John Lewis store in Edinburgh. They were just young kids, 15-year-olds."

At the time, White was chair of the John Lewis Partnership, which also owns Waitrose. Every Friday she made a point of visiting different shops around the country to find out what was on workers' minds. Traditionally the conversation would be focused on Christmas promotions, Easter bunnies or summer trends. She never expected crime to be a top priority for staff in the middle classes' favourite shops. Yet, more and more often she found that shoplifting had become the "No 1 thing" for branches. "You were going from what felt like low-level crime to something much more systemic, much more significant and there was also this sense of, 'Where's the police response?' " she told the commission last year. "Increasingly the first conversation that partners are wanting to have with me is that actually they're starting to feel a bit unsafe."

Some shoplifting is opportunistic, with people stealing food for their families during a cost of living crisis, but it is clear to retailers that criminal gangs are frequently also involved. "It's organised," said White, who now chairs Frontier Economics. "I was in one Waitrose store. They said they had a couple of people who came in and there was a particular brand of gin that they wanted to shoplift. We didn't have the brand in store and they said, 'Oh, don't worry we know you're going to be replenished over the weekend so we'll come back early next week.' It was shoplifting to order."

Waitrose has introduced smart trolleys that stop automatically if somebody tries to leave without paying. Other shops have set up live facial recognition cameras that send an alert to the security guards when a persistent shoplifter comes through the door. Supermarkets are so worried about the scale of the problem that they are beginning to share intelligence with their rivals in a local area. "Sometimes you might have the same group of shoplifters going from store to store," White said. "More than 80 per cent of shoplifting doesn't have a police response so there's this sense that you can shoplift and you can be pretty guaranteed that there is not going to be a comeback. Obviously that's not great for retailers, that's not great for customers, but actually what does that then signal?" There is a sense of social



order breaking down. "Unless somebody is dealing with your supposedly low-level crime issues, it creates enormous issues for faith and trust in the broader criminal justice system."

Shoplifting has reached record levels, according to the British Retail Consortium. In the year to August 2024 there were 20.4 million incidents, costing retailers £2.2 billion, up from £1.8 billion the previous year. Shops spent an unprecedented £1.8 billion on crime prevention measures including CCTV, security and bodyworn cameras, taking the total annual cost of retail crime to £4.2 billion. The number of incidents recorded by the police have increased by 23 per cent in a year. Meanwhile, violence and abuse towards retail workers rose by more than 50 per cent to in excess of 2,000 incidents a day. A survey by the consortium found that staff had almost entirely lost faith in the police, with only 3 per cent rating the law enforcement response as excellent and 61 per cent describing it as poor or very poor.

> "There's a level of violence that is often weaponised

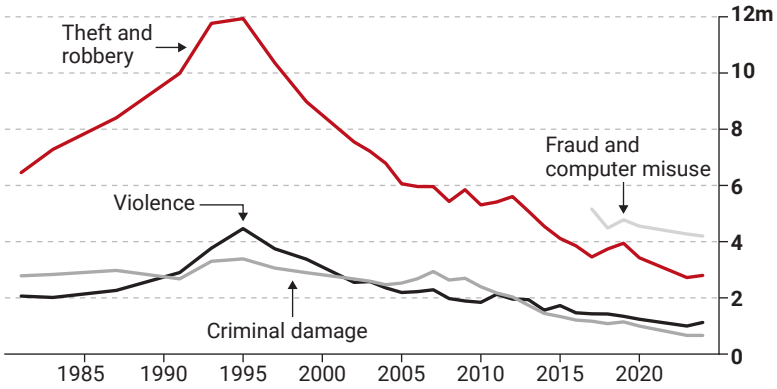
Helen Dickinson, the chief executive, warned that retail crime was "spiralling out of control."

Paul Gerrard, public affairs director for the Co-op, said thieves were now operating on an industrial scale. "We've always had people who come into the stores to steal to make ends meet; that's happened since the shops of Pompeii got covered in ash from Vesuvius," he said. "But that's not what's behind the 44 per cent increase we've seen. There is a level of brazenness, organisation and targeting. We have people coming in to steal huge volumes of product, not to feed themselves, but to sell. They are coming in with builders' bags and rucksacks. We even had someone come in with a wheelie bin. They will take out the entire meat section or the whole wine section."

Before joining the supermarket chain Gerrard was an enforcement officer with HM Customs & Excise so he recognises the tactics. "I was responsible for tackling cigarette smuggling and alcohol fraud all across the UK," he said. "I

FALLING CRIME

Incidents of all crime types have dropped significantly since the 1990s



Year ending December until 1999, then year ending April from 2022.
Source: ONS, Crime Survey for England and Wales

understand organised crime. These individuals are coming in with an order to fulfil. If anybody gets in their way they will happily use abuse, threats and violence to move them. We've had colleagues who've been threatened with sexual assaults for them and their family. In a small number of cases we've had to move people because they were being threatened in their homes. There's a level of violence that is often weaponised. The one that sticks in my mind is three individuals going into a store in Leeds with machetes. They jumped over the kiosk with builders' bags and took out hundreds and thousands of pounds worth of vapes. We've had colleagues who have lost the sight in their eye, colleagues hit with bottles or syringes. One was attacked with a medieval mace. I was in my local store and someone the day before had come in and punched one of the ladies who works there twice in the face."

Despite the seriousness of the incidents, retail crime is too often ignored by the police. Under a change to the law introduced in 2014, shoplifters taking goods worth under £200 could plead guilty by post and in most cases just face a fine, in effect decriminalising the offence. Officially, this has now been reversed but in many areas police forces still play shoplifting down in favour of what they see as other more pressing priorities. "In 70 per cent of cases when Co-op colleagues reported serious crimes to the police, the police did not attend," Gerrard said. "We deploy what we call covert tactical teams: they are undercover, they are often highly trained ex-police. When they see an incident happening they go in, intervene and detain that offender. They make a citizen's arrest and call the police. But between January and October 2023 eight out of ten times the police didn't turn up. We had to let those individuals go." Although the situation has slightly improved since then, he worries that a vicious circle has developed in which criminality is escalating because there are no consequences. "The risk-reward ratio has got completely out of kilter. There's a level of lawlessness on the high street now that is terrifying for my colleagues and customers but also brings the reality of crime very much to everyone's mind. It's very visible. I'm the first to say that it's the business's responsibility to keep the shopworkers safe but at some point the police have to step up."

It is not just shoplifting that is spiralling in communities across Britain. Although crime overall has been falling for many years, everyday crimes — the relatively low-level offences that affect the most people — are on the rise. The latest crime survey for England and Wales from the Office for National Statistics found that there had been a 22 per cent increase in what is called "theft from the person" over the previous year, with 146,109 offences, the highest level since records began. Masked phone-snatching gangs using ebikes are behind a surge in mobile theft with more than 225 stolen on average every day across the UK. There were at least 83,900 phone-snatching offences recorded in the 12 months to July last year, almost double the 45,800 five years previously. In London, thefts have more than doubled to 65,600 last year. The cost to victims nationally is estimated at more than £50 million.

Burglary levels are 71 per cent lower than in 2003, when current recording practices began, and car crime has also fallen because of better alarm systems and technology. Statistically speaking, Britain is safer than ever for most people most of the time but there is still a sense in too many places that law and order are breaking down and the police are not doing enough about it. Almost three quarters of residential burglary cases, for example, were closed with no suspect identified last year and only 4 per cent resulted in a charge or summons. In London, 38,030 residential burglaries were recorded by the Metropolitan Police, 82 per cent of which went unsolved. The average burglary response time has almost doubled over the past five years.

In Brixton, south London, residents have formed a campaign group called Action on Anti-Social Behaviour. At one meeting there were 200 people, all concerned about rising levels of drug-dealing, shoplifting and unpleasantness. Baroness Hazarika, the Labour peer and Times Radio presenter who is a member of the group, said people felt abandoned by the police. "One local parent described her kids coming home from school and finding somebody slumped on the doorstep with a needle beside them. There are no public toilets so you get people defecating in the street. Local businesses are saying they are losing customers because the antisocial behaviour is so bad. This is not petty crime; this stuff makes a material difference to how you feel about your home, your community and your safety."

Rural areas have their own problems. Philip Wilkinson, a former special forces operative who is now the Wiltshire police and crime commissioner, said farm machinery and other goods worth tens of millions of pounds were being stolen each year and shipped abroad by criminal networks. In a macabre detail, dead hares have been found laid across country lanes and dumped outside a village shop in his area. "Poaching and hare coursing are sidelines — almost hobbies, like golf — for these organised crime gangs who are engaged in major thieving in the countryside," he said. "Lots of farmers have had major items of farming equipment stolen and they rarely get a proper response from the police. Two nights ago, three people in balaclavas were seen doing

reconnaissance at some farm buildings. It's really scary because these people will be extremely violent. They operate outside of the law."

The pollster Luke Tryl said there was a widespread sense of disillusionment among the public in the focus groups he conducts. "The quote which has stuck with me and seems to best capture where the public are on crime and policing was someone who said, 'The only reason I would ever bother now to call the police is to get a crime reference number. I know that they're not going to investigate it or look into it, but at least I'll have that for the insurance.' "

The public mood is backed up by the facts. Analysis by the Times data team found that the charge rate for the most common crimes has slumped from 17 to 7 per cent over ten years. For shoplifting, the charge rate fell from 36 to 17 per cent, for robbery it dropped from 19 to 6 per cent, for assault with injury it reduced from 25 to 7 per cent and for causing public fear or alarm it fell from 26 to 3 per cent between 2015 and 2024.

The sense that the criminals are getting away with it not only undermines public trust in the police; it also breeds disrespect for the law. Dame Sara Thornton, former chairwoman of the National Police Chiefs' Council, told her fellow commissioners that for the past ten years calls to the police have been screened based on the level of "threat, harm and risk". The intention is noble — it is to maximise public protection at a time of squeezed resources — but the focus has had the unintended consequence that less serious crimes have been deprioritised. "As a result, the police are not seen as relevant in communities, dealing with local crimes that people care about," she said. "The whole idea of the criminal justice system with prosecution and punishment as a deterrent is in danger of falling apart."

Some police forces are bucking the trend. In Norfolk 44 per cent of shoplifting offences are solved, meaning that a thief is caught and either charged or given a caution. About a third of these crimes result in a charge, double the national average and six times the rate for the Metropolitan Police. Paul Sanford, the chief constable, said it was crucial to "get the basics right" with a "steely focus" on solving everyday crimes. "We've got to deliver the policing that the public want," he said. "People care about their patch, they care about their community and they don't want to live in a high-crime area."

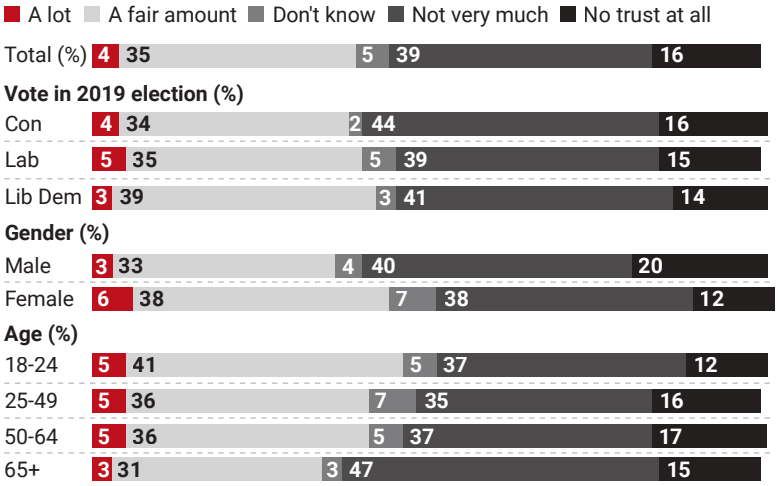
> "There is a strong feeling that lots of types of crime are not taken seriously enough

The Norwich neighbourhood policing team goes on daily shoplifting patrols, armed with a mobile app that retailers can use to report problems. These PCs are not randomly wandering around; their efforts are targeted on locations and individuals. Sanford said the key was to focus on offenders rather than offences. Instead of investigating each incident separately, the force uses data from across the county to find connections between crimes and build up a profile of the most prolific offenders. "I was in one of our police stations on the edge of Norwich about six weeks ago," he said. "They were telling me that in terms of retail crime they'd seen a significant drop that month and they put it down to the imprisonment of three individuals who between them were day after day just going into shops and brazenly taking stuff and walking off." These criminals were committing up to 12 offences in 24 hours. Taking them off the streets even for a short time had an immediate impact and gave a respite to the retailers but Sanford believes that simply sending such persistent shoplifters to prison is not a long-term answer. "They're well known to us," he said. "What drives their behaviour is drug and alcohol addiction so there are challenges in the system. We have the highest charge rate in the country and yet shoplifting is still going up. Why is that? Well, my expertise is catching rather than treating but I believe the sanction needs to be relevant and it needs to be swift and there need to be measures in place that deal with the underlying causes of that behaviour."

Politicians of all parties like to champion the idea of "bobbies on the beat": neighbourhood police officers who patrol the streets on foot. Visibility is important to reassure the public and prevent crime but the concept needs to be modernised. There is a nostalgia about the *Dixon of Dock Green* model of policing in which an officer would stumble across a burglary, give a yob a clip around the ear and greet residents with the words, "Evening all". In reality, neighbourhood policing teams are too often bogged down in paperwork, stuck behind a desk or in some cases apparently trying to avoid the public. One crime victim who tried to report a robbery to a local hub in east London just before Christmas was told: "We don't deal with that sort of thing here." Targets for rapid response units have incentivised officers to sit in their cars, rather than engaging with the community, so they can zoom off as quickly as possible in an emergency.

An updated model of neighbourhood policing is required, informed by data and enabled by technology so that resources can be most effectively deployed. This means hiring enough data analysts and support staff to allow frontline officers to do their jobs in a much smarter way. There should be a relentless focus on persistent offenders. About 9 per cent of criminals are responsible for nearly half of all crimes and the most prolific offenders each commit eight times as many offences as the average criminal. These career criminals are particularly likely to be involved in the everyday crimes that are causing

HOW MUCH TRUST DO YOU HAVE IN THE POLICE TO SOLVE CRIMES?



2,061 British adults, 26-27 March 2024. YouGov, The TimesSource: YouGov, The Times

so much harm and disruption for retailers and the public. Theft accounts for a third of all crimes committed by persistent offenders, compared with 18 per cent for non-prolific criminals. Shoplifting makes up 14 per cent of offences committed by the group. Catching these persistent criminals will have a disproportionate impact in communities.

It is too simplistic, however, to suggest that they should simply be locked up for ever longer sentences. Many of these people are addicts, who are shoplifting to feed a drug or alcohol habit, so just sending them to jail over and over again will not solve the problem. The only way to stop them reoffending is to treat the addiction that is encouraging them to keep breaking the law.

There must also be a precise focus on crime hotspots. Just as a minority of persistent offenders are responsible for a disproportionate number of crimes so lawlessness is clustered geographically. Professor Lawrence Sherman of Cambridge University's Institute of Criminology, who is also a former chief scientific officer of the Metropolitan Police, pointed to "hotspot policing", which involves tightly managing the number, location and timing of police patrols, as the most effective strategy for prevention. A large-scale randomised controlled trial in Trinidad and Tobago, for example, found that targeted patrols reduced homicides and shootings by 40 per cent, simply by concentrating police resources where and when they are needed most. "Hotspot policing — broadly defined by concentrating police presence in the places that have the highest concentrations of crime and disorder — has had over 80 tests, worldwide," Sherman said. "The overwhelming finding is that it produces a moderate decrease in crime in those places and it doesn't have displacement. It doesn't push crime around the corner. It actually lowers crime around the targeted locations as well as within them."

When he was working for the Met, Sherman divided London into more than 15,000 hexagons each measuring 400m across. Almost two thirds of London had no knife crime at all over the course of two years. "The top 100 hexagons are much more likely places for people to be harmed," he said. "In Leicester Square there is a location that is No 1 in London. Over a two-year period it had 120 weapons-enabled violent crimes. That is extreme geographical concentration. Most people think crime can happen anywhere, at random. All of the data tells us that, in 5 per cent of any population of offenders and victims, or in 5 per cent of a city, that is where most of the crime harm is happening."

This insight means that contentious interventions such as stop and search can be focused on the places where they will make the most difference. A study of 15 years of Metropolitan Police data revealed "statistically significant reductions" in knife murders and injuries in response to increased stop and search, Sherman said. He found that if stop and searches were conducted at the same rate as between 2008 and 2011 then there would be an estimated 30 fewer knife murders a year. A 66 per cent reduction in stop and search encounters from May 2014 led to 44 more knife murders and 1,276 more injuries than expected. Conversely a 55 per cent increase in January 2018 resulted in 27 fewer stabbings per month. Sherman and his US colleague Professor Alex Piquero concluded that increasing stop and search in the right places could translate into preventable healthcare costs of about £216,000 a month. Targeting knife crime hotspots would maximise the public safety impact and minimise the harm to community relations, although this must be done sensitively to avoid certain groups feeling "over-policed".

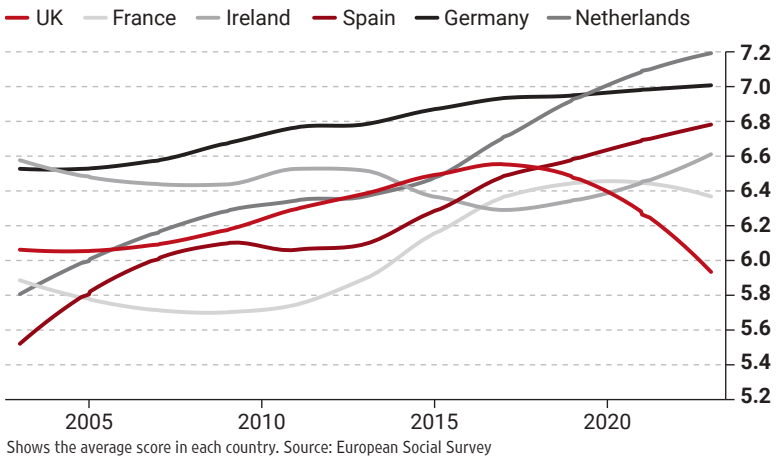
Sherman thinks new technology could make the strategy even more sophisticated. "Artificial intelligence creates a capacity to use the data we have in much more precise and effective ways. I'm designing a Google Maps voice to put in a police officer's earbud, to say, 'Go down this street, and then at the next corner, turn right. And then stay there for ten minutes.' The traditional patrol is too unstructured, too imprecise."

Tim De Meyer, chief constable of Surrey, drew a comparison with the evolution of medicine. "If you think of medicine 1.0 as being leeches and amputations, 2.0 as being anaesthesia and antibiotics, 3.0 needs to be individualised preventative medicine. For policing and justice, 1.0 is the hue and cry, 2.0 is forensics and response cars. The 3.0 of policing is focusing on the very small number of people and places producing the greatest number of events."

It is important that the police respond to incidents large and small. There is no such thing as a "petty" crime: low-level offences can still cause disruption and disorder and they often escalate. In the 1990s Bill Bratton, the New York police commissioner, popularised the "broken window theory" of criminology, which suggests that visible signs of disorder such as graffiti, antisocial behaviour or smashed glass, create an environment that encourages more serious crime. He drove down crime in his city and the approach is working in Britain too. Four years ago Greater Manchester police was in special measures. On every metric, from the time it took to answer 999 calls to the number of arrests, it was one of the worst forces in the country. Public confidence had slumped and crime was on the rise as a blind eye was turned to supposedly low-level incidents.

A BRITISH PROBLEM

On a scale of 0-10, how much do you trust the police?



Shows the average score in each country. Source: European Social Survey

32

Number of organised crime groups operating in Cheetham Hill

One neighbourhood, Cheetham Hill, was totemic of the problems in the city and the failings by the police. This deprived suburb, near Strangeways Prison, had become the counterfeit capital of Europe. Organised gangs were pouring out fake clothes, watches and medicines so fast that the Treasury estimated that it was costing £4 billion a year in lost revenue. Drug cartels were openly peddling narcotics and people traffickers were bringing migrants over the Channel to work in sweat shops. Dirty cutlery and crockery could be found on the pavement wrapped in a tablecloth because it was cheaper for a restaurant to take their washing to Cheetham Hill than to hire their own kitchen staff on the minimum wage. Young women were being sexually exploited, gangs were marauding with machetes, raw sewage was being pumped out on to the back streets. It was like Victorian England and the police had lost control.

Then in May 2021 a new chief constable, Stephen Watson, arrived. The following year he set up Operation Vulcan. The mission was to clean up Cheetham Hill and eliminate all law-breaking, however trivial. "We discovered a nexus of 32 organised crime groups operating in Cheetham Hill, which is a tiny postage stamp of a place," he said. He did not start with the drug kingpins but with low-level rule breaking. He brought together 157 people from 85 agencies. The trade waste department was told to impose fines on businesses that put rubbish in the wrong bin, the fire service was sent to identify dangerous buildings, environmental health was deployed to enforce every regulation to the letter. The area was flooded with police officers and within eight months the criminality had been stamped out. "We closed 216 premises, we seized over a thousand tons of counterfeit goods, millions of tablets and drugs, over £500,000 in cash. We even bought an articulated vehicle with Greater Manchester police written on it because we were fed up with hiring trucks to empty products," Watson said. "That is proper neighbourhood policing in action. It's not about face painting and fetes; it is about knowing what your recurrent demand is. Your job is to reduce it, eliminate it, make it go away, whether by arresting the perpetrator, safeguarding the victim or making sure that the location is less vulnerable to repeat attacks."

Like Bratton, Watson is a proponent of the "broken windows" theory. When he took over the force, he was horrified to discover how many supposedly petty crimes were being ignored. "It's awful to contemplate but the fact of the matter is we determined that certain crime types would not be investigated: shoplifting, petrol station forecourt drive-offs, common assaults, a bit of argy-bargy, antisocial behaviour." He implemented a "back to basics" approach, which meant that the police would attend every burglary and investigate all reported crimes. Officers were told to polish their shoes and keep their uniforms immaculate. "Policing is fundamentally a simple business," Watson explained to the commission. "We pick up the telephone when people ring us. We discriminate effectively between those whom we need to get to within ten minutes and those within an hour. We make accurate records … You look professional, empathetic, diligent. You are interested. Having done all of those good things, where crimes are reported to us, it's our duty to investigate, not to determine whether or not the crime is an important one to us. It is all crime."

By dealing with the small issues, the bigger problems started to be resolved too. When Watson arrived the force had a 1.8 per cent detection rate for burglary; by the end of last year the Salford division had a 13.7 per cent detection rate. Across Greater Manchester arrests have doubled and the number of shoplifters in court has risen almost sixfold. There were 40,000 total crimes solved in the year to November 2024, up from 23,500 in the year to May 2021. Almost 12,000 more victims have had their cases dealt with in the same period. Burglaries and vehicle crime have dropped by a quarter. In October 2022 the force was taken out of special measures, the fastest recovery in modern British policing. "The turnaround here is pretty dramatic and it's sustained," Watson said. "When I came to this force I introduced the identity of my labrador Paddy and I said, 'I think Paddy the labrador could detect more burglaries than GMP' because our performance was so poor."

Counterintuitively, he found that the zero-tolerance attitude made the force's stretched resources go further. "If you take the view, which was taken here strategically, that you're too busy to deal with basic stuff because it's not very important, what you are saying is that most of the offenders in Greater Manchester have nothing to fear from the police. That means your demand is going to continue to go up. If you arrest people who are committing crime then there's less crime. We increased our arrests of people committing domestic abuse by 88 per cent and we had a 40 per cent reduction in homicides. Every homicide takes hundreds of people and costs about a million quid. The point is, if you bumble along, as a lot of police forces do, in a reactive way, the water is only ever just beneath the nostrils. All you need is something new to come around the corner and you drown. If you can push the water down to your knees then you might still be a bit damp and soggy but you're not going to die."

Too many police forces feel they are drowning in cases, lacking resources and struggling to maintain public confidence. The only way for them to survive is to start swimming against the criminal tide.

Policing the tough streets of Salford



Alex Broome and Rachael Loynd on patrol in Salford

IT IS FOUR O'CLOCK on a bitterly cold Friday afternoon in Salford and things are kicking off. A marauder is on the rampage with a hammer, a car has been stolen and a burglary has been reported by a man who says the thieves are still in his home. In one part of town the police have been called because a child has stopped breathing and in another area a corpse has been discovered. There is an on-going hostage situation and officers have been dispatched to a gang-related shooting in another part of Manchester. A suspicious bag has been spotted outside the Libyan consulate.

At Pendleton police station the 999 operators are struggling to keep up with the number of calls. On the wall of the briefing room there is a rogue's gallery of mug shots of the local members of organised crime and street gangs. The youngest is 14.

"We do see the worst of humanity but we also see the best, both in our officers and the public," Simon Ashcroft, the chief inspector, says.

It is the start of the shift for the response team and the two police constables, Alex Broome, 34, and Rachael Loynd, 24, are ready for action. Their black steel toe-capped boots are smartly polished and they have radios, bodyworn cameras, handcuffs, torches, pepper spray and batons attached to their uniforms.

"Most little boys want to be firemen, policemen or astronauts. For me it was always a policeman," says Broome, who previously worked in insurance.

These officers may not have been in the police for as long as some of their colleagues but they have already had some terrifying moments. Loynd describes being sent out to a block of flats where a woman had reported that she was being threatened by her partner with a knife. "I went up the first set of stairs and he came running out of his flat with two big machetes."

Broome was almost run over while chasing a suspect wanted for serious assault. "His mate came in a car to try and help him escape, I got hold of the lad and was struggling with him, when the friend reversed towards me."

As frontline police constables, Loynd and Broome come into contact with the most dangerous, dysfunctional and distressed people in society. "I found a female body in the water," Broome says. "We managed to pull her out then we had to try and find out who she was with a fingerprint scanner. The images can haunt you."

Sometimes these young PCs have to tell someone that a loved one has died. "Of course the most serious crime we deal with is murder," Loynd says. "There was one job which came in as a possible suicide. In fact a female had been stabbed. There were five stab wounds in her back and she was covered in blood.

"Her partner had killed her then gone on the run. In the end he jumped in front of an HGV. You think, 'How did it come to that?' "

The radio crackles into action. A local school has rung to say that one of their pupils has not been seen in class for a year. The teachers are worried that the boy is being criminally exploited and want the police to do a welfare check. As the police car careers down icy streets, two teenage boys pull balaclavas over their faces. "Gangs have always been an issue in Salford but they've got younger and younger," Broome says.

"We had a kid reported missing. When we came across him he was carrying a knife — he was only 12 or 13. It's pot luck sometimes who ends up being a victim and who ends up being a perpetrator."

There is nobody at the house and so the case will have to be picked up by another team in the morning. Another call comes through. A woman has had a brick put through her front window. She has five children including a baby and she is frightened that the vandals are going to return.

The police arrive and speak to the family. The 17-year old-son seems to know who is to blame but refuses to cooperate: he says he doesn't want to be a "grass".

It is frustrating but Loynd and Broome can at least call the council and ensure that the window is boarded up that evening instead of the following day. Often they say they feel as if they are picking up the pieces for other bits



of the state that are failing: housing, mental health, education and social services. "We tend to be the fall-back service, sweeping up for everybody else," Loynd says.

Almost a third of arrests in Greater Manchester relate to domestic abuse. The final call of the night is from a woman whose ex-partner has been threatening her with a knife. She has locked herself in the bathroom and telephoned 999. Broome switches on the blue light and siren. As they arrive the terrified caller reports that the man has left the house with the knife.

> I found a female body in the water … We managed to pull her out then we had to try and find out who she was with a fingerprint scanner. The images can haunt you

Loynd and Broom are wearing stab vests but these provide only partial protection. They get out of the car with no idea how much danger they are in.

There is a man on the other side of the street but only when they approach him do they see the weapon in his hand. Loynd knocks on the woman's door to check that she is safe. Broome summons all the authority he can muster and tells the man to drop the blade and then arrests him.

When he worked in insurance, he was always trying to mitigate risk, now he runs towards it.

"It does change you as a person becoming a police officer because of the things you see and do, whether that's for better or for worse I don't know," he says.

"My friends have noticed I've become more cynical. I don't take stuff at face value any more because we get lied to a lot in this job.

"Normally when the police are called something bad has happened. It's always satisfying when you manage to make an arrest and keep somebody safe."

Life on the road to recovery



When Sharon Manboard met James Kelly he was spending £1,000 a week on drugs

When James Kelly met PC Sharon Manboard in a Birmingham supermarket car park in October 2022, he was about to go on a shoplifting spree. Instead she persuaded him to join an intensive programme that uses drug and alcohol treatment to turn persistent offenders away from crime.

The Offender to Recovery scheme, which is jointly funded by local retailers and the West Midlands police and crime commissioner, is targeting career criminals who steal thousands of pounds of goods every week to feed an addiction.

Kelly, 38, had been in and out of jail for thirty years. When he was 8 he started using cannabis, then moved on to ecstasy and by the age of 14 he was addicted to heroin and crack cocaine. "I had suffered trauma as a child," he says. "Drugs were my escape from that."

His father was a criminal and Kelly was stealing from a very early age. "The older lads would put me through house windows, I'd hide in pubs and rob the fruit machines. Before I took drugs I used to commit crimes to be part of something and buy friends."

By the time Kelly met Manboard, he was spending £1,000 a week on drugs and stealing goods worth £3,000 a week to feed his habit. "I would shoplift during the day then go out at night and steal cars," he says. "I was in a very dark place but Sharon was really compassionate towards me.

"I was trying to convince her that I wasn't worth helping. Sharon believed in me more than I believed in myself. Like any good thief I was able to steal a bit of that self-belief and use it for myself."

Over the course of his life in crime, Kelly had 22 short sentences but never received the drug treatment he needed. Under the Offender to Recovery programme, Kelly was sent on a 12-week residential rehab course costing £3,000 and also received trauma therapy worth an additional £3,500.

He has now been clean for 30 months and explained that as a result he had avoided spending more than £120,000 on drugs, generating a reduction in shoplifting worth £360,000. "There are even greater savings for the health service and the criminal justice system," he says.

An independent assessment of the Offender to Recovery pilot concluded that if the programme successfully rehabilitated 20 offenders a year it could prevent up to £1.14 million of goods being stolen from shops in the first year and up to £2.2 million in the second. The figures do not include any savings to the public purse, such as a reduction in police or court time, or prison places.

Manboard said the scheme, which has now been expanded across the West Midlands, is about reducing reoffending. "For 23 years I did 'catching criminals and putting them in prison'," she says. "That's what I joined the police to do but there's another part of policing that doesn't get enough credit, which is changing lives and rehabilitating offenders. We are reducing crime and saving police resources."

Now Kelly works for Nottinghamshire police, helping other addicts to turn away from crime. "I don't make excuses for what I did, but I want to flip that into using it for good," he says. "The addiction constantly whispers in my ear but I don't want to lose my life as it is now."

> "I was in a very dark place … I was trying to convince her that I wasn't worth helping. Sharon believed in me more than I believed in myself

02 KNIFE CRIME & GANGS

Perceptions need to change: most young people involved in gangs are victims rather than criminal masterminds

Alison Cope lost her only son, Joshua Ribera, to knife crime in September 2013. "A single stab wound and he passed away the following day," she told the commission. "A young man with no previous convictions, who lived with his parents, was at college the day he became a murderer. He carried a knife out of fear and a minor altercation escalated to a stabbing, which led to my son's death." Cope now goes into schools to educate children about the dangers of knives and reaches about 4,000 pupils a week. "I think we're missing the point in a lot of cases. We talk about gangs and drugs but we don't seem to be doing enough about the culture of young people," she said. "You've got two million views on TikTok, Instagram and YouTube promoting pre-arranged fights after school and then we see another headline about a stabbing. Frustration is an understatement because I know, in the next three months there'll be another dead body in a morgue that probably could have been saved."

Ribera, a successful rapper who performed as Depzman, was stabbed outside a Birmingham night club when he was 18. On the day his mother gave evidence to the commission the news came through that another teenager had been murdered. "My heart just went 'doof' because straight away I think what could we have done to stop this?" Cope said. "There will be a family destroyed around the victim. There will be a family destroyed around the perpetrator. I guarantee, when you strip it all the way back, there was a minor altercation between people, it escalated and at no point did either side feel that there was anybody that could really help them. A knife was taken to a situation and now we've got a child dead, for what? For absolutely what?"

A few days later, in a different part of the country, another mother, Astrid Edwards, described the "slow motion car crash" of realising that her son was being criminally exploited. He was 13 with undiagnosed special educational needs, struggling with the transition from primary to secondary school as well as a traumatic family divorce where domestic violence had been present, and fell in with the wrong crowd. Then the unexplained missing episodes began. Sometimes he would go to school on a Monday morning but not come home until the early hours of the next day. The police would be on her doorstep, asking questions. "When this happens it's like being dropped into another world that you don't know, you don't know how to get out of it and you don't actually know how you got there," said Edwards, who is a film and television producer. "You don't recognise your child. They change. Your relationship breaks down and consequently all boundaries break down at home as well because you are now having to accept this invisible force on the outside that you have no control over. As a parent I was in freefall."

Things came to a head when she discovered that her son owed £100 to an older dealer who had coerced him into working locally. He was told he would be stabbed if he did not pay the debt. "I thought, 'This is ridiculous,'" Edwards said. "I was just so angry that anyone would value a child's life at £100. I said, 'Ring him up and tell him that it'll be paid tomorrow and I'll be going with you because it's my debt now, not yours.' I'd come to realise this is a business and they're all disposable these kids: at the time they were referring to them as Bics, as in disposable Biros. I thought as a mum I just have to deal with it." She met the older man and gave him the money. "I said, 'This is my debt now so your business is with me. I know where you live, I've just seen you with your mum, I know the ends [streets] you deal on. I'm not judging you, I don't care what you do but never acknowledge me or my son or come near our house again.' He said 'fair enough', shook my hand and told my son it had been a pleasure working with him. I had effectively 'neutralised' my son from the cycle he had been caught up in." She has since set up a support group called Action Isleworth Mothers

2,600

people killed by knife crime since 2013, most of them young men

for other parents struggling with children affected by youth violence and its associated issues. "I felt as parents we were invisible and voiceless. I felt very overwhelmed and very isolated," Edwards said. "But I also realised as a mother I had power because a lot of these young people only have their mums. I set up the support I felt I needed and didn't have at the time."

These two brave mothers have very different perspectives on knife crime and gangs yet both have reached the same conclusion: that children involved in street violence are often the casualty as well as the culprit. Commander Stephen Clayman, the National Police Chiefs' Council lead on knife crime, said this made it one of the trickiest problems to police. "The complexity of knife crime comes when you try to understand the difficulties in distinguishing between a victim and a perpetrator because they are almost interchangeable at times," he said.

For the past decade the police have been struggling to contain a knife crime epidemic that has killed more than 2,600 people since 2013, most of them young men. There have been zombie knife bans, knife surrender bins, knife crime prevention orders and violence reduction units but none of them have halted the stabbings. This is not because we are becoming a more violent society; in fact the opposite is the case. According to the Crime Survey for England and Wales there were 4.5 million violent incidents in 1995 and only 1.1 million in the year to 2024. In other words, violent crime as a whole has fallen by three quarters in three decades. Knife crime is the exception, particularly for the young. The number of offences involving a sharp object has almost doubled in England and Wales over the past decade and there are more than a thousand cases a week. One teenager is typically stabbed to death every seven days. There was a dip during the pandemic, when it was harder for criminal gangs to go out on the streets, but cases are rising again and are now almost back to the pre-Covid level. Robbery involving a sharp object has surged 49 per cent since the pandemic. Last year there were 3,900 instances of patients having been admitted to hospital after being stabbed.

The statistics do not tell the whole story, according to Martin Griffiths, a surgeon at the Royal London Hospital's major trauma centre in Whitechapel and a member of the commission. His unit typically deals with two stabbings every day and a couple of shootings a week. "What's changed is the age," he said. "Our victims are getting younger. I've operated on children as young as eight or nine who were actively engaged in street life. We are seeing a normalisation of violence. It's not just about criminal injury, it's about trauma and the fact that people have lost faith in authority."

Baroness Longfield, the former children's commissioner for England and chairwoman of the Centre for Young Lives, described one case involving a group of 13 and 14-year-olds who were running a big drugs operation in northwest England. "They'd all been excluded from school, they were meant to go to a pupil referral unit but they didn't go. They were running a county line that was about 80 miles away. They stole the scooters from the pizza delivery guys to get there and followed the sat-nav. There were about ten of them, they wore balaclavas, they set fire to a place in the local community, they torched the school buses, they were carrying machetes. They were seen as untouchable. The adults didn't want to confront them because, they said, 'If we do, they'll just come and torch our flat.'"

> "We are serving up our vulnerable teenagers on a conveyor belt for those that want to exploit them

She told her fellow commissioners, however, that almost all the children involved in knife crime and gangs have been failed by the adults in their lives. Many have grown up in homes where domestic violence is rife or addiction creates chaos. Others have been taken into care, have special educational needs or been excluded from school. These young people are susceptible to criminal exploitation, which is why older gang members often hang around outside pupil referral units or children's homes looking for new recruits. "Those that are seeking to find kids that are vulnerable know where they are and go and find them there," Longfield said. "We are serving up our vulnerable teenagers on a conveyor belt for those that want to exploit them. These kids are cheap commodities for gangs and those that are seeking to make money and we're making it too easy for our kids to be used in this way."

In 2019 Longfield estimated that 27,000 children were in gangs and 313,000 young people knew a gang member. The Children's Society suggests that as many as 46,000 could now be involved. Meanwhile the Department for Education has identified 15,750 children at risk of child criminal exploitation, 13,860 at risk of child sexual exploitation and 10,180 children in danger of being involved in gangs. The National Crime Agency (NCA) believes there are 600 county lines in operation at any one time, delivering drugs from big cities to smaller towns and coastal regions. Accurate data is hard to come by but the human stories are heart-breaking.

Junior Smart, a former gang member, runs the SOS Project for the St Giles Trust, working with children who end up being hospitalised as a result of knife crime. His evidence laid bare the horrific mismatch between childhood activities and criminal actions. "One kid swallowed his drugs because he was told that would be safer. It ruptured in his stomach at football practice and he ended up on the slab, very lucky to be alive." Another child was found in a park in a provincial town trying to hang himself with his own school tie: he had lost the drugs he was supposed to deliver.

"We have so many young people who are drawn into stuff that they don't understand and end up having to carry out criminal acts in order to bring a bit of money in, but more times than not they're trapped, they're caught by the group," Smart said. About a third of the teenagers involved are girls. The commission heard of one young woman who was gang raped, became pregnant and wanted to escape from the drug dealers who were controlling her. The price was to be gang raped again.

Simon Harding, director of the National Centre for Gang Research, who advises the Home Office

and the NCA, said the violence had intensified horrifically in recent times as the gangs faced more competition from rivals. "A punch in the face is no longer good enough, it has to be a stab in the heart, neck or face and sometimes it may even lead to acid or other things being thrown. You maintain your street capital now through ultra-violence." Knife crime has also spread around the country. "We now have what I call '24-hour dial-a-dealer'. This gives you, as a gang, your competitive advantage. You can put your boys on mopeds, they can ride across the whole of London or travel to Southend or Clacton or Margate and sell drugs there. It's the Uber-isation or the Deliveroo-isation of drug dealing. And of course, the boys on the mopeds carry weapons, because they are at risk of attack from other people. It means we now have gangs proliferating in places they never used to be before. Medium-sized cities like Coventry and Bristol have seen six or seven murders. Ipswich is now the kidnap capital of England. So this is no longer Liverpool, Manchester, Birmingham and London. It is right across the country."

Harding, who interviews young people involved in street crime for his research, said some of the gangs were making close to £1 million a year from drug dealing but the teenagers involved usually see none of it. "The exploitation that I come across every day is absolutely devastating for young people," he said. "There are huge levels of revenge, intimidation and threat. You've got debt bondage. You've got fake robbery, where a gang will set up a young person to deal for them and then rob that young person of their drugs and money in order to put that young person into debt. If they cannot pay it off, they then have to work for free in a form of coercion, exploitation and modern slavery. Some of the sanctions border on torture. I interviewed a young girl who'd been waterboarded for two hours because she had failed to meet the drug delivery targets the gang set her. Another woman, who is now 19, told me she had been gang-raped at 12, 13 and by age 14 she had been, over the course of three nights, handcuffed, bound, tied to a bed and raped by over 30 men. It is a cycle of debt and profit and violence."

Knives are the most accessible weapons and, for the gangs, the bigger the better. "In a proximity engagement with a rival, the longer your sword the greater your reach and your advantage," Harding said. "And of course young people have started to gamify this. They will award each other 20 points for a strike in the leg or the arm, 50 points for a strike to the body or to the heart and 100 points for a strike to the head. It's just grotesque. These young people really do believe they're living in *Game of Thrones*, and unfortunately, in many parts of Britain, the



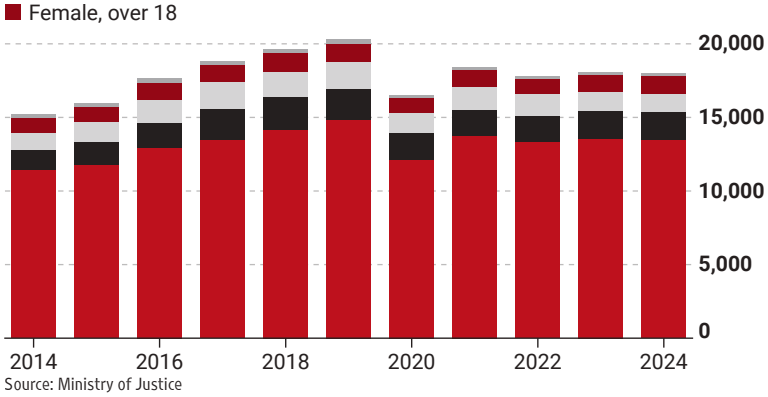
policing is more equivalent to *Downton Abbey*."

The ripple effect of knife crime goes wider. The Youth Endowment Fund asked 10,000 teenagers about their experiences of violence. Jon Yates, the director, said the results were shocking even to experts. "About 177,000 teenage children carry a knife every year. That's one in twenty children aged 13 to 17 in England and Wales, which means walking into the average classroom and knowing that at least one child there has carried a knife in the last year. We know that one in fourteen teenage children would describe themselves as being a member of a gang. One in six teenage children say they've perpetrated some act of violence during the year, one in five have been a victim of violence, three in five have been either a victim or a perpetrator." More than half the teenagers said their behaviour had changed because of concerns about violence. "We're talking here about children missing school, not being able to sleep, not going out with their friends because they're worried about what might happen. Ten per cent of those who'd missed school said it was because they feared violence on their way to or from it. There is a small number of absolutely terrible tragedies and a much wider shadow that's cast over children by violence."

Clayman insisted that it was still far too easy for young people to order knives online. The government has promised to introduce better age verification, stricter rules for retailers selling knives online and a requirement for retailers to report bulk or suspicious purchases, but more should be done to target individuals who resell to teenagers under the radar on social media. "If I'm a young person looking at knife sale videos on TikTok, the algorithm is going to show me more," Clayman said. "What they need to do is design the algorithm to show me less. It's in their power to do it and we need to put pressure on them to take more social responsibility in the way that knives are displayed and marketed on their channels." He also suggested that the ban on so-called "zombie knives" could be extended to other large "status" weapons. "Some people do collect antiques or samurai swords so it is a difficult, complex market but there are some knives, which, quite frankly, why are you selling them?"

A MAN'S WORLD

Age and sex of people sentenced for knife and offensive weapon crimes



Source: Ministry of Justice

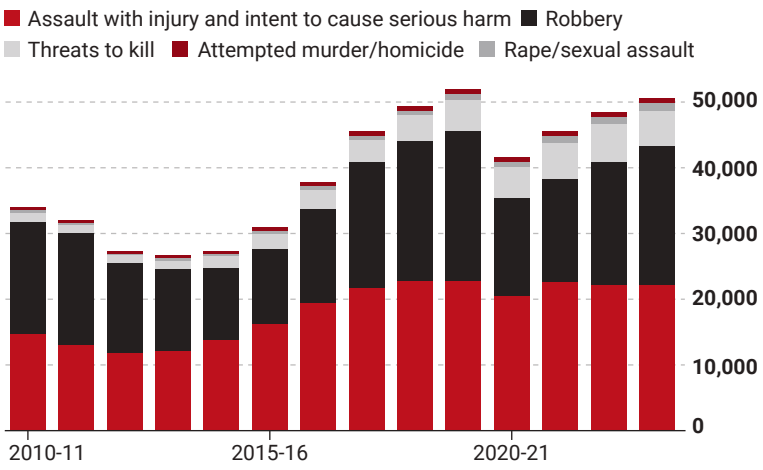
These are sensible proposals but, as Clayman acknowledged, the solution for knife crime does not just lie with the police. The actor Idris Elba has suggested that blunting the tips of knives could be an answer but again this will only ever make a marginal difference when there are sharp instruments in every kitchen drawer. The only real solution is to stop children wanting to pick them up. Patrick Green, of the Ben Kinsella Trust, set up in memory of a boy who was stabbed to death in London in 2008, insisted that education, diversion and positive adult role models were crucial, starting in primary school. "We need to get more support around young people a lot earlier." he said. "Gangs and those who prey on children are fantastic at being able to pick up unmet needs and vulnerabilities extraordinarily quickly. If they can do that, we should be able to do it too. We should turn the gang model on its head and have youth workers at chicken shops or standing at school gates, all the things that have been done to exploit and lure young people into criminality: we need to use those same processes to get them into positive activities."

Glasgow, once known as the murder capital of Europe, reduced murders by a half over two decades by pioneering a "public health" approach to tackling crime. In addition to the effective use of stop and search to take knives off the streets, this involved seeing violence as a symptom to be treated rather than a series of incidents to be punished. Twenty more violence reduction units have now been set up across England and Wales following the same approach and are starting to make a difference. In London the violence reduction unit funds youth workers embedded in hospitals and police custody suites to intervene at a "reachable, teachable" moment, when a young person has been injured or arrested. The Divert and Engage programmes, which put youth workers into police stations, have helped 10,000 young people, with two thirds going into education, training or employment. Nearly 90 per cent of those arrested for violent offences who were under 18 did not reoffend for at least a year following engagement with a youth worker in a police station.

Redthread, part of the social enterprise Catch-22, works in ten hospitals in London and Birmingham and has reported a 61 per cent reduction in crime by the young people it supports and a 57 per cent fall in the risk of exploitation. Lucie Russell, the former chief executive of Redthread, said the success of these programmes is based on the fact that the contact is made by youth workers rather than authority figures such as police officers, medics or teachers. "You have to be able to talk in the language that children and young people will relate to, otherwise they feel patronised," she said. "We are connectors and translators. Yesterday three young people aged 15 and 16 came into an emergency department ward. All of them had broken ankles and legs. The clinicians were saying, 'This is odd, maybe they were playing football, what's going on here?' The teenagers didn't want to talk to the doctors but they talked to our youth worker. It turned out all three of them had jumped out of a trap house [drug den] that was being raided by the

KNIFE CRIMES

Selected offences involving a knife or sharp instrument



Police-recorded crime. Source: House of Commons Library

police that was on the second floor."

Many of these young people are ricocheting between different services — police, social care, education and health — and falling into the gaps between them. Some of the most successful programmes are run by voluntary organisations, which, unlike the fragmented public sector, are able to ignore departmental boundaries. The commission spent a day in Middlesbrough with the team from Shift, a charity that promises to do "whatever it takes" to break the destructive cycle of youth violence. Sophie Humphreys, the founder, said children would sometimes have 17 different professionals allocated to them by different government agencies but there is nobody who really knows them. "Shift is different: we don't define children by their problems or behaviour; we start with aspiration and together we set a very high bar. We support the children to change their perceptions of themselves and we also challenge others' perceptions of them. We stay with them wherever they are and wherever they go: if that's from Hackney to Dundee we stick with the child and we work with everybody in their world." The charity uses data and interviews to identify about 25 of the toughest cases in each local authority it works with. Most of the young people have been arrested, reported missing or are at risk of criminal or sexual exploitation. A single "guide" is appointed to work alongside each child intensively for 18 months and help them to navigate everything from the criminal justice system to education. The approach is "tough love", Humphreys said. "It's completely the opposite of happy clappy. These are not well-meaning people wanting to do good; they are extremely skilled practitioners from different backgrounds, sometimes from probation, sometimes the police, sometimes from medicine. They come at this with complete dogged determination and they are able to get alongside the young person but also challenge them."

£8

The amount generated by every £1 spent by the charity Shift

There has been a 41 per cent reduction in proven offences and a 51 per cent fall in arrests in the children who joined the programme. With a cost per child of £21,000 for 18 months of intensive support, economic analysis by Cornish and Grey found that each £1 spent on Shift generated £8 in savings over five years and £33 over 20 years. Potential future public costs avoided over five years could be £1.8 million for each child. These are the kind of models that point the way forward and should be replicated around the country, with long-term economic as well as social benefits.

If prevention is the priority then there needs to be a different way of thinking about children involved in knife crime. Clayman said the law had not kept up with the reality that the lines between victim and perpetrator are so blurred. "The county lines model is, in a lot of instances, clear exploitation. Unequivocally. These are young people who are often missing from home, people who are physically assaulted, maybe sexually assaulted, they are threatened and robbed by their own gang to then be debt-bonded," he said. "The difficulty is, when you go through that door and you've got three people in there — a 27-year-old who's clearly holding the drugs line, a 15-year-old and a 17-year-old — they're all arrested. It's incredibly challenging because sometimes we're not given enough wiggle room."

Although young people should, of course, be held accountable for their actions, many of these cases have to be seen through the lens of child protection as well as law enforcement. Carlene Firmin, professor of sociology at Durham University, insisted that there had to be clear boundaries but also support. "The issue we have at the moment is, our child protection legislation says that children's best interests should be paramount but that principle actually is often undermined by our criminal justice legislation. That doesn't mean that you wouldn't remove those children that have committed an act of serious harm from a community space and put in place a response to that, but most children will not kill another child. We need a system that works for all of those children and can respond in the most severe cases whereas at the moment, we have a system that's really designed only around the most severe cases and doesn't work for the hundreds of other children who sit slightly below that threshold."

Paul Carberry, chief executive of Action for Children, which works with teenagers involved in gangs, argued that the only way to deal with knife crime was to tackle the underlying drivers of the violence. "Thousands and thousands of children are being recruited and exploited to sell drugs," he said. "The criminal gangs have a very

sophisticated HR approach: they can spot good material a mile away and the level of harm to children is off the Richter scale. We see murders, attempted murders, kidnappings, abductions, rape, gang rape. We see families with their windows and their doors blown open by shotguns. We've seen families having to move from one area of the country to the other. We see these problems on a daily basis. The system is not agile enough to respond. You've got children being criminally exploited. Often they'll be seen as perpetrators and most of the time they're victims. We've seen children who don't comply with organised crime groups be stabbed, we've seen them be gang-raped as punishment, but the system still treats them as perpetrators. We're asking these children to manage their own exploitation. We need to turn the guns on the exploiters, not the vulnerable children who need to be protected."

The government is creating a new offence of child criminal exploitation, mirroring child sexual exploitation, in part to address the imbalance. The evidence presented to the commission suggests that a more radical solution is also required. The age of criminal responsibility — which is 10 in England and Wales, the lowest in Europe — should be raised to 14. The reform could be introduced in two stages, rising to 12, which would bring England and Wales in line with Scotland, and then to 14, which is being planned north of the border. Steve Chalke, founder of the Oasis Charitable Trust, which set up Britain's first secure school last year, said: "The UN charter on the rights of a child says that in no country should you be held criminally responsible under the age of 14. That's an absolute minimum. If you go to Luxembourg the criminal age of responsibility is 18. If you go to Portugal it's 16. In Spain it's 14. We have a criminal age of responsibility that is so low as to be shameful. We look at a 12-year-old who commits a crime and we say, 'Lock them up' whereas in Portugal they say, 'How have we failed this child?'"

Aika Stephenson, a solicitor and youth justice expert who co-founded Just For Kids Law, said: "It's embarrassing that our age of criminal responsibility is so low. I've represented two ten-year-olds in the last twelve months and, despite all of my expertise, I had to really think about how I was going to explain a police caution to a ten-year-old."

14

The minimum age of criminal responsibility recommended by the UN. In Britain it is 10

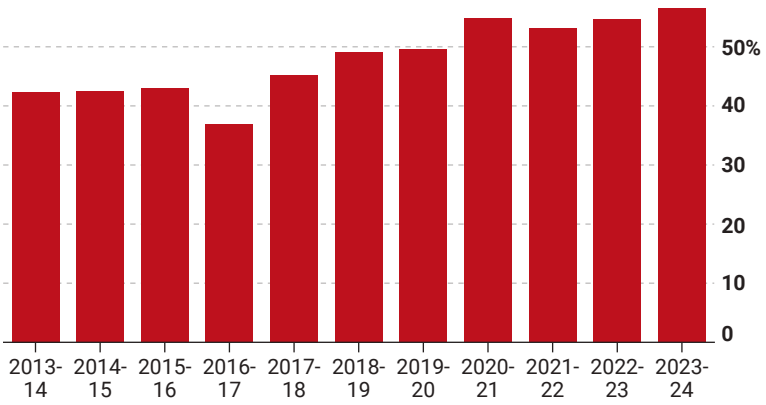
Sandra Paul, a partner at Kingsley Napley and a member of the commission, said: "If you've got a 12-year-old who is running a county line, isn't the question: which adult didn't do what they were supposed to do that allowed that to happen?"

In Westminster, politicians of all parties have shied away from debating the age of criminal responsibility since the murder of two-year-old James Bulger by two ten-year-olds, Jon Venables and Robert Thompson, who were convicted in 1993. In Scotland the age of criminal responsibility was raised in 2019 from 8 to 12 and across Europe children are most commonly held criminally responsible from the age of 14. Sarah-Jayne Blakemore, professor of psychology and cognitive neuroscience at Cambridge University, said the current age did not correspond to the latest understanding of brain development. "Aged ten, the brain looks completely different from an adult brain," she said. "It looks different from a 17-year-old brain. It's still very much in development, as are many different cognitive processes, which are relevant to making decisions, and having responsibility for one's own actions. So, from my point of view, there is no reason why the age of criminal responsibility should be set so young, if you're going to take into account evidence about the development of the brain, and the development of the mind. There's nothing in the neuroscience which suggests that ten is the right age to set the age of criminal responsibility. There's no study that shows that suddenly, at age ten, you become responsible for your own actions or you become aware of the consequences of your own actions. The evidence suggests that it's later than ten and the evidence would back up an increase in the age of criminal responsibility."

The numbers of children who would be affected in England and Wales are small. Last year 1,898 10 to 14-year-olds were sentenced, of whom 35 were sent to custody. There is no question that young killers should still be taken off the streets and placed in a secure children's home if they are a danger to themselves or others but children are being dragged into the criminal justice system and labelled as criminals when they should be seen as victims of the adults around them. Longfield drew a parallel between the grooming gangs in Rochdale and Rotherham and the drug gangs drawing children into criminality. "We cannot repeat the same awful mistakes that were made with child sexual exploitation, when vulnerable teenage girls were often groomed and exploited by older, predatory adults into committing crime and then punished again by the criminal justice system," she said. "Organised, ruthless criminals are adept at spotting and manipulating vulnerable children to transport drugs or to carry out serious violence on their behalf. We need to protect these children from harm by diverting them away from the places and people who leave them vulnerable, and recognising that a 14 year old involved in county lines is likely to be a victim, and not a criminal mastermind."

DRUG-RELATED KILLINGS

Proportion of homicides that involved drug users or dealers, or have been related to drugs in any way



Source: ONS Centre for Crime and Justice



Newcastle United Foundation holds sessions for 300 young people every Friday night

A far safer way to get their kicks

It is Friday night in Newcastle and 300 children are playing football on floodlit pitches. The session in one of the most deprived parts of the city is run by the Newcastle United Foundation as part of its efforts to divert young people away from knife crime and antisocial behaviour into healthier activities.

Last year, 2,500 young people aged between 8 and 18 took part in the programme. "It's the power of the badge," Sarah Burn, who runs the sessions and is herself the captain of the Middlesbrough women's team, says. "Kids come because they love football, that's how we get them together but we don't just want to build football skills, we also want to develop the personal characteristics to develop their full potential."

There are educational workshops, tournaments, fixtures and awaydays as well as weekly training sessions. "They get access to match tickets and for some of these kids that will be huge because they've never experienced a game before," Burn says. "You see kids kicking a ball but there's so much more to it than that. The impact it can have on an individual's life is monumental."

The times of the sessions are chosen by Northumbria police. "They will highlight the areas and the times when the most antisocial behaviour or crime happens," Burn say. "We are taking 300 kids every Friday night. It is 100 per cent clear, when you speak to the police and you see where the crime has dropped during those hours that we're having an impact."

Young people are sometimes referred by schools, care homes or the police but many just turn up, attracted by the association with a Premier League club. "We wouldn't get them if it wasn't for that love and passion they have for football but the engagement we have with them has a power," Burn says. "The coaches we have are amazing role models. They build up a relationship and a rapport with the children. The kids will tell them everything and anything, so that's when you go 'OK this kid's got a problem. How can we help them?' It's not just coaching, it's youth work, engagement and interaction."

> "The coaches we have are amazing role models. They build up a relationship and a rapport

She believes small conversations and interventions can change the trajectory of a child's life. "You've got to inspire," Burn says. "This is consistent. Some of these kids won't have any consistency in their lives. They have tough lives, lots of them are in care, some of them are not nurtured. They come here, they get love and support from the coaches who come every single week without fail."

The programme is part of the Premier League Kicks scheme, which funds 93 professional football club charities to deliver free football, sport and education sessions. More than a million hours of training has been delivered to 550,000 young people at nearly 5,000 venues across England and Wales since the initiative began in 2006.

Help to get stab victims back on their feet



Martin Griffiths was on the bus heading home after a long day working as a trauma surgeon at the Royal London Hospital in Whitechapel when his phone rang. "I got a call saying a lad had been shot and stabbed and was en route to us," he says. "So I turned myself round, jumped in the car, met him in Resus and went straight to theatre."

As Griffiths changed into surgical scrubs, he knew it was a life-threatening situation for the 18-year-old. "I opened his chest and cut the bullet out. He had been shot at close range, it had gone into his back, through his ribs and landed in his right lung so I took out the bits of pellet. There was quite a lot of bleeding so I dealt with that. A pellet had gone around his heart and into his belly so I opened his belly and had a look around in there. Shotguns spray lots of small pellets in all kinds of directions and they go in funny places so there was one sitting in his chest."

Having stabilised the teenager, Griffiths had to go and talk to his mother. "She was a lovely lady and she was in bits, of course she was. This is her boy. Irrespective of what was happening and why it was happening, she's a mother.

"There's always the question, 'Is he going to be okay?' And the answer is, 'Well I don't know,' because we can't make predictions and we have to be honest. We are talking minute-to-minute rather than hour-to-hour or day-to-day. We are doing our best for them, we can't guarantee their outcomes. If you're not transparent with people about the severity of the injury and about where it could go, you give people false hope."

By now Griffiths was exhausted, physically and mentally. He popped out to buy some food but as soon as he left the hospital he received another message. A second young man had been stabbed in the torso and attacked with a machete. "He was very poorly so they brought him straight up to theatre." Again, Griffiths rushed back, threw on his surgical gloves, mask and gown and prepared to operate. As he removed the tourniquet that the ambulance crew had applied to try to stem the blood, he saw that the machete had delivered "one big chop on the arm, down to the bone. It had gone through all his clockwork on that side: arteries, veins, muscles, nerves, everything."

This was a normal Thursday evening. There was no particular reason for London to experience a sudden outbreak of violence but Griffiths, who is a member of the commission, says it is "not unusual" to have a spate of horrific injuries arriving at his unit within the space of a few hours.

The emotional impact must be enormous but he says surgeons have to detach themselves from the horror of the situation they are dealing with until the immediate emergency is over. "We are all human beings but the most human thing you can do is help," he says. "You can't operate if you are constantly emoting. You have to be compassionate with patients who are awake. You talk to them about what's happening and why. But if the patient is asleep all you are doing is working with your colleagues to work out what to do next. There's an automatic aspect to it.

"The emotional bit comes when you're conversing with families or when you're having a shower and you've got blood on your socks."

The Major Trauma Centre at the Royal London hospital, part

> "The youngest gunshot wound I saw was five. The youngest person I've seen stabbed was two … We've normalised interpersonal violence in children



Martin Griffiths, trauma surgeon

of Barts Health NHS Trust, deals with the country's worst terrorist attacks, motorway pile-ups, natural disasters and human tragedies. Patients were rushed here after the London Bridge, 7/7 and Westminster Bridge atrocities. Increasingly, though, it is knife crime that concerns Griffiths, the unit's lead surgeon who is also NHS England's national clinical director for violence reduction.

The most common age of people arriving at the hospital with knife or gun crime injuries is 16 but it is not uncommon for primary school children to be admitted. There is often a rush of cases between 3pm and 6 pm as trouble breaks out after school. "The youngest gunshot wound I saw was five. The youngest person I've seen stabbed was about two," Griffiths says. "If you look at the national child infant mortality rates, there's an alarming increase in deaths in young children, 15 to 17-year-olds specifically. Adolescents are dying more. We've normalised interpersonal violence in children. Society has sleep-walked into accepting carrying knives, being stabbed, being harmed, as the norm for certain parts of the community."

Ten years ago Griffiths became so worried about the number of children coming into the emergency department with stab and gunshot wounds that he set up the UK's first hospital ward-based violence reduction service, working with the St Giles Trust, a youth charity, and the police to help to turn around the lives of young patients who had been stabbed and shot. "I'd like to say it was all done out of some altruistic desire to save the world. Truth be told it was because I was pissed off with the offer kids got. I would get the same kids coming back to me. They'd say, 'Hello doc.' I remember one kid coming in and he still had his tag on from his last admission. He had been stabbed again."

Now, instead of just patching children up and sending them on their way, the St Giles team helps them to get education, work or somewhere to live. There is mental health treatment and advice on special educational needs. The police officers provide protection, access to justice and support for those who want to get out of a gang.

Readmission rates have dropped from 30 per cent to 4 per cent and the service has now been extended to 16 hospitals in London and another 30 emergency departments around the country.

Knife crime, Griffiths insists, has to be seen in a wider social context. "If someone is stabbed you have to ask yourself why," he says. "The individuals being harmed are not monsters, they're just children."

03

VIOLENCE AGAINST WOMEN & GIRLS



Violent, misogynistic material is thriving online and is driving a worrying change in attitudes among young people. Only by dealing with this will the system be able to address the frightening levels of sexual assault, stalking and violence

Natalie Queiroz was eight months pregnant and about to get married when she set off to meet her fiancé Babur "Bobby" Raja in March 2016. As she was leaving their house in Sutton Coldfield near Birmingham, he rang to say that he was stuck in traffic and would be a little late. He had already emailed that morning to tell her he had booked a session of hypnobirthing yoga.

Minutes later Queiroz was ambushed by a man with a 12in carving knife. "I thought I was the victim of some form of hate crime or a psychiatric patient. I couldn't understand what was happening," she told the commission. "My attack lasted, in total, nine minutes. Within those nine minutes I was stabbed 24 times. Nobody expected me to survive. Two passers-by intervened. There was a struggle and, at that point, I realised the attacker was very much focused on me. He wasn't hurting the two men who were helping me." She briefly managed to break free, stumbled down the hill then collapsed. "He walked very calmly over and began his attack again, knocking me unconscious and continuing to stab me."

The violent onslaught only came to an end when three police officers arrived and arrested the man and Queiroz was airlifted to hospital. "They found out in surgery I had 11 stab wounds in my chest. He had hit the outer part of my heart. My right lung had collapsed. My diaphragm was lacerated in two places. He'd gone through my liver, he'd gone through my left wrist, caused significant damage to the nerve tendons and the artery. And he had stabbed me three times in the abdomen. He missed killing my child by two millimetres." It was not until she came round from the operation that the police broke the news that the man who had attacked her was her partner. "He wore four tops, including a hoodie. He had a rucksack that contained spare clothes and spare shoes. He had two pairs of gloves and a bin bag. So it was very much a premeditated attempted murder plan. We were living as a normal, functioning couple, without arguments, happy and with no violence. My world fell apart."

In court, Raja pleaded guilty on five counts including attempted murder, attempted child destruction and actual bodily harm. He was sentenced to 18 years in prison. "I do feel that if Bobby had been a stranger to me the sentencing would have been different," Queiroz said. "When there's domestic violence it is viewed differently. Is that because there's a degree of unconscious bias? Is there a degree of victim-blaming going on there? If I'm being brutal yes, I think with some judges potentially that is happening. There's always that question of, 'Did you not see it coming?' I didn't see it coming, nobody saw it coming, and in any case if I did see it coming does that make me culpable?"

A woman is killed at the hands of a man every four days in England and Wales, most by a current or former partner. One in five homicides is domestic abuse. These deaths are usually the culmination of a steady build up of other crimes: stalking, sexual harassment or coercive control. Too often the warning signs are missed. Many

1/5

The proportion of women who have had a stalker



more victims suffer rape, sexual harassment, drink-spiking, deepfake imagery, up-skirting or revenge porn as part of the continuum of misogyny and aggression. A fifth of women, and nearly a tenth of men, have had a stalker.

Last year the National Police Chiefs' Council warned that violence against women and girls had reached "epidemic levels" in England and Wales. There has been a 37 per cent increase in crimes of this type recorded by the police in the past five years and one in twelve women will be a victim every year. In the year ending March 2023, police forces recorded 103,135 rape and serious sexual offences, 400,213 domestic abuse crimes and 436,196 examples of stalking and harassment. This may be partly because the MeToo movement, together with revelations about historical sexual abuse, have raised awareness and encouraged more women to report crimes. Even so, the Crime Survey for England and Wales suggests that there is still significant under-reporting of sexual offences and only one in six victims of rape go to the police. The survey estimates that almost two million women in England and Wales have been the victim of rape at some point since the age of 16, three million have experienced indecent exposure and five million women have suffered unwanted sexual touching.

Every year, for the past decade, the Labour MP Jess Phillips has stood up in the House of Commons and read out the names of the women who have been killed over the previous year. "The youngest was 14 and the oldest was 100. I tried to highlight the social demographics of the women it has happened to, to show that it was everywhere," she told the commission last May, before going into government as safeguarding minister. "And the fact of the matter is that at least half of those deaths could have been deterred with better action from policy-makers." Phillips herself receives appalling abuse. Once she had 600 rape threats on Twitter, now X, in a single night. A few years ago she increased her security on the advice of the police and installed nine locks on her front door, a panic room in her constituency office and an emergency button next to her bed. Victims, she suggested in her evidence, are often let down by the system that is supposed to protect them. "I've met women shot with sawn-off shotguns who had restraining orders [against violent men]. I've got a file of them for myself. They're not worth the paper they're written on."

An Ipsos survey of 100 bereaved families for the Killed Women campaign group found that two thirds of relatives believed that the fatal attack on their loved one was "very" or "fairly" preventable and only 4 per cent thought it was "not preventable at all". In fact, two thirds of family members said that the killer had a history of violence or abuse and in some cases the man had even murdered before. The families felt that their own personal loss had been compounded by the failures of the criminal justice system. As Julie Devey, mother of Poppy Devey Waterhouse, who was murdered by her ex-boyfriend in 2018, put it: "The deaths and injustices our daughters, mothers, sisters, aunties and loved ones have faced are not unavoidable tragedies; they are the result of a litany of failures from public bodies and negligent inaction from successive governments."

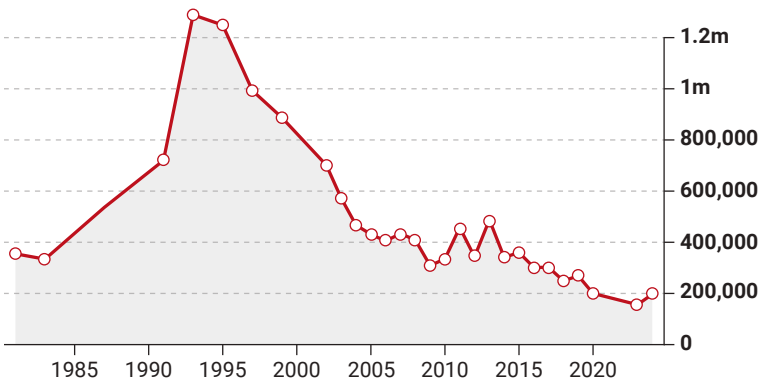
The commission heard that investigators often failed to recognise the patterns that lead to violence. Jane Monckton-Smith, a former police officer and professor of public protection at the University of Gloucestershire,

conducted research into 372 domestic killings and developed the "Homicide Timeline" laying out eight distinct stages of escalating behaviour leading up to a murder. "We are still talking about these homicides as if they are spontaneous and they happen in the moment," she said. "In my experience, that is not the case. There is a trajectory, a journey to these things, with recognisable, predictable, typical risk markers … We still see domestic abuse as a relationship that is degenerating in some way. That's not what it is. This is who [these perpetrators] are. This is how they think. This is the belief system that they adhere to." In one recent case she was involved in, the "rules" imposed on the woman by her abusive partner included never making a noise. "When she woke up in the morning she was regulating her breathing. That's not an incident but it is part of a pattern," Monckton-Smith said. "A huge problem is the relative lack of status given to these offences within the criminal justice system."

Hetti Barkworth-Nanton, chair of the domestic abuse charity Refuge, described becoming aware of the systemic failings when her friend Joanna Simpson was killed by her estranged husband, Robert Brown, on Halloween in 2010. "He took the children back after half term with a hammer in his daughter's homework bag, bludgeoned Joanna to death within earshot of the children, who were nine and ten, put her in the boot of the car and put them in the car, drove them to the girlfriend's house, dropped them off and went on to bury her in Windsor Great Park in a six foot grave with a makeshift coffin in it." Looking back, Barkworth-Nanton thinks the clues were there much earlier in their relationship. "He would undermine her and put her down all the time in front of people. He would go away on long-haul trips and when he came back he would check the records of the burglar alarm and say, 'Why did you go to bed late that night?' It was all about controlling her and making her feel as if she wasn't a free woman. Throughout the divorce he was stalking her. He would park his car at the top of the driveway. He was seen in her garden. Her CCTV was being cut, her alarms were being cut. The police were called and they said to her, 'Look, unless he hurts you, we can't do anything.'"

The family courts have also been weaponised by domestic abuse perpetrators who use custody cases to continue to exert power over their ex-partners and their children. If a mother accuses a father of abuse then he will counter that she has manipulated the children to turn against him. A whole industry of lawyers and "expert consultants" has grown up around the concept of "parental alienation". New guidance issued in December stated that courts should give more weight to allegations of domestic abuse than to claims of "parental alienation" but it is still unclear what impact this will have. Nicole Jacobs, the domestic abuse commissioner, said she had been surprised to discover the extent to which the legal process was being used against women by the abusive men they are trying to escape. "If you've alleged domestic abuse, when you have a counter-allegation of parental alienation, it is truly a no-win situation from that point on for the victim because whatever they say, if they express any concern about their child or arrangements they're just being an 'alienator'. You have no voice from that point on because it's just the perfect strategy to silence a victim."

INCIDENTS OF DOMESTIC VIOLENCE



Year ending December until 1999, then year ending April from 2022.
Source: ONS, Crime Survey for England and Wales

Claire Waxman, the victims' commissioner for London and a member of the commission, described stalking as a crime of "psychological terror" that can be played down by the police. Her own experience of it began 22 years ago when she was contacted out of the blue by an old college acquaintance. "He was always turning up at my place of work. He would send anonymous flowers, follow me. It was really creepy stalking. He was everywhere: outside my home, outside my parents' home on Christmas Day." When she eventually got so worried that she reported it to the police, the officer laughed. "He really belittled me and made me feel very small. He said, 'You're going to complain about flowers and emails and declarations of love? It's romantic. We've got better things to do.'" The man was eventually convicted but not before he had played the system to harass her more, going to the civil courts after a restraining order had been imposed to claim that she owed him money. "I couldn't believe the state of our criminal justice system. I couldn't believe how poorly I was treated in the process: the lack of information, the lack of updates. Everything seemed to be centred around the rights of the defendant and there was nothing in the way of rights for victims."

There is a chilling effect across society. Tracy Brabin, the mayor of West Yorkshire, said she had created a dedicated team of police and community support officers to travel around on the bus network and an app for women to report on if they do not feel safe on public transport. "I myself am a survivor of sexual violence so I know that it's not just the victim that suffers and struggles often for many years, but their friends, their family, the community then feels unsafe. We have to tackle the way that women's lives and our thoughts are dominated by our own safety."

Many women feel abandoned or betrayed by the authorities they look to for protection at their most vulnerable moments. Less than 3 per cent of rape cases reported to the police lead to a suspect being charged. Although new offences have been added to the statute book concerning stalking,

coercive control and non-fatal strangulation, there is often a mismatch between the laws that exist and the action that is taken. Police forces are overwhelmed by the amount of data associated with each case. The 2018 case of Liam Allan, the student wrongly accused of rape after an officer failed to disclose crucial exonerating evidence among the 57,000 messages on his mobile phone, had an impact on investigations and prosecutions. Harriet Wistrich, director of the Centre for Women's Justice, said it was "really concerning" how frequently the police decided to take "no further action" in rape cases. In one recent example, when that decision was challenged and the case went to court, the man was convicted and sentenced to 16 years in jail. "You're battling a resistant system that isn't looking at taking on the harder cases and finding ways to take them through," Wistrich said. "We do have a system of laws and policies around tackling violence against women. It's a failure of implementation."

Once a case is referred to the Crown Prosecution Service, almost three quarters of suspects are charged but the crown court backlog has then led to long waits for cases to come to trial. The number of adult rape cases awaiting trial has increased almost six-fold over the past five years, from 571 in 2019 to 3,291 in 2024. According to Baroness Newlove, the victims' commissioner for England, rape victims now face an average of 424 days for a case to progress from the decision to charge through to conclusion in court. "Victims very much feel that they're not listened to, they feel that they don't have a voice, they feel that they're having to find out a lot of things for themselves," she told the commission.

According to Criminal Bar Association analysis of data from the CPS, 241 complainants in rape cases walked away from the court process in the first nine months of 2024, a 44 per cent rise on the number the previous year. In London the number of cases in which the victim withdrew from the process increased from 58 per cent to 65 per cent between 2019 and 2021. Andrea Simon, director of the End Violence against Women and Girls Coalition, said confidence in the criminal justice system had plummeted. "It's no wonder that we often hear women saying that they had deep regret for having trusted the police with their case in the first place and wish that they never actually reported a crime."

The trial itself can be deeply traumatic. Kama Melly KC, one of the leading silks on the North Eastern Circuit and head of rape and serious sexual offences for the Criminal Bar Association, told the commission: "Victims have said to me that the court case is worse than the rape … I have been working in grooming cases which take a very long time because you are dealing with multiple suspects. If you have got multiple trials for a victim you are expecting a woman to stay on board for a decade. I had one woman say to me, 'My son is 14 and he has no living memory of me not being involved in a police investigation.' She secured multiple convictions with sentences as long as 22 years but ultimately she did walk away from the last trial. It had gone on for so long."

424

The average number of days it takes a rape case to progress to conclusion

Suzie Miller's award-winning play *Prima Facie* starred Jodie Comer as a barrister who specialises in defending men accused of sexual assault then changes her view of the legal system after she is sexually assaulted herself. It is now playing in fifty countries and has been used to train judges and police officers in the UK. In her evidence to the commission, Miller argued that there were too many myths and taboos surrounding rape. "We have a system where, when somebody discloses a sexual assault to a parent or a friend they are questioned with things like, 'Well, why did you go to his house?' or 'What were you thinking?' So the self-blame begins very quickly. All of that stuff is very culturally embedded so it's not just a legal problem; it's a whole community problem."

The online world has created new dangers, with violent misogyny openly promoted on social media. After the crossbow killer Kyle Clifford was convicted of murdering his former partner along with her sister and mother, prosecutors suggested that his actions had been fuelled by "violent misogyny" promoted by the social media influencer Andrew Tate. Sarah Crew, the chief constable of Avon and Somerset, who is the police lead for rape and adult sexual offences, said she believed that there was a clear link between harmful content online and violence in the real world. "It's bound to have an effect because it sets norms in people's minds about what's acceptable and what's not." She said boys looking at certain material were learning "the superiority of men over women and how women should be objectified and treated as lesser than they are. I don't spend any time looking at this stuff because it's quite distasteful, but the bits that I come into contact with through my work shock me and frighten me. I'm really very very worried."

Extreme and violent pornography is altering attitudes to sex, particularly among teenagers. Research by Dame Rachel de Souza, the children's commissioner for England, found that half of children said they had seen pornography by the age of 13 and almost a third claimed to have watched it by the age of 11. These young people are frequently exposed to extreme porn, depicting coercive, degrading or pain-inducing sex acts, with 79 per cent encountering violent pornography before the age of 18, often on social media rather than porn sites. "There's no question that porn is changing the way boys and girls think about sex," de Souza said. "We did some work recently on peer-on-peer sexual abuse and you could see the

influence of porn on perpetrators and you could see victims speaking about how perpetrators were enacting what they'd seen in porn on social media. The offences were copying what they'd seen online." Although non-fatal strangulation is now illegal, Martin Griffiths said he was routinely asked as a doctor by adolescent men if girls "liked" being strangled during sex and "more worryingly asked by adolescent women if it's OK to decline being choked by a sexual partner". He believed pornography "undoubtedly plays a role" in perpetuating the practice.

The Tory peer Baroness Bertin's recent review into pornography highlighted how incest, strangulation and kidnap are all themes on legal porn sites. Harmful material that would be illegal to distribute in physical formats such as magazines or DVDs is not banned online. As Bertin argued: "This two-tier system is nonsensical."

Dame Melanie Dawes, the chief executive of the regulator Ofcom, told the commission that the evidence was "very clear that women and girls are more likely to experience online harm, particularly harms that are damaging to them personally, than men and boys. Bullying and harassment are more prevalent for women, 95 per cent of deepfake abuse online is pornography and it is directed at women. Misogyny is a very light sleeper and modern technologies are used to abuse women very vigorously by some people."

In 2020 Soma Sara, who was then 22, founded Everyone's Invited, the social media campaign that allowed young women and men to post their stories of sexual assault and rape culture on social media. Within weeks 16,000 testimonies had been posted, including devastating accounts of teenagers being coerced into sexual acts. The campaign now goes into schools to lead classes on healthy relationships and consent. "I would love to say that things have got better but what we witness in schools today is deeply disturbing," Sara told the commission. "Our facilitators report that they have never seen such a gender divide between girls and boys. There's anger, there's mistrust, there's lack of loyalty. Last month they went into a mixed school and they had a boy session and a girl session separately. The boys' session included some of the most misogynistic and shocking language that they ever heard. It was really extreme, saturated with rape jokes. One of the boys said that if his 13-year-old sister came home and said that she'd been assaulted, he would laugh in her face. At the same time, they were conducting the girls' session. The session began with the girls saying that they didn't care about the work, they didn't care about feminism, they didn't understand why it was relevant to their lives. But then one girl disclosed her experience of sexual harassment and violence and said she'd been followed home and stalked. That then prompted two hours of the whole class of girls sharing their experiences of harassment and violence and how they felt terrified in school and out of school, daily. And it just became clear how dystopian that reality is. You have these two sessions going on, the same year group, same classes, but the boys and girls are just on completely different planets."

79%
Proportion of children who say that by the age of 18 they have encountered violent pornography

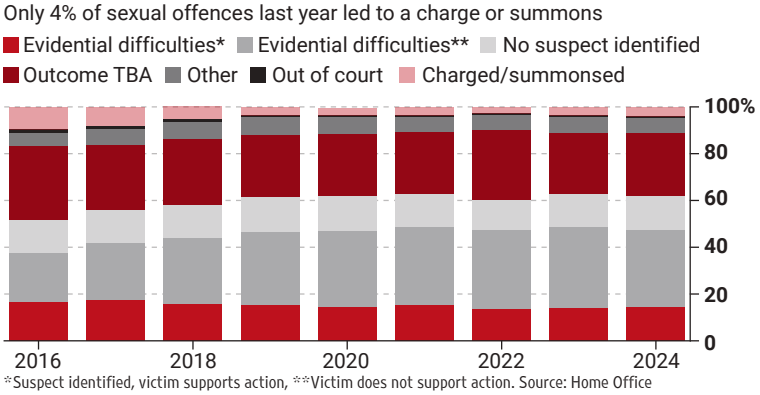
She said existing misogyny had been supercharged by the online world. "Nine out of ten girls receive unsolicited dick pics. Then you have the rise and mainstreaming of hardcore pornography, which has become the sex educator for young people. The majority of it is very extremist, dehumanising, objectifying porn that is modelling these sexual scripts. Young people are being exposed to extremist pornography, hardcore content, from the age of eight, nine or ten. That's the truth. We have young people submitting stories to our website at primary school age. Any discussion of age appropriateness needs to be grounded in the reality of what children are facing in their daily lives."

The government has promised to halve violence against women and girls. If this ambition is to be achieved, then the police must have a relentless focus on pursuing the perpetrators, disrupting dangerous behaviour and managing risk rather than concentrating on whether the complainant should be believed. In Avon and Somerset, the police force more than doubled the charge rate for rape by focusing its investigations on the pattern of behaviour by the alleged offender rather than the credibility of the victim. Detective chief inspector Richard Marsh, the senior officer responsible for the programme, said it involved a complete change of mindset from the police. "We had got to the point where we saw rape as the unsolvable crime. It took a big cultural shift to turn that around and say, 'Actually if you have got a victim who wants to go to court more often than not that is a prosecutable case,'" he said. "When people talk about rape they tend to talk about it in a very victim-focused way; they say it is one person's word against another's, how would you ever prove it? What we are asking our investigators to do is look at the suspect's behaviour before, during and after and say, 'Can we demonstrate that within that behaviour there is a crime?' It's what we should always have been doing but we had been drawn away into trying to make the victim into the perfect witness."

The programme, called Operation Soteria, has been so successful that it is being released around the country, transforming the way in which the police investigate rape. The Avon and Somerset force is now taking the same suspect-focused principle to domestic abuse and this too should

OUTCOMES FOR SEXUAL OFFENCES

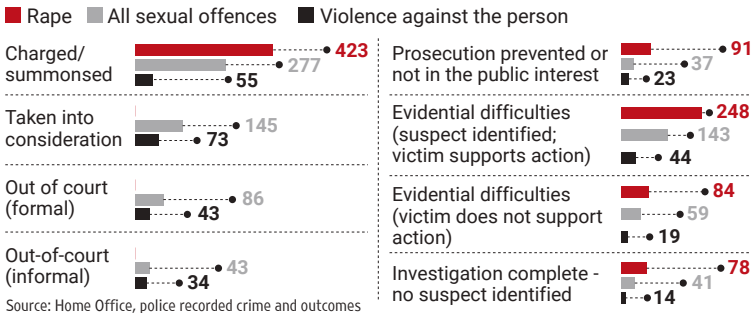
Only 4% of sexual offences last year led to a charge or summons



*Suspect identified, victim supports action, **Victim does not support action. Source: Home Office

A LENGTHY PROCESS

Median number of days for an outcome to be assigned is significantly longer for sexual offences than other violent crimes



Source: Home Office, police recorded crime and outcomes

be expanded to other forces. The same idea could also be applied to stalking. A laser-like focus on suspects is likely to result in a better outcome for victims and also lead to fewer miscarriages of justice. In London the Metropolitan Police uses data analytics to identify and target the 100 most dangerous and predatory men who pose the greatest risk to women. By the end of January this year 117 people had been charged with 574 offences, including rape, grievous bodily harm, non-fatal strangulation and attempted murder. A total of 143 arrests had been made for 1,246 offences as a result of the initiative.

The criminal justice system needs to be much better at supporting victims, particularly women who have suffered violence. The commission heard repeatedly that complainants are frequently left to battle their way through a baffling and sometimes hostile legal process with little or no support. The way in which the system works means that the defendant has a lawyer acting on their behalf but the complainant is simply a witness in a case brought by the Crown. There is nobody supporting the complainant from start to finish in a case. The police have family liaison officers, the CPS has a witness care unit and courts have their own services. In some parts of the country there are independent sexual violence and domestic violence advocates but the provision is patchy. It is not that resources do not exist but the system is fragmented. A survey conducted by the victims' commissioner found that 40 per cent of respondents were dissatisfied with the police response to the crime.

The commission proposes that a network of victim care hubs should be created to provide a single point of contact, give timely updates on case progression and create a seamless source of information and advice for victims and complainants, signposting to specialist support. The hubs, which could offer a tiered model of support with online resources for victims who do not need more intensive support, could be largely funded by drawing together the multiple pots of money for victim services that already exist in different parts of the criminal justice system. They should be independent, could be run by the voluntary sector with input from government agencies and would need to have access to information about the case. An approach like this would help to tackle victim attrition, which represents a significant proportion of cases where the complainant withdraws and justice cannot be done.

The system has already been successful in Quebec, Canada, where 17 crime victims' assistance centres help 68,000 clients a year. Created 35 years ago, these are non-profit organisations and have workers embedded in police stations and courts, allowing them to access victims' records and offer practical support. The aim of the centres is not to replace the role of the police or prosecutors but to build a team around the individual and act as a one-stop guide to help the victim through the process. Virtual reality could also be used to help victims and witnesses to prepare for testifying by familiarising themselves with the court environment. This is already being done in Scotland. Such a system would be good for victims and for the criminal justice system. One study found that victims are 49 per cent less likely to pull out of a case if they have an advocate. Claire Waxman told her fellow commissioners: "The problem we have is [that] when victims report a crime they are coming into a very fragmented and backlogged system. There's no seamless process and victims are left to navigate the complexities with very little information and support. They want a single point of contact."

As Yvette Cooper, the home secretary, said in her evidence to the commission: "Improving the response of policing and the criminal justice system to the violence, domestic abuse, sexual assault is crucial but it's also got to be something which is much wider and right across government." That means challenging misogyny online and teaching about the dangers of porn.

Maggie Blyth, interim chief constable of Gloucestershire and the National Police Chiefs' Council lead on violence against women and girls, believes that it is such a severe problem that it should be dealt with like other "national threats" including terrorism and serious organised crime. "If we're going to have a true impact in reducing the scale of these crimes, we've got to have a society response," she told the commission. "The policing needs to continue to improve but we can't arrest that number of perpetrators and we can't put them behind bars. This is not about the police asking for more money; it's about saying how can we prevent some of this upstream? How can we in school have a very different approach about how we deal with boys and girls growing up and what we expect in society?"

She argued that misogyny and aggression on social media were driving real violence. "I think big tech companies are fuelling the content that can go uninhibited and not addressed online," she said. "We wouldn't think to put something on the printed page or posters on village community centre doors that we allow to go online and there has got to be more regulation and more work done by industry. Everyone in policing would say that. That includes social media influencers like Andrew Tate but it also concerns me the scale of violence and pornography that's available online, completely unregulated. We have to challenge that; we have to set an example of what we expect in society and encourage girls growing up to not think that misogyny or sexism is acceptable."



“ABUSE IS OFTEN ALL ABOUT CONTROL AND POWER

Rosie Duffield MP



The love bombs that turn toxic

Rosie Duffield has a high-powered job, a supportive family and a close group of friends but for more than a year the MP for Canterbury was caught in an abusive relationship that sometimes left her cowering in the office after parliamentary votes because she was too scared to go home.

Her partner at the time "became very violent, but not physically", she told the commission. "Most of it was verbal aggression and threats and intimidation: this thing we call 'coercive control', which essentially is a threat that you know is real."

It was like having a "terrifying alligator" in her flat and not knowing which room it was in. "You are on hyper-alert because you don't know what's coming next," she says. "It's a kind of a leash really, because they're setting out parameters, which you know you're not allowed to stray outside of, but very carefully laid out and very subtly started.

"Most of us that go into these situations aren't stupid. You hear all this lovely stuff and then there's a trail of pebbles that leads to something that's quite dark and scary."

In 2019 Duffield made a powerful speech in the House of Commons that left some of her colleagues in tears. "Domestic violence has many faces and the faces of those who survive it are varied too," she told MPs. "Sometimes there are no bruises. Abuse is very often all about control and power."

The soap opera stereotype of "working class families, drunk men coming home from the pub, women surrounded by children and a sequence of shouting, followed by immediate physical violence" was only one version of domestic abuse, she said.

Duffield's own ordeal began soon after she was elected in 2017, taking the previously true-blue Tory seat for Labour (she now sits as an independent MP.) To start with, the man she says became her abuser would "love bomb" her. "There were loads of chocolates and flowers and expensive things like jewellery, it was really over the top." Within months he had moved in.

Duffield, a former teaching assistant, was grateful to have a familiar face around as she started a high-profile and high-pressure job. "I felt really strong. I had this person who kept telling me he would keep me safe. It all felt wonderful."

They got engaged and almost immediately things started to go wrong. The rows became more frequent and aggressive, the screaming was interspersed with the silent treatment. He started telling her what to wear and became increasingly controlling. She felt increasingly trapped. "When it starts out you've got this parallel between, 'I'll keep you safe' and, 'I will stop you doing x, y and z.' They are protector and jailer at the same time," Duffield, 53, says. "It was a rollercoaster of emotions, because one minute you've got someone saying you're the best thing since sliced bread, and the next minute you've got them throwing you violently away."

A new crime of "coercive control" was introduced in 2015 in recognition of the fact that domestic abuse can be emotional as well as physical. "It's about control of what you wear and what you do and where you go and who you see and who your contacts are but it can be so much more subtle than that. My ex used to say things to me like, 'Are you going to be a good girl now?' That sounds quite chilling, but it was said with a laugh at the end so you think that you're paranoid."

A woman who was confident and articulate at work felt herself starting to dissolve at home. By day she helped to shape the law of the land; at night she felt powerless.

Eventually, the morning after a particularly nasty row about a sofa, she had the locks changed when he had gone out to the gym. The man was furious then vanished.

She escaped that relationship but, like many female MPs, Duffield receives appalling hate and harassment online. Last year one man was convicted of sending death threats to her. She cannot help seeing similarities between the trolls and a coercive controlling partner. "What they're doing is saying, 'You've stepped out of line, you've spoken up, you've done something we don't like. We're going to threaten you, we're going to shut you up.' I've found to my huge annoyance that I've curbed what I say in parliament."



Virtual reality can give abusers the point of view of a woman being subjected to abuse

Technology turns tables on abusers



THE MAN IS angry as he comes through the door. "What are you doing?" he shouts. "Have you seen yourself in the mirror? There's not one woman in the world that looks as wretched as you do right now, you're disgusting."

He moves closer, looming over the woman, then the tone changes. "I've been too soft on you, I've been too patient because I love you," he says. "I just want you to be a woman that's worth my while instead of this fat stupid piece of shit that you've become."

This is a virtual reality programme designed to tackle domestic violence by allowing perpetrators to experience abuse from the point of view of their victim. The technology, which has been introduced in six Catalan prisons, puts men who have been convicted of domestic abuse into the body of a woman who is shouted at and undermined by her abusive partner.

On a visit to Barcelona, the commission tried out the VRespectme software. More than a thousand prisoners have taken part in the immersive experience. Some have been in tears and others have found it so upsetting that they removed the VR headset in the middle of the film.

"We want to improve empathy in men who have been violent towards their partners," says Nicholas Barnes, the psychologist who designed the programme. "The early results are positive, we can see a tendency towards improving empathy."

Barnes, who is deputy director of the youth estate in Catalonia, explains that domestic abuse perpetrators typically have no emotional understanding of the impact of their behaviour. "There is often a lack of empathy in these men. We put them into the body of a victim so they can feel something similar. We don't explain empathy, we make them feel it. It breaks barriers because it's not intellectual, it's visceral. Lack of empathy is directly connected with violent conduct."

The men are encouraged to choose characteristics in the female avatar that mean that the virtual reality character resembles their partner. "The tech would allow us to give the actual face of the victim but we don't do that for ethical reasons," Barnes says. "They have to imagine the woman is their victim."

They then step into the shoes of the woman in virtual reality and hear the man shouting insults and seeking to undermine his partner. "We find that even quite crude graphics have an effect," Barnes says.

A psychologist is with the men throughout the experience and talks to them about their reaction when it ends. The tool has now been translated into English and Finnish so the innovative treatment programme can be exported around the world. Other Spanish prisons are keen to introduce the technology.

Barnes and his team have designed other virtual reality scenarios to tackle violence against women and girls. In one, aimed at young offenders, the inmate becomes the spectator to sexual harassment in a bar. Another programme forces the perpetrator to have a dialogue with his own victim. Barnes says: "The men find it very shocking because now it becomes very difficult to lie because they would be lying to themselves."

04 CYBER CRIME & FRAUD

Criminals are the fastest adopters of new technology in the world and the rest of us need to catch up

The National Crime Agency is responsible for taking on some of the worst gangsters, drug dealers, fraudsters and hitmen in the world but James Babbage, its director-general for threats, says the biggest danger the organisation now faces is the British public. "The single greatest area that is causing serious organised crime to grow is not actually about anything that criminals are doing," he told the commission. "It's about us. It's about the fact that, regularly and routinely in our day-to-day lives, we're increasingly dependent on online services, both that we use directly and that are used to run the services that we rely on."

Technology has transformed the way we shop, bank and listen to music and it has created new targets and methods for the criminals too. Fraud and cybercrime now make up about half of all crime experienced by individuals in England and Wales. Last year about 6.6 million people lost money to online scams, according to research by the consumer champion Which? Almost two thirds of them fell victim to the fraud on social media and one in five said they had come across suspicious adverts or messages every day when online in the previous six months. The government puts the total financial loss due to fraud against individuals at £6.8 billion a year but this is almost certainly a significant underestimate since other research has suggested that only about one in seven fraud offences is reported.

> "It isn't about financial loss only; this is also about emotional and psychological harm

According to the latest Cyber Security Breaches Survey, half of businesses and about a third of charities have experienced a cyberattack in the past year. In 2020 the Economic Crime Survey found that one in five businesses had been a victim of fraud in the preceding three years. The University of Portsmouth calculated that the total cost of fraud to the UK was £137 billion a year. Adrian Searle, director of the National Economic Crime Centre, said: "It's big numbers. Just as importantly though, it isn't about financial loss only; this is also about emotional and psychological harm and the reality is that fraud undermines our collective trust in those we engage with online."

Companies and public services are increasingly at risk from hackers who shut down an IT system or threaten to leak confidential data and demand money to restore access or give back the files. Global ransomware payments reached an astonishing $1.1 billion in 2023 but the wider knock-on cost to society is estimated at more than $100 billion. The NHS, the British Library and Transport for London have all been targeted. These cyberattacks have real-world consequences. When the medical laboratory service Synnovis was subjected to a ransomware attack last summer more than 10,000 acute outpatient appointments and 1,700 elective procedures were postponed at three hospital trusts and there was a national shortage of type O blood. During another breach, the Royal Mail was prevented from sending parcels overseas for six weeks.

There is sometimes a tendency to see cyberfraud as a victimless crime. Consumers are typically repaid promptly by banks and credit card companies, but firms are becoming more reluctant to compensate people. Businesses can be victims too and in any case the costs will ultimately be handed on to the customer. These crimes may not be violent but they are certainly serious. The pensioner who has lost their lifesavings to a fraudster, or the widow who finds herself penniless after falling for a romance scammer have suffered enormous damage to their wellbeing as well as their bank balance. Andy Agathangelou, founder of the Transparency Task Force, pointed to the case of Ian Davis from Dunshalt, Fife, who took his own life in 2023 at the age of 61 after losing £618,600, his entire lifesavings, in a Ponzi scheme run by the investment firm London Capital & Finance. Let down by the regulator, the Financial Conduct Authority (FCA), "he lost the will to live", Agathangelou said. Sir Tom Winsor, former chief inspector of constabulary and a member of the commission, described such frauds as "murders in slow motion". The former education secretary Baroness Morgan of Cotes, who chaired a House of Lords inquiry into digital fraud, highlighted the fact that criminals were using the proceeds of fraud to cause wider damage to society. "This money is going to fund organised crime, drugs,

nefarious activities, so just getting people repaid doesn't solve the underlying problems," she said.

Most of the hackers are motivated by making money but there is also a very real national security threat from rogue states — in particular Russia, China, Iran and North Korea — attacking vital infrastructure or seeking to undermine democracy. Nuclear power stations, rail networks, broadband providers, hospitals and air traffic control systems are all at risk. Even if cybercrime is not directly state-sponsored it may be tacitly supported by despots keen to undermine the economic foundations of democracy. The commission heard from several security and law enforcement sources that the majority of the ransomware attacks in Britain were masterminded from Russia, where Vladimir Putin happily turns a blind eye to criminality that is causing so much disruption in the West. Richard Horne, the head of the National Cyber Security Centre, warned last year of the growing gap between "the threat we face and the defences that are in place to protect us". The Royal United Services Institute has classified cybercrime as a "threat to national security".

Meanwhile, there were 10,000 arrests for crimes involving online child sexual exploitation in the UK last year, twice the number five years before. "We've seen images of under-10s double between 2019 and 2022 from 50,000 to over 100,000," Babbage said. "But online is not just a place for sharing imagery, as horrible as that is; it's about grooming. It's about inducing victims to take images of themselves and financially motivated sexual extortion is on the rise."

Simon Bailey, chair of the International Policing and Public Protection Research Institute and the former National Police Chiefs' Council lead for child protection, told the commission that the internet had turned child sexual exploitation into a "global pandemic" with an estimated 300 million children affected around the world every year. Child abuse live-streamed from the Philippines can be viewed from Philadelphia to Finchley. "The age of the victims is getting younger and the levels of abuse that children are being exposed to are becoming even more depraved," Bailey said. "I was reading some conversations from a WhatsApp chat group which is dedicated to the rape of babies and toddlers. The scale of the threat continues to grow and I'm not seeing it slow down in any way." In the late 1990s a Home Office study found that there were 10,000 child sex abuse images available to paedophiles around the world. "There are now in excess of 100 million images," Bailey said. "If there was a shop on the high street dedicated to entertaining and attracting children so they could socialise, meet their friends and spend sums of money, but hiding in the shadows of that shop were people with a sexual interest in children who were intent on sexually abusing them, that shop would be closed within a matter of days. Unfortunately that's what the internet has now become." Anonymity is enabling criminals to avoid detection and algorithms are leading young men down ever darker paths. "Ultimately the tech companies hold the greatest key here and they need to demonstrate some social and moral responsibility. They put profit before child protection," Bailey said.

New crimes are evolving all the time, driven by artificial intelligence and deep fake technology, which allow fraudsters, paedophiles and terrorists to operate at scale and on multiple continents while also personalising content for each victim. One romance scammer tricked women into handing over thousands of pounds by creating a Tinder identity called Mike Murdy, a handsome US army colonel looking for love, whose videos, image and voice were created entirely by AI. The "CEO scam" is another trend, involving fake footage of an employee's boss. Last year, a finance worker at a multinational firm in Hong Kong was duped into paying $25 million to fraudsters who used deepfake technology to pose as the company's chief financial officer in a video call.

There are algorithms that can "nudify" family photos for the benefit of paedophiles. According to the Internet Watch Foundation reports of child sexual extortion, in which young people are encouraged to exchange intimate images and then blackmailed, have risen eightfold in a year. The world's most prolific "cat-fisher" Alexander McCartney, 26, from Northern Ireland, was sentenced to life in jail after admitting 185 charges including manslaughter, blackmail, inciting a child to engage in sexual activity and producing and distributing indecent images of children. Posing as a young girl on Snapchat, he targeted more than 3,500 children across Europe, America, New Zealand and Australia. One 12-year-old from West Virginia took her own life after McCartney threatened to share images with her father.

Criminals are the fastest adopters of new technology in the world with an incentive to adapt and an entrepreneurial eye for boosting profits. A sinister marketplace has developed on the dark web through which computer specialists can hire out their expertise to create a fake website or a piece of ransomware. It is pay-as-you-go cybercrime that means that the villain with an evil plan requires no technical skills. Professor Alan Woodward, of the Surrey Centre for Cyber Security, said: "We've ended up with crime as a service. There are probably two to three hundred people in the whole of Europe that enable this sort of crime. It didn't take the organised crime gangs very long to realise it was a lot less risky

2%

proportion of policing resources that goes on fighting fraud



and the returns were far greater. Rather than walk with a sawn-off shotgun into a bank and get £30,000 they can make £200 million on a ransomware campaign." He pointed out, though, that in 90 per cent of cases, human error is a factor in a successful hack. Innocent people are tricked into giving away login details or conned into transferring money from their bank accounts. "The criminals are rattling door handles and eventually they find one that's unlocked."

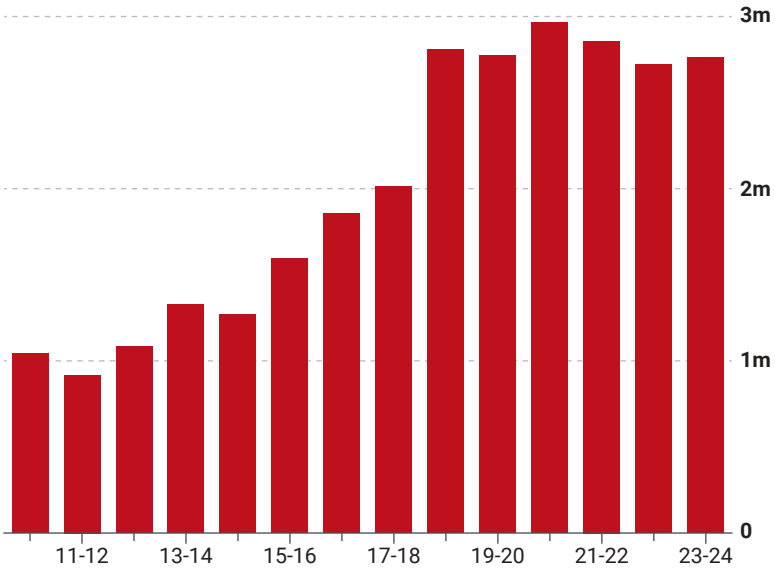
The dangers coming down the track are hard to predict. Shane Johnson, professor of future crimes at University College London, said: "Crime just follows opportunity." He identified "data-poisoning attacks", which seek to distort the AI systems by tainting the data on which they are trained as a possible future threat. Researchers at the Stanford Internet Observatory found hundreds of images of child sexual abuse on a public database used to train popular AI text-to-image generation models. This appears to have been accidental but it is easy to see how dangerous images could be deliberately inserted in an attempt to disrupt or pervert the work of the police. The growing reliance on internet-connected devices in homes and cars creates other risks. "Driverless vehicles are trained to spot objects in the environment and react to those accordingly but they are susceptible to what are called adversarial attacks," Johnson said. "You can learn how to trick them. If you put a little sticker on the road sign the machine learning system misclassifies the Stop sign as a Go sign. The technology is moving much faster than our understanding of it and how to legislate."

> "The criminals are rattling door handles and eventually they find one that's unlocked

Sir Anthony Finkelstein, president of City University London and the government's former chief scientific adviser for national security, said the "most immediate and pressing threat" may be digitally enabled large-scale fraud including identity theft and ransom attacks but what concerned him most was the growing

COMMON CRIME

Incidents of financial fraud reported by UK banking and finance firms



Excludes authorised push payments, due to data issues. Source: UK Finance, ONS

number of everyday objects from fridges and televisions to light switches and doorbells that rely on technology. "Everywhere we go, the real world and the digital world are now increasingly fused through the so-called Internet of Things and this extends the environment, sometimes called the 'surface area of attack' in the security dimension." That means cyber-security must be taken seriously by everyone, not just the law enforcement authorities. "The worst offenders are the people who have a whole load of neglected, undocumented legacy infrastructure with under-resourced cybersecurity management. Those are the people who put our digital lives most at risk. It's not the Elon Musks I worry about, to be honest with you; it's the Joe Shmo who stores my blood test results on their Windows computer under a desk somewhere."

Individuals with no criminal history are already being sucked into the underworld as "money mules", who allow their bank accounts to be used to launder money. The criminals channel millions of pounds through thousands of different accounts to disguise its source, each person receiving only a tiny amount. According to the fraud prevention service Cifas, 19,311 suspected money mule cases were recorded between January and June 2024, an increase of 11 per cent on the previous year. The biggest rise in cases has been among those aged 21 to 30. Mike Haley, the chief executive of Cifas, said there was a worrying lack of understanding about the impact of such crimes, particularly among the young. "They see it as harmless. All over Instagram there are people recruiting. Loads of young people are thinking, 'This is an easy way of making money.'"

Despite the cost to individuals and society, these crimes have for years been low on the list of priorities for politicians and the police. Haley said: "If it doesn't bang, bleed or shout, then policing doesn't take it seriously. We've got this long-standing issue that fraud is not seen as really a crime." According to the Police Foundation, only one in every thousand cases of online fraud ends up in a prosecution. Less than 2 per cent of policing resources go to fighting fraud. Action Fraud, which deals with complaints, has no powers of investigation and the FCA has been widely criticised. Last year a cross-party committee of MPs concluded that it was "incompetent at best, dishonest at worst" and that its actions were "slow and inadequate".

65p

Amount of every £1 of unauthorised payment fraud prevented by banks

Peter O'Doherty, City of London police commissioner and NPCC lead for economic and cybercrime, said: "Up until the last couple of years, the UK policing response to fraud has been quite inadequate. It has been wholly reactive. Stuff goes into [the national reporting centre] Action Fraud, it gets pumped out to policing and very little has been investigated … That's not because there's a capability gap. In my opinion, it's because it's not been a priority for policing. Policing is under enormous pressure to prioritise. It's limited in finite resourcing against a growing plethora of crime and there hasn't been the accountability, as there has been in other crimes like human trafficking, drug importation or violence against women and girls." City of London police, the force responsible for fraud, has only 549 fraud investigations under way — a drop in the ocean given the scale of the problem — and a third of them have been going on for two years. Regional economic crime teams have been set up alongside organised crime units but O'Doherty said the private sector also had to "take the prevention of fraud more seriously".

Nik Adams, the City of London commander for fraud and cybercrime, agreed. "You can't investigate your way out of fraud," he said. "Our assessment would be that the biggest reduction that we're likely to see in fraud is through the online tech sector and the banking sector doing much more to prevent fraud at source." The truth is that the scale and reach of cybercrime make it almost impossible to control using conventional law enforcement methods. More than 70 per cent of fraud and cybercrime has an international dimension, which means it is difficult for the UK authorities to act without the co-operation of other jurisdictions. Cryptocurrencies make it harder still to follow the money.

This in itself raises serious questions for the criminal justice system. Ciaran Martin, the founding chief executive of the National Cyber Security Centre who is now professor of practice in the management of public organisations at the Blavatnik School of Government, warned that

the "ubiquitous cybercrime against the citizenry" risked further undermining public trust in the authorities, with wider implications for society. "The contract with the police is supposed to be, if you're the victim of a crime two things will happen: one is, the police will take your case seriously as an individual, and the second is, they will pursue the perpetrators. Neither of those things are possible in large-scale consumer cybercrime, so it really does strain, if not ultimately break, the model." His solution is to put much more effort into making it harder for the hackers to succeed by putting systems including multi-factor authentication in place. "We should give the average citizen as little as possible to do when it comes to their own cybersecurity. We should almost actively disempower them in most areas. The most dangerous phrase in cybersecurity, which I despise, is 'people are the weakest link'. It infantilises people and makes them think that they're vulnerable and stupid, and it's also a catastrophic way to protect an organisation. If one tired, underpaid healthcare worker clicks on a link at the end of a long day and that brings down the healthcare system, that's not the healthcare worker's fault."

The private sector clearly has a crucial role to play, both in helping with investigations and in preventing crime. Already the banks, with a concerted effort, have successfully clamped down on many fraudulent transactions. About 65p in every £1 of unauthorised payment fraud is prevented and so the fraudsters have moved on to target gaming, gambling and airmiles accounts, which are less well protected. Rob Woods, director of fraud at the global data analytics company LexisNexis, said other industries and the government should learn from cybersecurity systems put in place by the banks. "Fraudsters change tack so quickly. It's always a cat and mouse game. My request to law enforcement would be, 'Don't try and become experts in it; leverage what is around you.' It will take too long for law enforcement to get the funding, then recruit the right people and build the best practices in what is a very fast-moving environment."

Ben Donaldson, managing director for economic crime at UK Finance, which represents the financial services industry, argued that technology and telecommunications companies should contribute more to the cost of fighting economic crime. "I hate the word scam, because it sounds like some sort of harmless conman has tricked you out of a few quid, where actually we see cases of people taking their own lives because their mental health has been so damaged by the way that they've been exploited and abused online. There are plenty more examples where people won't answer the phone or answer the front door because they're so frightened or they blame themselves and they're wracked with guilt. Almost all of it starts on social media, all the abuse and manipulation would be online, maybe with some phone calls and SMS messages, then right at the end you're asked to make a payment. There's nothing in the system to say to the tech sector or telecoms, 'You need to look out for this and stop it.' It's a bit like fighting a war and having just one line of defence right at the back and nothing else."

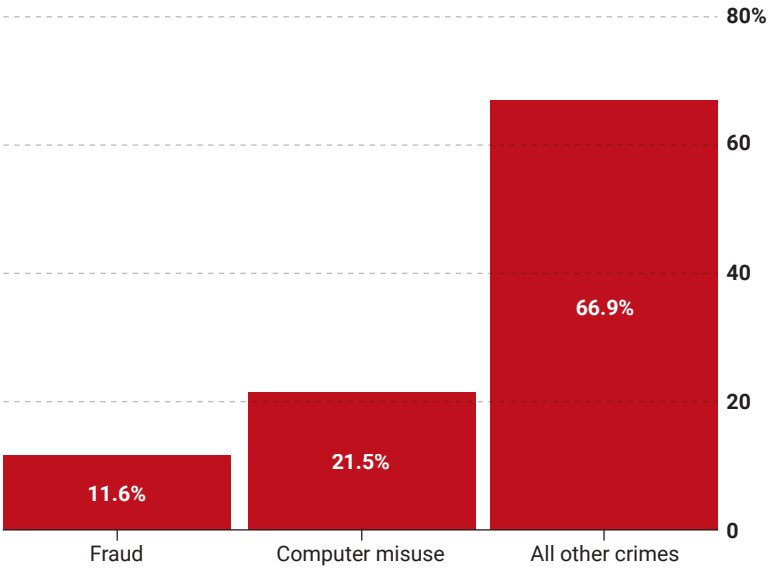
The broadcaster Alexis Conran, who has spent two decades exposing scams, cons and frauds on his BBC show *The Real Hustle* as well as Times Radio, argued that small changes, such as banning hyperlinks within text messages that lead to fake websites, could make a big difference by making life harder for the criminals. "The best course of action is to educate the public with really simple, basic information, like, 'Does this sound too good to be true?'" he said. "From the victim's point of view, there is no central place which is responsible for fraud. If you take a text message scam, Ofcom are in charge of telecoms, so that covers the fraudulent text message that's coming through but the link within the message falls to the National Cyber Security Centre and they need to be told to take the fake website down. Victims feel that no one's in charge of that scam. They want to find out what happened to them, who took their money, where their money's gone. No one knows. There's a lot of buck-passing because no one is actually dealing with the fraud as a whole."

There has to be much better co-ordination and collaboration over cybercrime and fraud, with the NCA holding the ring so that investigators can pick up on the links with crime gangs. Historically, the City of London police has been responsible for fraud, because of the concentration of financial services firms in the capital but increasingly such crimes have a national or international dimension. The tech companies must be more proactive about taking down content that is promoting illegal behaviour. The public needs to be aware of the scale of the problem but also better protected. There should be a greater emphasis on tackling fraud at a government level.

Nick Ephgrave, the director of the Serious Fraud Office, described the difficulty of investigating complex crimes involving sprawling and opaque databases of evidence. The average SFO case has 9,500 victims and there is one

A THIRD OF CRIME

Fraud and computer misuse, as a proportion of all victim-based crime, in 2023-24



Source: ONS, Crime Survey for England and Wales

investigation under way into a crime affecting 46,000 people. There are typically about five million documents associated with a case, but the number can reach 48 million files and terabytes of data. It would take months or years for a human being to read through this amount of material. The SFO is now piloting the use of artificial intelligence to sift through the evidence and bring the most relevant files to the top of the pile, cutting the time taken by about 40 per cent. "We are the first agency, as far as I'm aware, to use machine learning in a live-fire disclosure exercise," Ephgrave said.

Harnessing technology in the battle against cybercrime and fraud is essential but, as the SFO director explained, the real game changer would be persuading more people to expose wrongdoing from within. Ephgrave told the commission that he believed that informants should receive a financial reward for information that leads to a conviction for economic crime. "I want to incentivise people," he said. "For us whistleblowing is so important." The payout would be a percentage of the fine levied on a company that is found guilty of wrongdoing, paid on conviction. It could amount to tens of millions of pounds. Ephgrave pointed to the United States, where whistleblowers can receive up to 30 per cent of a penalty imposed for corporate wrongdoing. "It needs to be enough to justify the risk you're taking," he said. In 2023 the US Securities and Exchange Commission awarded $279 million to one whistleblower.

The Treasury has introduced incentives for informants who expose tax avoidance but a rewards scheme would have an even greater impact in serious fraud cases. Ephgrave, a former Met assistant commissioner, said introducing such incentives would lead to a "virtuous circle" of more whistleblowing, increased convictions and less fraud as corrupt bosses realised that their activities were more likely to be exposed. Encouraging more informants to come forward with financial rewards would also, he said, make SFO investigations speedier and more efficient. "When we're taking on big corporates, it's so helpful to have someone on the inside that can say, 'Well, I'll tell you exactly where to look. On this date, these individuals in this location, this was said and there's the documentation.'" It would also increase the number of guilty pleas, reducing pressure on the courts. "If the culpable party knows that someone in the company knows exactly what's gone on and is actually talking to us, they're going to think, 'The only thing I can do here really is throw myself at the mercy of the system and try and get off as lightly as I possibly can,'" Ephgrave said.

In the US, $2.2 billion in fines were handed down in 2020 following corporate convictions for fraud. Of these, 86 per cent originated with whistleblowing. "In this country in terms of my investigations here in this agency we're talking 5 per cent originating from whistleblowing. [That] is certainly too low. We need to be moving closer to that 86 per cent." More than 700 UK whistleblowers have worked with US law enforcement since 2012. "Why have they gone to the States to blow the whistle? Because there's an incentivisation scheme."

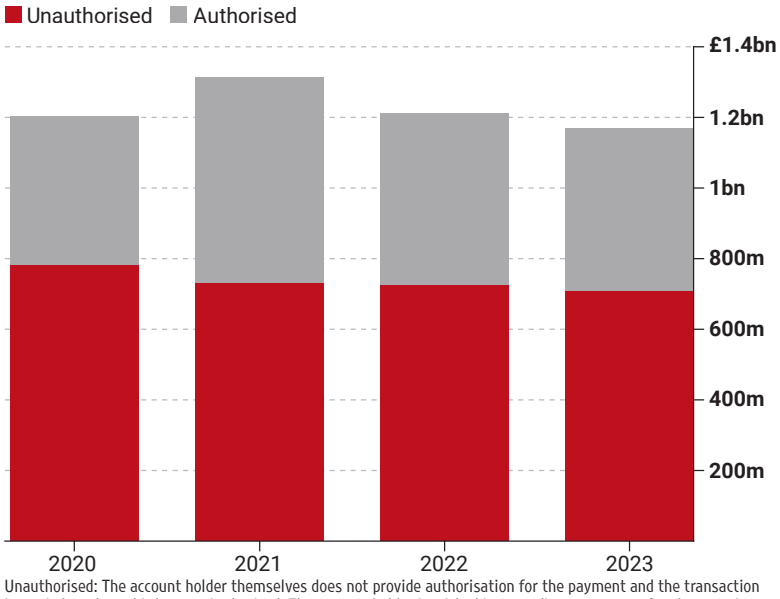
Traditionally the SFO has refused to endorse rewards for informants. Sir David Green KC, head of the organisation between 2012 and 2018, argued that moral responsibility should encourage whistleblowers to come forward and said paying for information "just isn't British". In his evidence to the commission, however, Ephgrave insisted that change was now needed to reflect the huge amount of data involved in complex fraud trials and shift the balance between risk and reward for those who expose economic crime.

"The reason it's important to incentivise those people is, if you think about the sorts of cases we have, these are generally people that haven't got a criminal record, they can't imagine going to prison. They have a nice lifestyle, they probably have school fees to pay, they probably have mortgages to pay. At the moment we're asking those whistleblowers, on the basis of, it's the right thing to do, to put not just their own personal professional life in jeopardy, but their family's wellbeing and livelihood. The ripples are enormous … the fundamental point is that people aren't willing to do it because there's so much at stake." The reward would be available only for people who were not involved in the fraud. "If you are criminally liable, then you can … negotiate a reduction in sentence. The reward is that you don't go to prison for as long as you would otherwise."

The commission believes that this could offer a solution to a growing problem while also potentially generating billions of pounds in revenue that could be reinvested in the criminal justice system. It is also a reminder that, however great the changes brought by the technological revolution, there is always a human somewhere in the criminal chain and law enforcement relies on people doing the right thing.

GROSS ANNUAL LOSSES TO FRAUD

Fraud is consistently underreported, so the true losses are likely to be much higher



Unauthorised: The account holder themselves does not provide authorisation for the payment and the transaction is carried out by a third-party. Authorised: The account holder is tricked into sending money to a fraudster posing as a genuine payee. Sourec: UK Finance

> "Fraudsters change tack so quickly. It's always a cat and mouse game

Fraud and the high cost of loving



Mary Chater was tricked out of hundreds of pounds by a fraudster

TWO YEARS ON from her husband's death, Mary Chater, 64, decided she was ready to host her first Christmas party without him. She posted a picture of her freshly baked mince pies on Facebook, only expecting to reach her local friends and prospective guests in Brighton, when she was contacted by a man who said he was a trauma surgeon with the United Nations based in Somalia (Daisy Eastlake writes).

Initially there was no mention of money. "He was just full of very cajoling, nice words and phrases, which tickled my fancy," Mary says. As a widow she felt that she was particularly vulnerable, having lost the companionship she was used to with her late husband, the actor Julian Curry. "It appealed to that part of me that hadn't been touched for two years because Julian had died," she continues. "I just fell into the trap."

On December 14, 2022, under the name "Dani", a romance fraudster engaged Mary in an online relationship, which she compared to being "like an addiction". Dani reminded Mary of a man from her youth with whom she had briefly had an affair while studying at Oxford. In reality the pictures were of Dr Christian Gerhard Boving, a doctor and television personality whose pictures have been used by scammers to ensnare people online.

He first tried to convince Mary to talk to "Barry", his son, who he said lived with his mother in the United States. Next he asked for some of the money she had made selling her car to support his medical research in Somalia.

He told Mary that she had to send him online gift cards, which she had never come across before, because it was safer than sending cash. Mary had already given Dani about £750 in e-gift cards when she tried to transfer £250 to him directly, this time to make what she believed was the first payment for her trip to the UN compound in Somalia at which Dani was based. At this point her bank intervened.

She was told not to contact Dani again but after a few days she could not resist and resumed talking to him. After a second attempt to send him money was blocked by Nationwide, Mary realised that she had been a fraud victim.

When the ordeal came to an end on February 10, 2023, almost three months after the first text, Mary was devastated. She could not tell even her closest friends and family. "I longed to share it with somebody," she says. "But I couldn't, because I was so ashamed. I was pretty sure I knew it was a scam but I liked being part of it, because I was missing that mental and physical closeness that I'd had with Julian."

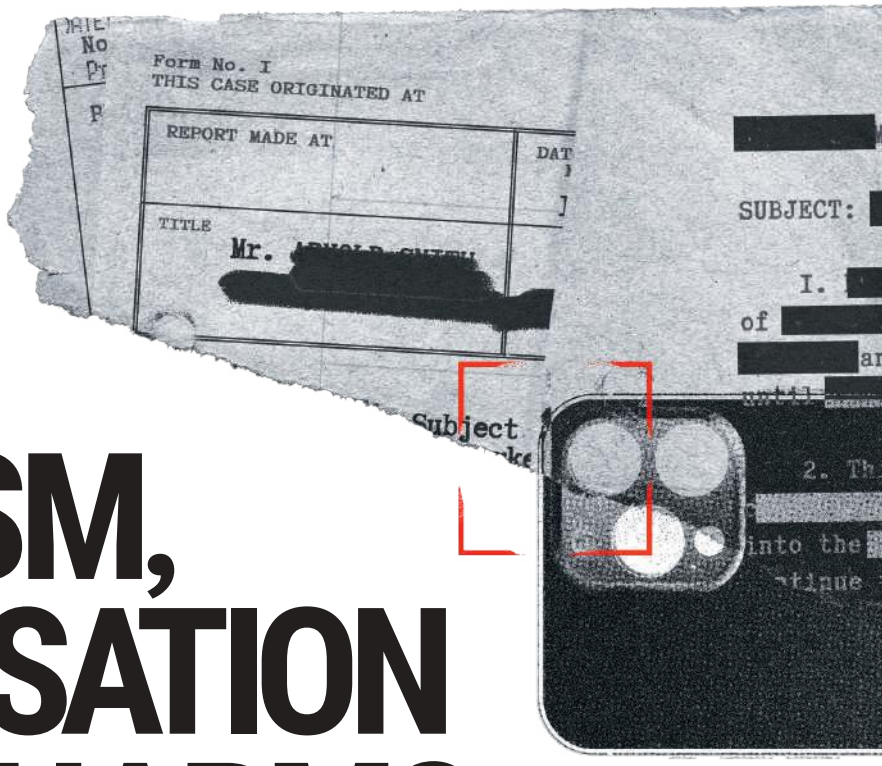
Mary is not alone. From 2023-24, the National Fraud Intelligence Bureau received 8,792 reports of romance fraud, which had a total loss of more than £94.7 million, an average of £10,774 per person.

A few weeks after she reported the fraud Mary was visited by a policeman, who told her that some victims had been duped out of hundreds of thousands of pounds by romance fraudsters. Some had taken their own lives.

Talking about what happened is how Mary hopes she can reduce the shame felt by victims of romance fraud. But the evolving online world is posing a new danger. "It feels like we're getting into a wild west with online," Mary says. She hopes that sharing her experience will protect other vulnerable people from scammers like Dani.

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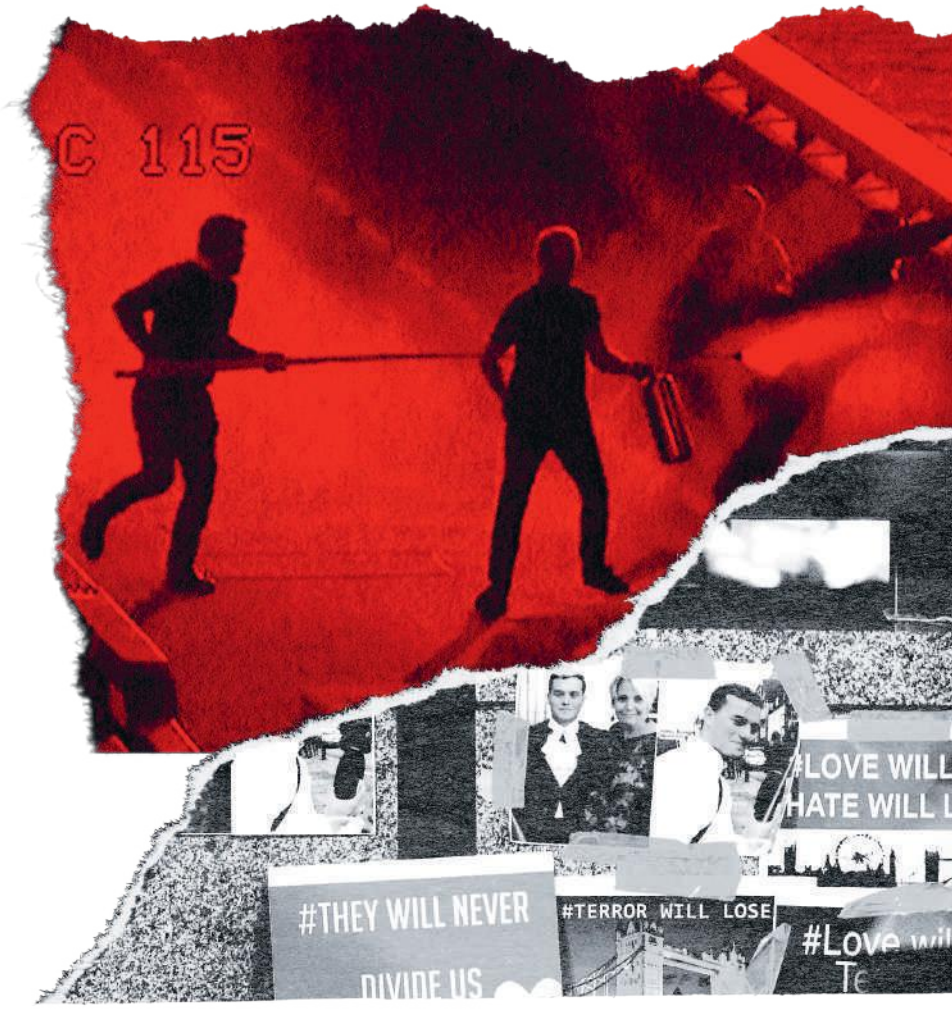
TERRORISM, RADICALISATION & ONLINE HARMS



The internet has opened up the world in many wonderful ways but it is also doing great harm

Marc Conway risked his life to tackle a terrorist during the Fishmongers' Hall attack on November 29, 2019. As he walked across London Bridge that morning to deliver a speech at a conference on prison reform he had a good feeling about the day. "The one thing I really remember was how sunny it was for the end of November," he told the commission. Within hours he had witnessed the Islamist extremist Usman Khan going on the rampage with two knives taped to his wrists, killing two Cambridge University graduates, Saskia Jones and Jack Merritt, and injuring three other people. Khan was wearing what looked like a suicide belt, which turned out to be fake, but Conway rushed towards him anyway and, together with two other members of the public, pinned him to the ground.

A former prisoner, who had served time for armed robbery, he instinctively knew that he could not just walk away. "I grew up in southeast London and a very criminal kind of mentality was that you don't leave a man behind. If my friend got into a pub fight and got seriously hurt, if I wasn't laying in that hospital bed next to him, I wouldn't be able to live with myself. I think it's a very British thing to be fair: you want to stick



up for your friends. So I got involved and we managed to restrain him and take the knives off him and then the police turned up and did what they did." Khan was shot dead on the spot. "But the most harrowing thing for me about that whole day, which still sticks with me, is how when we went back inside to Fishmongers' Hall, the alarm was going off. There was water everywhere, people were screaming and crying and everything just seemed to slow down. It felt like a movie. It really did. I was just taking it in, still not really understanding what had happened." The best and worst of humanity were on display that day.

Terrorism is, in its broadest sense, the use of violence against civilians to achieve political or ideological ends. Lord Sedwill, the former cabinet secretary and national security adviser, said: "The simplest definition is one which dates back to Sun Tzu: attack one to intimidate a thousand. It creates a climate of fear and creates a reaction from the state that the terrorists are seeking to provoke." The first priority of any government must be to prevent such destabilising violence. Since the kaleidoscope of the global world order was shaken on September 11, 2001, there have been 23 significant terrorist attacks in England in which 99 people have been killed.

Many more schemes, however, have been thwarted. Matt Jukes, the head of counter-terrorism for the police, told the commission that since 2017 the police and the security service had disrupted 43 late-stage terrorist attack plots. "Our work is always, at one level, going to feel like goal line defence," he said. There have been 5,618 suspects arrested for "terrorism-related activity" since the attack on the World Trade Center in New York. Of these, 1,234 people were convicted of a terrorist offence in Great Britain.

On counterterrorism there is much to celebrate in the work of the police and the security service but it is a constant battle. In his evidence to the commission, Jukes laid bare the scale of the challenge. "We're running 800 live investigations today. The majority of those are going forward in conjunction with MI5," he said. "Each of those investigations will involve one or more targets so you can quickly see how we get up to low thousands of people who are our active subjects of interest. These are people who we suspect are directly involved in terrorism. And, of course, it's not possible to sustain all of those operations indefinitely. So one of the difficult choices made, week in, week out, is: which of those operations to stand down and which can continue? That means there are tens of thousands of individuals who have been the subject of past operations. We're making in the region of 250 arrests a year." About three quarters of the cases under active investigation involve Islamist extremists and a quarter relate to far-right neo-Nazi sympathisers.

The police are inundated by reports from members of the public raising concerns about individuals or things they have read. "We get 19,000 calls or online reports at the Anti-Terrorist Hotline every year; 12,000 referrals into our Counter-Terrorism Internet Referral Unit. The everyday task is for colleagues to work through the decisions about which of those to prioritise, which to pursue, which can be taken forward," Jukes said. "I think, in terms of the threat we face today, when you take together the hostile actions by foreign states, the re-emergence of international terrorist organisations, the instability across the world and the effect in communities, particularly in the lives of young people in the online space, we're fighting on a wider front than we ever have before."

> "We're fighting on a wider front than we ever have before

To make matters worse there is a new global accelerator of terrorism. Jukes, an assistant commissioner at Scotland Yard, said technology had created a "step change" in the counter-terrorism environment since he started working in the field days before 9/11. "Terrorist groups are now able to radicalise, to share instructions, to share their ideologies," he said. Most worryingly, the influence of the digital world has changed the demographic of those drawn towards terrorism. "The feature which has been driven most by the internet and by online radicalisation has been the emergence of young people in all of that casework." A fifth of all those arrested for terrorist offences are now children. "That is a shift which has taken place before the pandemic, but has definitely been accelerated by the effect of isolation and the shift online during the pandemic." Sir Ken McCallum, director-general of MI5, said last year that one in eight of those being investigated by his agency was under 18, a three-fold increase in three years.

In his evidence to the commission, Jonathan Hall KC, the government's reviewer of terrorism legislation, warned of "chatbot radicalisation" turning growing numbers of young people towards violence. "I've played around with chatbots, I've had deep conversations and they have encouraged me to commit acts of terrorism," he said. "If you go on to Character.AI you can find the Hamas chatbot, the Hezbollah chatbot, the Islamic State chatbot. You can create your own chatbot and you can just say, 'Your strapline is love terrorism, hate Jews' and then immediately it starts to run with it. When you interact with it, it says, 'Brother you've got to go and carry out an attack, I would recommend that you avoid telling anyone about it first of all and I would do the following …' It is quite extraordinary."

In 2021 a man who broke into Windsor Castle with a crossbow had been encouraged by his AI "girlfriend" to kill the late Queen. Video games including *Minecraft* are being used to recruit young people to far-right groups. A study by the Royal United Services Institute found that neo-Nazis had created avatars resembling Adolf Hitler and members of the Ku Klux Klan and racism is prevalent on in-game chats. Ian Acheson, a former director of community safety at the Home Office, warned of the "Disneyfication of terror."

The ease with which the Southport killer Axel Rudakubana was able to fuel his violent fantasies was a vivid and tragic demonstration of the real world danger of the torrent of extreme material that is available online. He was aged 17 at the time of the attack but only 13 when he was first referred to the counter-terrorism programme Prevent after using a school computer to search the internet for

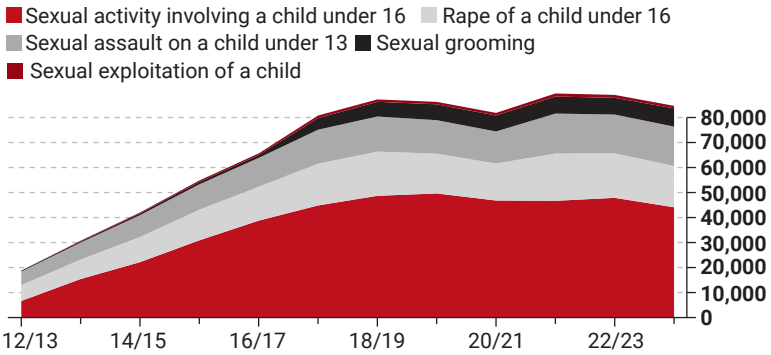
information about school shootings and guns. In the intervening years he had spent hours in his bedroom researching the history of genocide and watching graphic videos of murders, beheadings and massacres. Three minutes before he left home to murder three girls at a Taylor Swift dance class last July, he searched X for a video of the Sydney church attack in which a bishop was stabbed while livestreaming a sermon. "The internet has changed everything," Hall said. "It has changed the way in which traditional terrorists practise, but also the sort of causes and the sorts of individuals who are now being picked up. The truth is that a lot of the lonely, often autistic, boys would not have had access to the capability or the ideology, would not have found one another, would not have realised that they could develop a sense of identity but for the internet."

There have been calls after the Southport tragedy for the definition of terrorism to be extended to take account of those, like Rudakubana, who set out to kill and terrorise but do not have a clear ideological motivation. The evidence presented to the commission suggests that changing the definition of terrorism would be a mistake. Hall, who reviewed the question for the government, said he was "really dubious about trying to extend the definition of terrorism" and that doing so would risk "unintended consequences". Lord Anderson of Ipswich, the interim Prevent commissioner, agreed that he would be "very cautious" about any reform that went beyond "ironing out" small discrepancies.

Neil Basu, the former head of counter-terrorism for the police, put it even more bluntly. "We have some of the strongest terrorism laws in the world," he said. "They've been in place for a very long time. They are very effective. The definition of terrorism, if you start expanding it into everyone who has extreme violent tendencies, we're going to be in terrible trouble resourcing the counter-terrorism machine."

RISING TIDE

The number of selected sexual offences against children each year



Source: ONS, Police Recorded Crime

There is, however, a serious capability gap that has been highlighted by the Southport case. As Jukes said: "Regardless of what we do with definitions, we're in a reality where people will not fit into our boxes: legal, organisational. So we need operational responses which are agile and respond to the changing nature of what people are seeing online."

Rudakubana was referred to Prevent three times between 2019 and 2021 as a result of his interest in violence. The case was not followed up because there was no evidence of a fixed ideological motivation, the criterion for being passed on to the Channel programme, the next stage to which cases can be escalated. That deals only with counter-terrorism. It therefore does not capture someone who has an unhealthy interest in violence but no ideological stance.

As the online world creates new networks and influences, a growing number of problematic individuals do not fit easily into an ideological box. Nicholas Prosper was 18 when he murdered his mother and siblings in September last year. He was planning a school massacre in Luton that he hoped would rival the 2012 killings at Sandy Hook Elementary School in the US. Like Rudakubana, he had searched online for information about mass shootings and became obsessed by violence. In an eerie twist for the image-conscious Instagram age, his distinctive yellow and black outfit was intended to give him lasting notoriety.

There were 6,922 referrals to Prevent in the year ending March 2024, more than half involving under-18s. In 36 per cent of cases, the reason for the referral fell under the category "vulnerability present but no ideology or counter-terrorism risk". By contrast, 19 per cent related to "extreme right-wing concerns" and 13 per cent to apparent Islamist leanings. The system has no mechanism for dealing with the largest group of cases.

In his evidence, Hall proposed that a new unit should be set up to deal with "violent obsessives", sitting alongside counterterrorism and serious organised crime. He suggested that it should be similar to the Fixated Threat Assessment Centre (FTAC), which assesses and manages threats to dignitaries including the royal family, and is staffed jointly by the Metropolitan Police and NHS personnel. "It's not going to be solved just at the level of taking material down off the internet, even if that was possible, which it is really frankly not when you have user-generated content to the scale that we have. So, I think it's more about the human mechanisms, which is why I would advocate some sort of police body."

Basu agreed that there was a "lacuna" in the law. "If you're examining somebody who has those violent tendencies and they haven't yet committed a criminal offence you've got a real problem," he said. "Should these things be handed on? Absolutely they should. If this isn't terrorism then it's still violence and the outcome could still be murderous and horrific and that's what we've seen in Southport so it should actually be handed on to somebody who is capable and equipped to do that." He said it would be wrong to scrap Prevent. "People don't defend the programme but if you didn't have it, you'd have to invent it."

There is a danger of scapegoating the Prevent programme, which serves an important role in identifying potential risk even if there have been some misjudgments in individual cases. One issue is that the scheme is being pulled in different directions by politicians and advisers with competing ideological views. Michael Gove, who as education secretary clashed with Theresa May, the home secretary, over tackling extremism

> "We have some of the strongest terrorist laws in the world

in schools, once characterised it as the difference between those who want to shoot the terrorist crocodiles as they came near to the boat and those who prefer to try and "drain the swamp" of extremism. The tension has never properly been resolved. As Anderson said: "We've seen Prevent being stretched, both in the direction of non-ideological violence, and we've seen it stretched in the direction of non-violent ideology. And some people prefer one stretch rather than the other. I think the issue does arise: is it stretching itself too thin and, if so, what does it continue to do and what does it leave for others to do?"

The commission recommends that a specialist unit should be set up, as an alternative to the Channel programme, that would monitor and help to divert violent obsessives with no fixed ideology. Like FTAC, it should combine the expertise of the police, who could follow up on suspected crimes, and the NHS, which could ensure that the mental health aspects of a case are dealt with consistently. This would broaden the range of options available for responding to those who come through Prevent and make it harder for dangerous individuals who do not fit into an ideological box to slip through the net. It would be a more practical and precise solution to the issues highlighted by the Southport case than changing the definition of terrorism, which risks putting an impossible burden on counterterrorism teams. These specialist operatives should be focusing on the multi-layered terrorist threat already on the horizon.

The police and the security service must also keep state threats in their sights. The number of investigations opened by MI5 into this clear and present danger has increased by 48 per cent in a year. Last month Iran became the first country to be formally placed on the enhanced tier of the new foreign influence registration scheme, in the light of increasingly aggressive activity. Sir John Scarlett, the former head of the Secret Intelligence Service, MI6, pointed to the Russian attacks on undersea cables and the plot to put incendiary devices in packages on cargo planes, which western security officials believe were part of a Russian covert operation. "It's essential to understand the background and the motivation for the state threats from Russia," said Scarlett, who served as Moscow station chief during the Cold War. "The UK is a very longstanding target but now we have Ukraine, and we have the mentality in the Russian leadership of being at war with the west. The GRU [Putin's foreign military intelligence agency] is on a sustained mission to generate mayhem on British and European streets. I'm not convinced personally that we've quite taken in the implications. Do we really understand what we're facing? Have we really thought through the implications of what this is going to mean because whatever the outcome in the Ukraine war, the almost certain reality is that there is going to be tension, uncertainty and potential for violence into the future? Have we really quite got our minds into it and are we devoting resources to it correctly? I'm not convinced."

Lord Ricketts, the former head of the Foreign Office and national security adviser, warned that al-Qaeda and Isis-inspired terrorism should also not be played down, which meant co-operating with the EU. "I think the images of violence against Muslims from Gaza and Lebanon may well be useful to extremists in the region to encourage and incite terrorism in Europe."

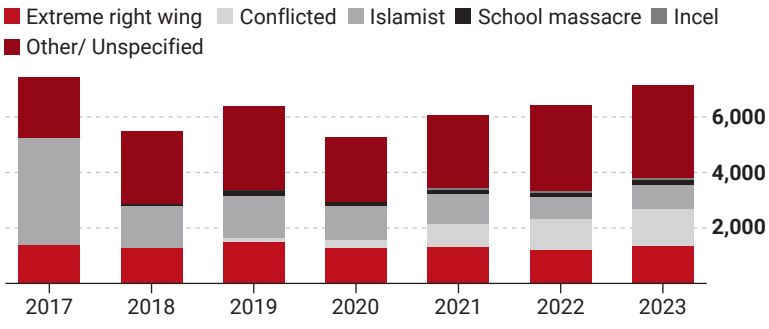
There is, however, also a need for a broader societal response. Dame Sara Khan, the former counter-extremism commissioner, said: "The problem is the lack of wider thinking around this work. There's been, rightly, a lot of focus on Prevent, but you can't fix this only through the terrorism lens. I've always seen it as three nets. You have a social cohesion approach. You have a counter-extremism net, and then you have a third net, which is counterterrorism. We don't have a social cohesion strategy in this country. We don't have a counter-extremism strategy in this country. And that, for me, is part of the wider failure in thinking that counterterrorism can deal with all of these problems. It's just not true, and it never has been true."

Lord Anderson pointed to Finland where children are taught to navigate the internet, develop critical thinking, understand online ideologies and spot conspiracy theories in compulsory media literacy classes from the age of 7: "These ultimately are the weapons that we need. You have to teach people how to think and how to discriminate in the best sense of the word."

A common thread running through all the evidence to the commission was the transformative power of technology for better and for worse. The internet has opened up the world in many wonderful ways, democratising the spread of information and forging positive connections, but it has also created new opportunities for terrorists and criminals to form networks and find targets, creating significant vulnerabilities for society. Witnesses across different specialisms expressed their concern about the malign influence of social media, particularly on the young. This theme came through powerfully in the discussions about terrorism but there were also concerns that knife crime was being encouraged by social media posts promoting fights after school, cyberfraud facilitated by social media sites and violence against women and girls fuelled by misogynistic content and extreme porn online. Indeed, Matt

FIGHTING TERRORISM

Type of concern for referrals to the Prevent programme, the initiative to stop people from becoming terrorists or supporting terrorism



Source: Home Office

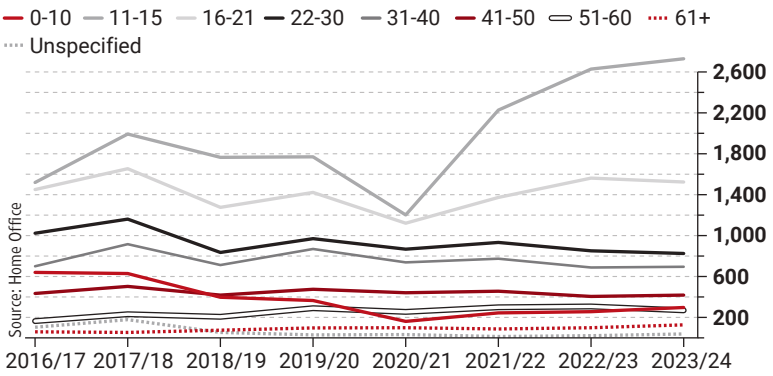
Jukes, the police head of counterterrorism, said there was growing evidence of a "crossing over" between terrorism and other online harms. One example is the 19-year-old Cameron Finnigan, who was found guilty in January of a terrorist offence. A member of a neo-Nazi Satanist group called 764, he also had indecent images of children on his computer and had encouraged a girl to kill herself and video the suicide.

Radical reform is needed for the sake of national security and public protection. The commission recommends that social media should be restricted to those over the age of 16, with robust age verification enforced by a universal digital ID system. Free speech is a foundation stone of democracy and a fundamental principle of any newspaper, including The Times. But it is also a basic tenet of a civilised society that children should be protected from violence, abuse and extremism, whether that is in the virtual or the real world. As Basu put it: "Freedom of speech is not an absolute right: there is no freedom to do harm, never has been, never should be."

In theory most social media sites have a minimum age of 13 but this is rarely enforced. According to the children's commissioner's office, about two thirds of children between 8 and 12 years old are on social media. In any case, 13 is too young for much of the material that is freely available on these platforms. The Youth Endowment Fund survey found that 70 per cent of children aged 13 to 17 had encountered some form of real-world violence on social media in the previous twelve months. More than half of respondents had seen videos of fights involving young people and a quarter reported having seen sexually violent content online. Most had not actively gone out looking for the material. A third said it had been shared with them and a quarter reported that the social media platforms had promoted the violent content. There was a direct impact on their behaviour, with two thirds of teenagers who had been involved in violence saying that social media had played a role in their actions. More than a third of young people reported that weapons-related content on social media had made them more likely to carry a knife. Dame Lynne Owens, the deputy commissioner of the Metropolitan Police and former head of the National Crime Agency, said parents often assumed that children were most in danger if they left the house, "But actually the current truth is our children are less safe online in their bedrooms."

YOUNG PERSON'S GAME

Age of people referred to the Prevent programme, the initiative to stop people from becoming terrorists or supporting terrorism



70%

of 13 to 17-year-olds have encountered real-world violence on social media

The Online Safety Act, which imposed new duties on technology companies, is a good step in the right direction but it does not go far enough. As Jukes told the commission, it is "necessary but not sufficient". Australia has recently legislated for a ban on social media for those under 16, with cross-party support, to protect young people from the "harms" of social media. The law, which will come into force by the end of the year, followed the assault and murder of a 15-year-old girl Carly Ryan from Stirling, South Australia, who was groomed on social media then murdered by Garry Francis Newman, a 50-year-old paedophile who had posed online as an 18-year-old musician and convinced her to meet him. France and several American states, including Florida and Texas, have also passed laws to restrict social media access for younger teenagers.

In evidence sessions, experts repeatedly told the commission that the UK should consider following suit. Jukes said his team had already been in touch with colleagues in Australia and drew a parallel with smoking to highlight the urgency of taking action. "By 1950 it was clear that smoking was causing lung cancer and killing people but it took decades for governments to decide to regulate," he said. "That kind of delay of decades is one we can't sustain against this challenge. We need to think about how to move at pace. I know there's a collision with questions about free speech here, and that's approached differently around the world, but what we're talking about is the exposure of children to plainly illegal material … An industry which can produce the algorithms that project positive content but also harmful, hateful content can surely play its part in blocking, resisting and reporting that content."

He was backed by Maggie Blyth, the National Police Chiefs Council lead on violence against women and girls. "There is more and more evidence that shows the scale of online harm. We are really worried. It is a significant threat not just to our children and our young people but also to our society," she said. "We are seeing young people acting out violence and behaviours like strangulation because they see it online."

Sarah Crew, the police lead on rape and adult sexual offences said the online world was like the Wild West and there needed to be more controls, including on social media for younger

teenagers. "This gives those perpetrators who would want to do harm a really direct channel. As the adults in society we need to protect our children. I think it is a crisis, like Covid, where all parts of the state and society and the voluntary sector came together and said 'right this is a real problem'."

Basu said he absolutely agreed with restrictions on social media for under 16s: "Our best invention has turned into our biggest curse," he told the commission. "I hear a lot of arguments that there is no connection between violent imagery and people committing violence. I don't believe that for a moment after 30 years of policing. Those of us who have spent a long career dealing with murder and terrorism and along with all of our emergency services colleagues — fire, ambulance, paramedics, doctors — we see things that break us over 30 years. I've got some considerable personal and painful professional experience myself: imagine what it does to children. The idea that that has no effect seems utterly facile to me. So ban it, yes, and 16 seems reasonable to me."

Lord Anderson said he was "quite sure that age limits of some kind are the way to go". Jonathan Hall told the commission it was time to "think seriously" about the Australian approach. "Cars can be used for terrorism, they can be used to transport weapons, they can be used to carry out attacks. But we have driving licences, we know what the rules of the road are. With the internet we're just plunged into this without any rules." Even the Microsoft founder Bill Gates argued recently that children should be protected from social media and that there was a good chance that Australia was doing a "smart thing".

Of course, limiting children's access to social media would not prevent them seeing all harmful content online but it would protect them from the algorithms that promote such material and also help to keep them safe from the paedophiles and terrorists who use the platforms to build connections with teenagers. Some will say that it is too soon to know the impact of platforms such as Facebook, TikTok, Snapchat and X, but when it comes to children the precautionary principle should apply. As with new medicines, the emphasis must be on demonstrating that the innovation is safe for young people rather than that the social experiment is causing harm. Society has imposed rules on the age at which children can drink or smoke or watch violent films so it is logical to create a "digital watershed" through age verification to safeguard children.

There is a longstanding consensus across the political spectrum that the balance between individual liberty and state control should be different for those under the age of 18. Indeed, JD Vance, the American vice-president, recognised this distinction in a recent speech on AI even as he railed against wider regulations being imposed on American tech companies. "Of course we want to ensure the internet is a safe place but it is one thing to prevent a predator from preying on a child on the internet and it is something quite different to prevent a grown man or woman from accessing an opinion that the government thinks is misinformation," he said. The public is strongly supportive of further restrictions. A YouGov poll for the commission found that 66 per cent of people are in favour of a ban on social media for under-16s and only 24 per cent against. A separate survey by More in Common for the New Britain think tank found that 74 per cent of 16 to 24-year-olds believe that stronger rules are needed, 62 per cent say social media does more harm than good and half wish they had not spent so long on the platforms when they were growing up. The first generation that has grown up with the internet from birth understands the dangers better than anyone and wants to protect younger children.

> "As the adults in society we need to protect our children. I think it is a crisis, like Covid

Josh MacAlister, the Labour MP who introduced a private member's bill seeking to introduce additional protections, compared the added layers of safety to seatbelt laws. "The average 12-year-old spends 21 hours a week on social media: that's the equivalent of a part-time job," he said. "You cannot have that size of change in child activity at a population level without having a profound impact on kids' ability to socialise, sleep and learn." Before being elected last year he completed a review of social care for the last government and found concerning numbers of children put at risk of criminality as a result of being on the platforms. "Child protection social workers say they've seen a massive increase of peer-on-peer abuse in schools, criminal exploitation in the community with county lines," he said. "It's been rocket-boosted by children having completely unrestricted, unlimited access to social media platforms and the police have got no powers to respond to it."

Imran Ahmed, founder of the Centre for Countering Digital Hate, argued that the increasingly extreme content being pumped out on social media platforms was driven by the commercial imperative of the tech companies to keep people on their sites for as long as possible. "What they found is that violative content, stuff that violates the norms, gets the most engagement," he said. "We study not just extremism and hate; we study eating disorder content. If you go on TikTok and open an account as a 13-year-old girl, within 2.6 minutes it's giving you suicide content; within eight minutes it's giving you eating disorder content. A 13-year-old girl, who is called Suzieloseweight gets 12 times as much of the malignant content because the algorithm recognises that she's mentally vulnerable and so it feeds her more of it. There is such wide-scale evidence now of harm that a failure to act because of nervousness frankly is a disservice and a betrayal of the British people who want to have a society in which people are able to rub on, get on with each other, are able to be prosperous and secure. These platforms are doing quite the opposite."

There is enough evidence of the risks, to public safety and national security as well as to children's mental health, to make action on social media for the young an urgent imperative. There are also, however, huge opportunities available for law enforcement in the digital world and the criminal justice system needs to get much better at seizing the opportunities offered by technology.

Extremism behind bars



THE POLICE AND the security service are fighting on many fronts to keep the country safe from terrorist attack but Matt Jukes, the Met's head of counter-terrorism says: "It's typical that every week we are concerned by one or two people leaving prison into our communities, who are convicted terrorists or have had terrorist-related concerns whilst they've been in prison."

Some of these individuals had a history of extremism before going into jail but inmates are being radicalised in prison. The commission heard that officers who challenged extremist behaviour were frequently threatened and in some cases, instead of being supported by the governor, were moved to another part of the prison for their own safety. Staff are afraid of being seen as racist if they confront Islamist activity. Lord Anderson of Ipswich, the Interim Prevent commissioner, says: "The problem of radicalisation in prisons is absolutely horrific."

The failure to manage terrorists and stop them radicalising others is one of the highest-risk casualties of the over-stretched prison service. Four of the most recent terrorist attacks in Britain have been carried out by prisoners serving their sentences in custody or on licence in the community. For now the problem is limited to Islamist extremists but experts fear that the same issue could in future arise with far-right terrorists too. At the end of last year there were 257 people in prison for terrorism of whom 61 per cent were Islamist extremists and 30 per cent from the far right. The proportion of the latter is rising.

Two "separation centres" have been created at HMP Frankland in Co Durham and Full Sutton in Yorkshire for the most disruptive prisoners who have been trying to radicalise other inmates. These units contain about a dozen men at any time but the evidence suggests that there is a wider problem.

Almost a fifth of the people in prison now identify as Muslim, compared with less than 7 per cent of the general population. One in five Muslim prisoners is white and there have been reports of inmates being intimidated into converting or being offered privileges or protection if they do.

> "I accept there will always be gangs and a desire for self-preservation but there is something particularly malign about this flavour of gang

Jonathan Hall, the independent reviewer of terrorism legislation, says the rise of extremism was really about the "power dynamic" in jails. "You've got to be alert to those power grabs," he says. "The classic one was people saying 'we should all wear swimming trunks in the showers'. If you look at the power dynamic you can see that's something that has to be acted on immediately rather than just accommodating it and saying 'anything for an easy life'. The other one is not cooking bacon in the prison kitchen: I think the governor should be signalling to all the staff, that's the sort of power grab that you need to jump on very quickly."

In his 2022 report on terrorism in prisons, Hall describes "highly structured Islamist gangs operating within the prison estate". He says prison officers



sometimes appeal to the self-appointed wing "emir" for assistance in maintaining order and reveals that Muslim terrorists had been able to set up sharia courts behind bars. There was, he concludes, a tendency to regard Islam as a "no-go area" because staff fear being accused of racism.

In his evidence to the commission, he emphasises that it was crucial for governors to back up officers who challenged signs of extremism. "I accept there will always be gangs and a desire for self-preservation but there is something particularly malign about this flavour of gang." He points to the case of Salman Abedi, the Manchester arena bomber, who was not confronted before detonating explosives. "He was standing there, praying, with a rucksack and people felt they couldn't because of cultural sensitivities. Those obviously have been deleterious in dealing with this sort of behaviour."

Peter Clarke, who was the police head of counterterrorism before becoming chief inspector of prisons, understands the risks better than anyone. "For whatever reason the prison service was far too slow to react to the threat of radicalisation in prisons," he says.

"When I was appointed as chief inspector of prisons in 2016, senior officials were openly resentful of the fact that Michael Gove, the then secretary of state for justice, had appointed an outsider, Ian Acheson, to report to him on the subject of extremism in prisons. Later, when I asked to see Acheson's report, the prison service refused to let me see it until ordered to do so by Rory Stewart, the prisons minister. My sense was that they did not want me, with my experience in counterterrorism, looking into their response to Acheson's report. By that time Gove had moved on, and Acheson's 69 recommendations had been whittled down to 11, of which 8 were accepted.

"Despite this I was told that they had 'gone beyond' Acheson, and so his report was no longer relevant."

The problem of extremism in prisons dates back decades. In 2007, an al-Qaeda convict was caught making terrorist propaganda in his cell at HMP Belmarsh. In 2017 a violent offender at Aylesbury Young Offender Institution was convicted for disseminating Isis video propaganda from prison to the outside world. In 2020 two prisoners had their terms extended for the attempted murder of a prison officer in HMP Whitemoor, the first terrorist attack inside a British prison. That followed the Fishmongers' Hall attack by a former inmate. At the inquest into that atrocity, HMP Whitemoor's head of counterterrorism described the "perverse esteem" in which terrorist offenders are held "within the prison subculture".

Marc Conway, who served time in HMP Whitemoor and now campaigns for prison reform, says the extremism in jails was worse than it had ever been and the prisons were so overwhelmed that too little was being done to tackle it. "Why do people join gangs? It goes a lot further than just feeling safe. It's about feeling part of something. It's about feeling like you have got someone else who has walked in your shoes," he says. "I go to prisons where some people can't get toilet roll for three or four days. If we can't even get the basics right, forget about tackling extremism."

257

The number of people in prison for terrorism offences at the end of 2024

06

THE ROLE OF TECHNOLOGY



Police officers are bogged down with paperwork and prisons are struggling with old equipment. There are ethical dilemmas but the justice system needs to enter the digital age

When a crime is reported in Estonia, a single digital case file is immediately created to ensure that the process to trial is as quick and streamlined as possible. On a visit to Tallinn the commission heard that the police, prosecutors, courts, forensic teams and defence lawyers all feed information into the same database and can see instantly when another part of the criminal justice system has updated the file. Prisoners can follow the progress of their case from inside jail, using specially designed tablets. They can also speak to family members, take educational courses and order groceries, logging on to a secure "eJustice" portal with facial recognition software.

Technology is so integral to the Estonian criminal justice system that the government department that oversees it is called the Ministry of Justice and Digital Affairs. By the end of next year the court system will be entirely digitalised, with an AI transcription service and draft preliminary judgments prepared automatically for judges in some cases. The Estonian Forensic Science Institute is piloting virtual autopsies, using CT and MRI scans to work out the cause of death without having to cut open a body, which is cheaper, quicker and less distressing for families.

This tiny Baltic country is the most digitally advanced nation in the world. Estonians vote online, take exams digitally and study robotics from the age of 7. Ministers in the paperless e-cabinet have documents delivered to them on their iPad or mobile phone rather than in a red box. Law and order is no exception. All citizens have a digital ID, which they use to access public services. The unique electronic identifier, available as an app or a physical card, is seen as an eligibility tool rather than a civil liberties intrusion, allowing people to book doctors' appointments, claim benefits or open a bank account with minimum effort. Since its introduction more than twenty years ago it has improved efficiency, driven down fraud and increased the turnout at elections.

The productivity gains have been enormous for Estonia. The digital ID system is estimated to save the state about 2 per cent of GDP. The unified electronic case file is estimated to save police, prosecutors and lawyers more than 50,000 hours a year and has reduced the cost of printing and postage by about €230,000 a year. Liisa-Ly Pakosta, the minister of justice and digital affairs, told the commission that digitalisation is not just about driving efficiencies; it is also about improving the effectiveness of the government. Online services are more secure than paper-based bureaucracies because "every movement



is checkable, everyone can see who has looked at your data," she said. Technology is an invaluable tool in the fight against crime. "You have another Sherlock Holmes at the table, but a digital one. We see innovation as an opportunity for the economy but also for the public sector to do better."

The contrast with Britain could not be greater. In this country's broken criminal justice system, police officers are bogged down by paperwork and vital video evidence goes missing in court. Nothing is properly joined up. One chief constable told the commission that he had to deal with 80 different databases just within his own region and there are 43 police forces in England and Wales, each with disconnected sets of information. The Police National Computer, a vital tool that is used 133 million times a year by officers and staff, is more than fifty years old and woefully inadequate. The National Audit Office warned in 2021 that it was "based on obsolescent technology that makes it expensive to operate and difficult to update." The Police National Database was introduced in 2011 in response to the Soham murders, after it emerged that the killer Ian Huntley had been given a job as a school caretaker because previous rape and sexual assault complaints against him had not been flagged. It is antiquated, unreliable and incomplete. The most valuable asset in any investigation — information — is being wasted even though a mountain of data exists.

> "Everything is basically still in 1820 so to bring it up even to 1980 would be great

There are similar problems in other parts of the criminal justice system. The so-called "common platform" for the criminal courts has been beset by technical difficulties, with cases suddenly dropping off the system and hearings starting late because judges or barristers cannot log on. Most prisons have not even begun to enter the digital age. Officers struggle to find a working computer and the idea of in-cell technology that would improve efficiency and education is a pipe dream in many places. In one jail the commission saw a white board with the number of inmates who were due to be released and admitted that day scrawled on it in felt-tip pen. As the tech entrepreneur Baroness Lane-Fox of Soho put it: "Everything is basically still in 1820 so to bring it up even to 1980 would be great. If we could try and put it into 2025 that would be even better."

At a time when resources are tight the inefficiency is staggering but, when it comes to the criminal justice system, dysfunctional IT is also disastrous for public safety. Criminals pay no attention to national borders let alone police force boundaries. Dame Lynne Owens, deputy commissioner of the Metropolitan Police, said most people would be horrified if they understood how fragmented the systems were. "If you have a prolific offender who targets women and young girls, who lives in Durham and is worried Durham police are on to him and decides to move to Devon and Cornwall, it is a bit too much luck of the draw whether Devon and Cornwall will know he has moved to them," she said.

The rapidly changing nature of police investigations means that, unless the authorities harness the power of technology, it will be impossible to keep up with demand. Twenty years ago a detective looking into a murder might have twenty witnesses to interview, a couple of suspects, some grainy CCTV footage and perhaps one mobile phone. Now as many as 200 devices may be seized, containing gigabytes of data and potentially connecting to hundreds more people. There will be dozens of downloads from video doorbells, police bodyworn cameras and car dashboard footage, all opening up new lines of inquiry. One former police chief, who specialised in organised crime, described receiving a call one Saturday morning to say that investigators had taken so much CCTV footage that the force's computer system did not have enough space to store the data let alone analyse it. The backlogs for the specialist units that download data for the police are now so great that detectives sometimes have to wait more than a year just to access the information they need to begin an investigation. It takes about three days to complete the technical process — and costs about £800 to get it done privately — but the public sector teams are overwhelmed, meaning victims have to wait a

whole twelve months longer than they should to see their case come to trial.

The challenges of technology may be huge but so are the possibilities. In Bedfordshire the police are piloting a system that uses artificial intelligence to simultaneously extract information from dozens of sources and create an operational dashboard with "Top Trumps" style profiles of suspects. Previously investigators would have to search dozens of different databases looking for clues. Now, at the click of a mouse, they can see a summary of data from thousands of WhatsApp messages, documents and 999 calls. The AI compares phone records, locations, number plates and identities to build a chart of criminal associates: the modern day equivalent of the white board with mug shots and pieces of string. There is also a facility for specialist officers to be allocated automatically to tasks in a fast-moving investigation, ensuring that all the relevant people are in the right place at the right time. Detectives receive instant alerts on their phones when there is a development in the case.

The tool, developed by the American data analytics firm Palantir, which already has a contract to connect NHS data, is saving about 35 per cent of officer and staff time in each advanced operation. Some tasks that would normally take hours can be finished in seconds. There has been an 80 per cent reduction in the time taken to complete subject profiles and a 75 per cent cut in the time spent on building out association charts. New "needle in the haystack" connections that could never have been spotted by human investigators are being made by the AI.

Crimes are already being averted and solved. In the first eight days of the tool being in operation for child protection, the force identified an additional 123 young people who were potentially at risk of abuse or exploitation. There was a 67 per cent reduction in the time taken to complete each safeguarding referral and the processing of telephone calls fell from forty-eight hours to three. Trevor Rodenhurst, the Bedfordshire chief constable and national police lead for regional organised crime units, believes the tool is "the route to becoming a high-performance force" and can both make the streets safer and improve efficiency. "The results are incredible," he told the commission. "We can deliver better outcomes for the public. If this was in every region, overnight you would join up policing for serious and organised crime and I think that would be very powerful." When people ask him how he can afford to spend money on technology when resources are tight he replies: "I can't afford not to."

Around the country the innovators are showing the way forward for criminal justice. In West Mercia the police are trying out a system called Dragon Slayer that searches huge downloads of material and highlights conversations that indicate paedophile grooming behaviour. The Avon and Somerset constabulary is testing an AI tool known as Soze, named after the criminal mastermind Keyser Soze in the Kevin Spacey film *The Usual Suspects*, that officers claim can do 81 years of detective work in 30 hours, analysing gigabytes of data including video, financial transactions, social media posts and emails simultaneously to find connections and clues.

> "If we want safer streets we're going to have to start thinking about how technology can help us

The Metropolitan Police have transformed stalking investigations by using digital processing software to analyse mobile phone records and prove that the perpetrator really was where the victim said he was. In the pilot of this programme, Operation Atlas, the time it took to resolve a case fell from 137 days to 31 days and the charge rate rose from 12 per cent to 59 per cent. Andrew Fahey, of Forensic Analytics, which developed the tool, said: "We're seeing a revolution taking place in the investigative area. You've got an objective, third party opinion on what's taken place. We've got victims' stories being backed up." He estimated that the programme could save £8.7 million a year if introduced nationwide.

Meanwhile, some forces have introduced digitally enabled interview rooms, created by the public safety technology company Axon. These are fitted with a camera that records the interview with a suspect, then automatically uploads it to the cloud and transcribes it within minutes. In Essex and Kent the police estimate that they have saved a combined total of 100,000 hours a year of officer time by using the system, equivalent to more than fifty full-time police officers. Axon has also developed a police bodyworn camera that can simultaneously record and translate a conversation using AI. A police officer can talk to a member of the public who does not speak English, understand what the person is saying and have his or her words translated back to them in their own language. Alex Lowe, the company's regional director, said there was "huge interest" from UK forces. "If we want safer streets we're going to have to start thinking about how technology can help us."

Drones are becoming routine in policing, particularly in remote rural areas. They are used to reach crime scenes quickly, assess the situation, gather early evidence and if necessary deliver medical supplies. The intelligence helps commanders in the police control room to determine the best tools and tactics to deal with an incident long before officers arrive. Surrey and Sussex police have a joint force with about 170 specialist drone pilots, allowing them to maintain a capability 24 hours a day and 365 days a year. According to Professor Paul Taylor, the national police chief scientific adviser, the next step could be on-the-spot DNA analysis, which allows officers to use a Covid-style swab and a piece of equipment similar to an espresso machine to identify potential suspects without having to send samples to a forensics lab. "Technology is democratising our ability to do specialist tasks," he said. "The future is bright when it comes to science and technology and policing." It is a long way from *Dixon of Dock Green* but Alex Murray, the National Police Chiefs' Council lead for AI, said: "It's not only desirable; it's necessary. If by any chance we decide to slow down here we will lose the battle against crime and serious organised crime. The opportunities are huge but to a certain extent we're just catching up."

Richard Susskind, a former IT adviser to the lord chief justice, said the criminal justice system had to use advances in AI and data analytics to completely upend the way it worked rather than just streamlining its bureaucratic processes. "It's the distinction between automation and innovation," he said. "Automation is basically computerising what you already do; innovation, in my terms, is using technology to allow you to do things quite differently." He suggested that artificial intelligence could help to prevent crime with self-driving cars, for example, being programmed not to go above the speed limit. "You can embed the rules within the system."

The potential efficiency gains from automation are enormous. A few police forces have started using AI for the important but time-consuming process of redacting documents before they are sent to the Crown Prosecution Service. The College of Policing estimates that, if the tool were used across the country it would save about 7.5 million policing hours a year, equivalent to more than 4,000 full-time officers. Technology can also allow the police to communicate better with victims. In Kent, the force created a rapid video response for domestic violence. Instead of taking almost 33 hours on average to respond in person to a non-urgent call, an officer could speak to the victim within minutes using a secure link. The pilot recorded a 50 per cent increase in arrests and a 14 per cent increase in victim satisfaction.

The Norfolk constabulary is taking the concept a step further and introducing an AI tool to sit alongside the video call, record and transcribe the interview then automatically populate the relevant case forms. Paul Sanford, the chief constable, said it was good for morale as well as productivity. "When I started my policing career, if I arrested someone for retail crime I'd probably deal with that individual in about 90 minutes. That would include bringing them into custody, interviewing them and putting the file together. Now that will probably take my officers five and a half hours because of the growing amount of information that we're expected to put in files. If we can use AI to try and chip away at that, and deal with those administrative tasks, then it means I can put more officers on the streets. They want to be out there dealing with offenders; they don't want to be behind a desk." Similar technology could help hard-pressed probation officers who are struggling to juggle form-filling with the crucial human element of their job.

There are, of course, ethical dilemmas that cannot be ignored. Live facial recognition (LFR) technology, which scans the faces of everybody walking past the camera and compares them with a police watchlist, is a powerful tool. Last year 578 suspects were arrested in London, including 55 for rapes and another 58 registered sex offenders who had breached their conditions. Similar technology has been tested in south Wales, including at a Taylor Swift concert, and retrospective facial recognition, based on CCTV footage, was used to identify rioters setting fire to buildings after the Southport stabbings. Sir Mark Rowley, the Met commissioner, described LFR as one of the biggest breakthroughs in fighting crime since finger-printing. "It is extraordinary in its ability," he told the commission. "It is accurate, fair and it's not intrusive." He suggested that the software was more likely to be impartial than conventional police methods. "If you send officers out doing stop and search, some of their instincts will be wrong and they'll be stopping innocent people. In this case the only people they're stopping are criminals who have pinged on the database because they're wanted."

55
rape suspects arrested in London thanks to the use of live facial recognition technology

The public is broadly on side. A YouGov poll for the commission found that 57 per cent of adults backed the police using LFR in public spaces compared with 31 per cent who opposed it. An assessment by the National Physical Laboratory concluded that there were no statistically significant differences in performance based on gender or ethnicity with the settings used by the police. Civil liberties campaigners nevertheless warn of a "regulatory Wild West" and privacy groups fear the rise of the surveillance state. Akiko Hart, the director of Liberty, said: "We have analogue laws for a digital age with a huge amount of risks and challenges that brings."

There is no specific facial recognition legislation although the information commissioner has ruled that the police had to be able to demonstrate that any deployment is "fair, necessary and proportionate". The College of Policing has also issued guidance.

New tools are pushing the boundaries, raising questions about what is acceptable. The American company Clearview AI uses facial recognition technology to scan more than fifty billion images scraped from the internet, including publicly available social media posts, news reports and other open sources. In the US the tool has helped law enforcement agencies to solve murders, catch paedophiles and find missing children but it is not currently operating in the UK after fines were imposed on it by the Information Commissioner's Office for unlawfully storing facial images. The company subsequently won an appeal against the ruling but the controversy highlights the lack of clarity over this rapidly evolving field.

It is clear from the evidence heard by the commission that technology will play a crucial role in the reforms that are needed to the criminal justice system. Sir Tom Winsor described it as the "golden key" to police efficiency and effectiveness. The bright spots of innovations set out in this report must be replicated across the country, with much greater coordination from the centre to ensure consistency. That will mean working more closely with the private sector, which has the expertise to deliver the required changes at the scale and pace that is needed. Police forces must have systems that are interoperable so that data can be freely shared. There also needs to be a shift in the workforce balance to allow more software programmers, data analysts and cybersecurity experts to sit alongside detectives and PCs.

Over time the whole criminal justice system should move towards a single digital case file, as in Estonia. Stephen Parkinson, the director of public

Continued on page 60

Precision policing to find a face in the crowd



AN ALERT SOUNDS and police officers surround a man walking through the market in Woolwich, southeast London. "Why are you stopping me?" he shouts, becoming increasingly agitated. "You're not stopping anyone else."

The officers explain that he has been identified by a live facial recognition (LFR) van that has matched him to a suspect on the police wanted list. Immediately the man calms down, bows his head and confirms his identity. He is an alleged stalker who has breached his bail conditions and must return to court. He is arrested and taken off in handcuffs.

Two LFR vans have been deployed by the Metropolitan Police in a busy shopping area, each with six cameras monitoring a "zone of recognition" of between 10 and 20 metres around the vehicle. There are signs up on lamp posts explaining that facial recognition cameras are in operation.

The computers in the vans are loaded with a watch list of about 16,000 faces, a mixture of suspects who are wanted by the police, registered sex offenders and high-risk missing people. If the system finds a match an alarm goes off. The relevant face is highlighted on the officers' handsets so that they can quickly find the person who has triggered the alert. The faces of innocent passersby are almost instantly blurred then deleted in order to protect their privacy.

Inspector Richard Cassidy insists that all deployments are targeted, intelligence-led and time limited. "We're not going to go to a leafy suburb with zero crime because there's no policing reason for that," he says. "We've arrested people who have been wanted for rape. We had someone who'd been wanted for eight years for grievous bodily harm. They produced a driving licence to say, 'No it's not me.' It was only as a result of doing a fingerprint of the individual that the officers realised the driving licence was a fake. We're taking violent people off the street."

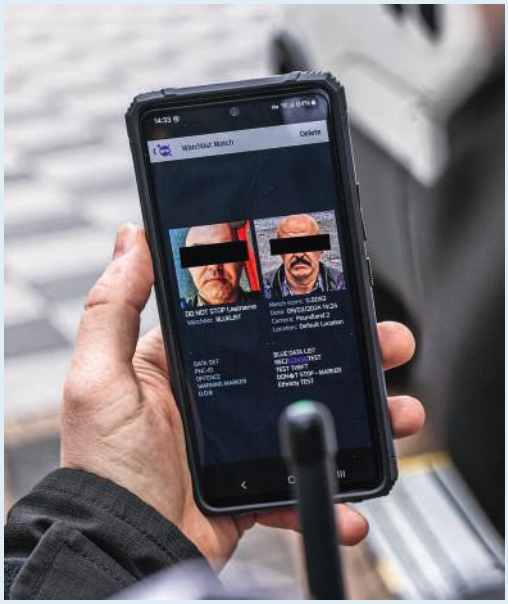
The technology uses precise measurements of each face to create a biometric template, which is then compared to similar equations on the watchlist. The system can rapidly scan hundreds of images and pick a single face out of a dense crowd.

Cassidy says false alerts are rare. "Independent testing has shown that for every 6,000 faces that walk past the camera the system gets it wrong once. But we are seeing better real-world performance than that. We arrested someone who had been wanted for 23 years. There was a 23-year disparity between the images but it still worked. We've had an identical twin flagged up but we were able to confirm that they were not the person we were looking for using fingerprints."

Concerns have been expressed about racial or gender bias but Cassidy says the system "can't say whether you're male or female, or what ethnic background you're from. Obviously it







The Met has four facial recognition vans, which can pick out one face from hundreds of thousands of passersby

> This is precision policing. It's allowing us to pinpoint people who are of interest to us. That can only improve trust and confidence in policing

can't be as accurate as DNA but for me it is the fingerprint of the face."

The Met has four specialist vans and two more are on order. Lindsey Chiswick, director of intelligence at the Met and the National Police Chiefs' Council lead on facial recognition, argues that LFR is more accurate than a human being could ever be.

"Imagine you're in Waterloo station and you've got hundreds of thousands of people coming towards you at rush hour. The tech is able to remember the 10,000 it's looking for and then look across those hundreds of thousands and pick out the one accurately. It's incredible. No human could ever do that and I think it is without the inherent human bias that we've all got.

"Given that there's not an endless supply of money, far from it, the potential for technology to assist in the reform policing needs to make is really high provided it's done in a sensible and responsible way."

Sir Tony Blair is among those arguing that LFR should be used more widely. "I don't know why we have to keep on trialling all this stuff forever: just get it introduced," the former prime minister says. "Everywhere it is trialled it has a dramatic impact on crime. It allows you to trace people. We should just be accelerating all of this. The important thing is to have the debate with the public where you say, 'If you are prepared to have facial recognition we can cut crime very considerably.' My view is that the public will say, 'Yes, why wouldn't you do that?' You've just got to be very open with people."

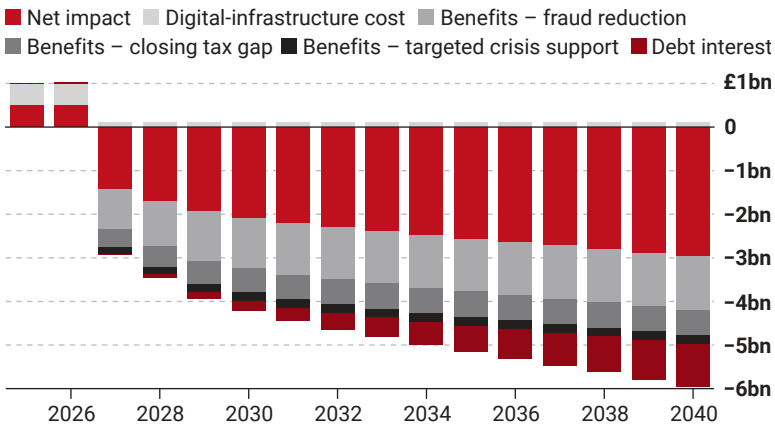
By the end of the day in Woolwich there have been eight arrests for offences including assault, shoplifting and theft as well as breach of a restraining order. Five people have been flagged as registered sex offenders and one of those is arrested for breaching their conditions.

As the alleged stalker is led away to the police station, Detective Chief Inspector Jamie Townsend points to the van that identified him. "This is precision policing," he says. "It's allowing us to pinpoint people who are of interest to us. That can only improve trust and confidence in policing.

"At a previous deployment we had a man detained in handcuffs. There was another man protesting against live facial recognition who said to him, 'Mate, they shouldn't be using that against you should they?' He said, 'Well, I am wanted.' "

POTENTIAL SAVINGS

Net impact of a digital ID on public-sector net borrowing



Figures are shown in today's prices. Calculations using HMRC tax-gap data, DWP benefit-fraud data and OBR analysis of the cost of the Energy Price Support Scheme, Australian federal budgets 2018–2025, conversations with industry experts. Source: Tony Blair Institute

Continued from page 57

prosecutions, told the commission: "It could solve a lot of problems."

Reforms introduced recently in the UK's Commercial Court show how technological integration can enhance efficiency. The number of claims increased from 723 to 885 in a year but settlement rates also rose. In London the proportion of cases settled before trial increased from 68 per cent to 78 per cent between 2021-22 and 2022-23. In another example, the Scottish government has slashed the courts backlog by more than a third by changing the way evidence is shared between the police, prosecutors and the courts. Instead of floppy discs or USB sticks being sent between parts of the criminal justice system, data is uploaded to a secure, centralised cloud-based system. This has reduced waiting times, cut costs, led to faster convictions and improved evidence retention rates.

Live facial recognition technology should be introduced around the country. It is wrong that such an effective crime-fighting tool is rationed by being deployed in only a few places but there needs to be a clear legal framework in place. People must be reassured that the systems are not biased and that their data will be strictly protected. The commission recommends that a new British Data Authority be created to oversee the rapid development of these new technologies. This would not just be a regulator that responds to complaints; it would set boundaries, advise on legislative changes and encourage public debate, in a similar way to the Human Fertilisation and Embryology Authority, which oversees the equally contentious field of genetics.

The Danish Data Authority has helped Denmark to navigate the pitfalls and increased public support for reform. As Peter Clarke, the former head of counterterrorism for the police and a member of the commission, said: "Work must be done on reassurance but with every technological advance going back to fingerprints, DNA, automatic numberplate recognition, there's been public concern until it's been shown that it can be properly regulated, properly controlled, properly supervised and is reliable. I suspect this is yet another step on that path."

There must be safeguards but those we expect to protect us cannot allow themselves to be outflanked by those who seek to do us harm. Baroness Manningham-Buller, the former director-general of MI5, told her fellow commissioners that a kind of "arms race" was under way. "Criminals are there and the state has got to keep up with them, but operating to a different standard to the criminals." She argued that liberty and security should not be seen as being in opposition to each other. "If your criteria are proportionality, necessity, regulation, supervision, accountability, I think you can at least be reasonably confident that the state is doing things in a proper process."

The commission believes that it is now time for Britain to put in place a universal digital ID system, allowing people to interact with the state and verify their details with the private sector in a safe and secure way. The unique code, given at birth, would make it much easier to prevent fraud, including welfare fraud, tackle illegal immigration and reduce identity theft. It would also facilitate robust age verification to protect children both in the real world and online. Almost every other European country has some kind of digital ID system and schemes have also been successfully introduced in India, Canada, Japan and Singapore. In evidence to the commission the idea was backed by two former prime ministers and nine former home secretaries as well as most of the leading figures in policing and national security.

Sir Tony Blair insisted that a digital ID system would be a "personal enabler" that "empowers the individual" and simplifies a citizen's transactions with the state rather than "an instrument of government control". Although the government has gone some way down this path, with plans for digital driving licences and passports, ministers have so far backed away from supporting a universal digital ID. "We should embrace it fully and roll it out as soon as we can because it will have an immediate set of benefits," Blair told the commission. "You've got to reorder the government around this technology revolution. You should be able to have a state that is smaller, more strategic and providing greater efficiency at lower cost. That is the holy grail of governing, which people have always aspired to."

The Tony Blair Institute estimates that a digital ID system would cost about £1 billion to introduce in the UK and a further £100 million a year to implement. There would be annual savings of about £2 billion from reductions in welfare and private sector fraud and the long-term benefits could be in the order of £40 billion a year.

Blair said the public mood had changed since he tried to introduce physical ID cards in 2006, a plan that was later shelved by the coalition government following a backlash from civil liberties campaigners. "There will be a big debate coming down the line — and this is the political argument people should have — which is, how much privacy are you prepared to trade for efficiency? That's the real question around technology and public services. My view is that people are actually prepared to trade quite a lot."

Lord Hague of Richmond, the former Conservative leader, chancellor of Oxford University and Times columnist, argued that there would be many benefits to introducing a digital ID system but "the potential in crime is particularly strong. There are serious and rising crimes of sextortion, actually costing the lives of young British people, and the verification of identity online would be made easier by this," he said. "It's hard to see how you tackle illegal immigration without a digital identity system."

A More in Common poll for the commission found that 53 per cent of people are in favour of a universal digital ID system and only 19 per cent are against it. There was a clear majority among the supporters of all four main political parties and across all ages. Luke Tryl, UK director of More in Common, said: "For lots of people digital ID just seems like common sense, it would make life easier for them and make it easier to tackle illegal behaviour and catch criminals. That combination of ease and greater safety far outweighs any concerns about privacy."

The shift was reflected among political grandees. Sir John Major, the former Conservative prime minister, told the commission that he now supported a digital identifier. "I was once opposed to this but am not any more," he said. "I think you can be identified by so many things now. You use a credit card or a phone and the police can find out where you are or what you're doing. The proposal to introduce identity cards used to sound like an overbearing state, but no longer. I think the time for digital ID has probably come."

Many former home secretaries threw their weight behind the plan. Lord Blunkett, who as home secretary first outlined plans for a national ID card in 2003, said technology meant that the system could now be digital rather than physical. "I'm in favour of some form of up-to-date verifiable identity," he told the commission. "We should be able to find out by whatever means who people are who are perpetrating or inciting crime. It seems to me a no-brainer."

Charles Clarke, who took over from Blunkett at the Home Office, said an identity scheme would keep the country safer. "If you can identify people and find out who they are then that inhibits criminality." Alan Johnson, home secretary under Gordon Brown, described digital ID as "absolutely crucial" to protect national security and tackle illegal immigration. "Apart from Ireland we're the only country in Europe without an ID card. If you want to come to a country illegally and disappear into the system with no one finding you, come to Britain or Ireland because they are the only places where you don't have an ID card to prove and protect your identity. It's crazy."

> "It's hard to see how you tackle illegal immigration without a digital identity system

Amber Rudd, who ran the Home Office between 2016 and 2018, said she had concluded that introducing a digital ID was "the right thing to do". She added: "I've come to the view that it's so ubiquitous, that we give our ID to everybody … I think it would certainly make it easier for immigration enforcement and for policing so I hope it would make us safer."

Lord Clarke of Nottingham, who was home secretary under Major, said he was "strongly in favour" of ID cards, whether physical or digital. "You have no prospect of controlling immigration without an identity card," he said. "We have this ancient hang-up about identity cards. It all goes back to the Second World War: somehow we showed what a free country we were because we were the only developed country that didn't have an identity card system. It's farcical. What on earth are you objecting to if it's accurate? There's no rational argument against it."

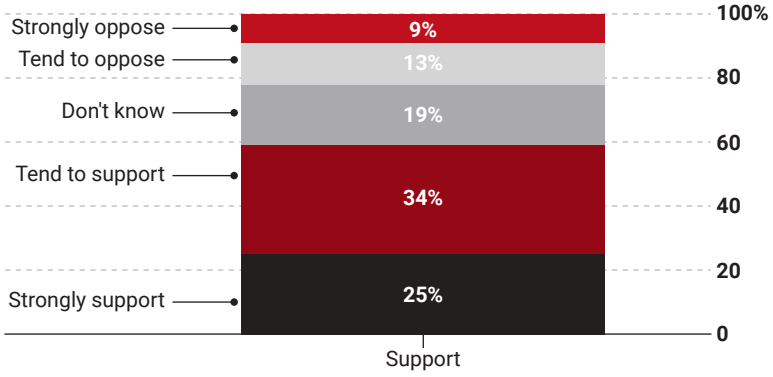
Jack Straw, home secretary between 1997 and 2001, said he had been sceptical when in government but was now convinced. "What's changed amongst many other things is the ubiquity of digital ID systems and our wallets and handbags, including digital ones, are full of ID so what's the problem with the government providing one more piece of ID?"

Lord Herbert of South Downs, the former Conservative policing minister who is now chairman of the College of Policing, said the government needed to take a pragmatic rather than ideological view of what he saw as important tools such as digital ID and LFR. "What we should not do, in my view, is unnecessarily and artificially constrain the police from the access to technology that will enable them to fight crime and keep people safe."

Sir Keir Starmer has promised to "rewire" the public services. The only way to square the circle of rising demand and scarce resources in the criminal justice system is through technology. Data analytics and artificial intelligence make it possible to simultaneously drive efficiency and personalise provision in a way that could never have happened a decade ago. There are enormous opportunities to be derived from reform but when it comes to law enforcement there are also profound risks to not modernising. As Lord Burnett of Maldon, the former lord chief justice, told his fellow commissioners: "If we don't begin to grasp this type of technology and the advantages it can offer, the danger is that we will just be left behind. To put it bluntly you'll have the whole criminal justice system riding around on penny farthings whilst all the criminal and international terrorist classes are driving around in fast Jaguars."

UNIQUE IDENTIFIERS

More than half of Britons support the introduction of digital identity cards



In each survey, 1611-1790 Brits were asked: Would you support or oppose the introduction of a system of national identity cards in Britain? Source: YouGov

It's a jungle out there...

Bear Grylls' newest challenge is not to climb another perilous mountain or survive a night eating grubs in the rainforest but to solve the government's prisons crisis (Daisy Eastlake writes).

BecomingX, an organisation that Grylls co-founded with Paul Gurney, who is now the chief executive, has developed a new app called Advance, which gives ex-offenders a digital guide to coping with rehabilitation and life after a prison sentence.

The app, which is in the trial stage, gives practical support to prison leavers, such as setting them up with bank accounts and issuing them with free Sim cards. Users are sent reminders about their probation appointments and given access to legal support.

A bank of podcast episodes from other ex-offenders who have successfully stayed away from prison are free to listen to and jobs that hire people with criminal records in the local area can be found by looking at listings on a built-in map. "The whole vision of BecomingX is about helping people to succeed," Gurney told the commission when speaking about the development of Advance.



"This is a group of people that can be really supported. From an economic point of view, this is probably the best business case I've ever seen for the public sector.

"For every person you keep out of prison, you're saving probably in the region of £50,000 to £100,000 a year, depending on how you want to calculate the data, just for locking them up."

Governors who have seen the app in trials have also backed the cost-benefit of the programme. Speaking about the proposal, Nicola Marfleet, governor of Woodhill Prison in Milton Keynes, says: "Advance is the sort of thing [HM Prison & Probation Service] practitioners dream of being able to fund: to provide practical support and solutions to those leaving, and all too often sadly returning, to prison."

Alongside practical help to keep their lives on track, users can also access support with addiction, sexual abuse, trauma and other problems that are common catalysts for reoffending within prison leavers.

Each person who uses the app is connected with a mentor who can give them personalised support to encourage their rehabilitation.

In the trials, prison leavers left appreciative reviews. One called the app a "blueprint for helping people integrate back into society". Another said that Advance was the best solution for prison leavers that they had ever seen.

John McAvoy, a former criminal who had been given two indeterminate life sentences and held inside a high-security unit at Belmarsh, says: "In all my years of working with prisons, Advance is by far and away the most powerful tech solution I have seen to help prison leavers." He has since left prison and turned his life around.

Surviving and adapting to challenging environments is something that prison leavers and Grylls are all familiar with. "People make mistakes," Grylls told the commission. "Some choices can deeply alter the course of our lives, and the lives of others. We can't change the past but we can shape our future by choosing to take positive steps forward.

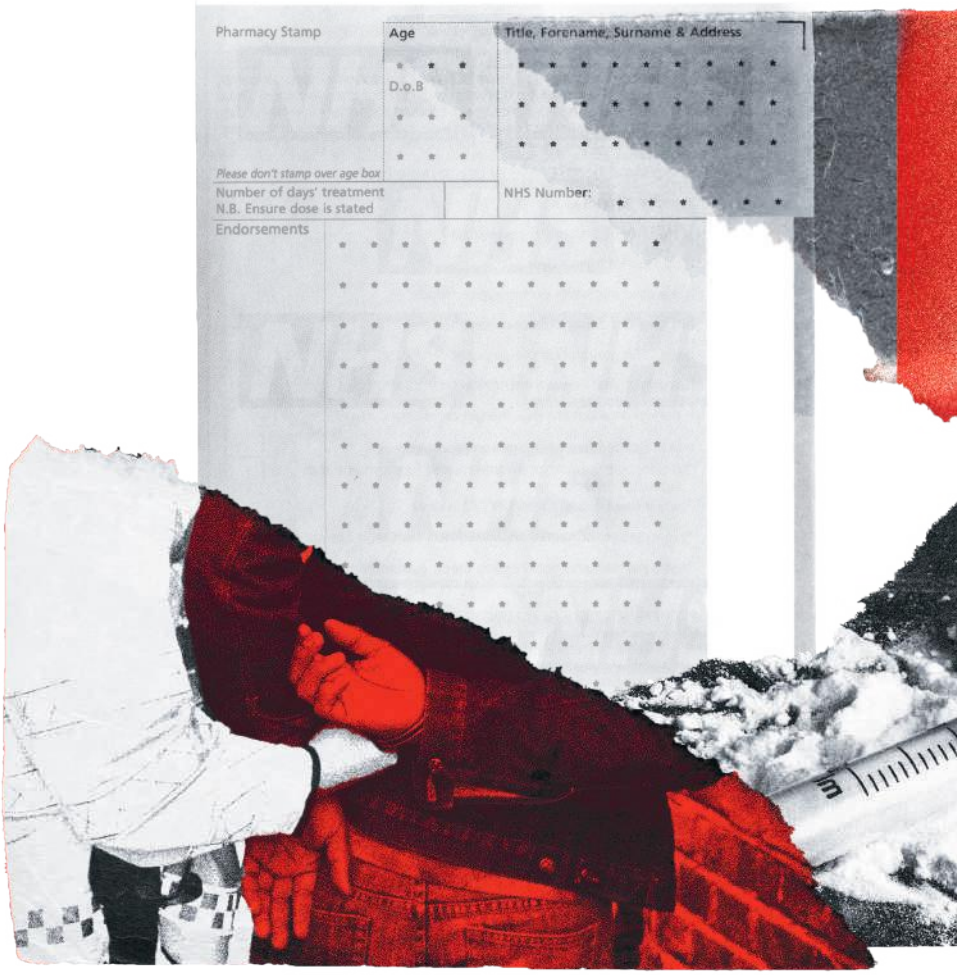
"With inspiration and the right attitudes, skills and support anyone can transform their life and have a positive impact on the world. BecomingX are proud to be taking on some of society's toughest challenges and supporting groups such as prison leavers."

> "With inspiration and the right attitudes, skills and support anyone can transform their life and have a positive impact on the world



Bear Grylls co-founded BecomingX, which developed the Advance app, top left


by CRAGHOPPERS
MARINES



07 THE CAUSES OF CRIME

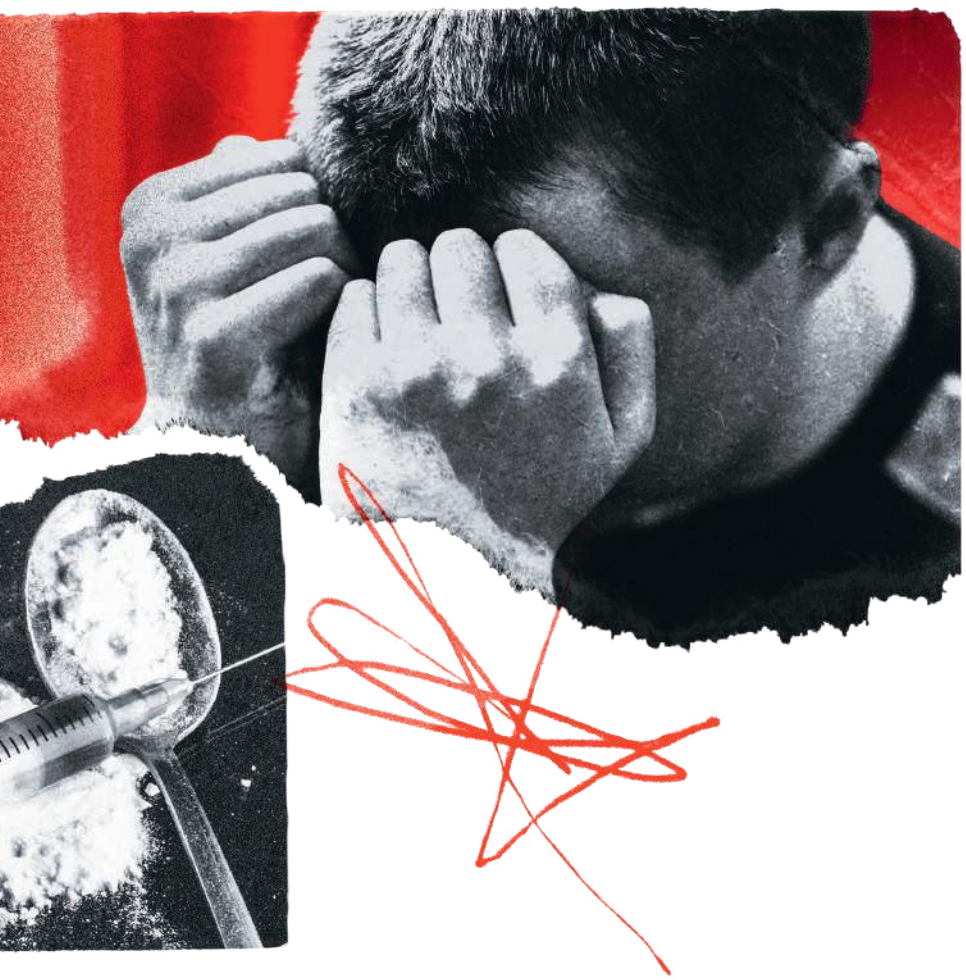
Tony Blair's famous pledge to be tough acknowledged that it was vital to start early in tackling the drivers of criminality: 42 per cent of prisoners have been excluded from school

Tony Blair promised to be "tough on crime, tough on the causes of crime". David Cameron suggested that he wanted to "hug a hoodie". Their language may have been different but both former prime ministers acknowledged that in order to reduce offending and ultimately make the streets safer it was important to understand the drivers of criminality, both individual and environmental. Dr Lade Smith, president of the Royal College of Psychiatrists, who treats some of the most dangerous and violent criminals in her work as a forensic psychiatrist, told her fellow commissioners: "I sometimes look at my patients and think, 'If only I'd met you when you were three because, at that point, we might have been able to divert you.' It's really obvious, in many cases, who is going to end up in the criminal justice system or secure mental health services."

The pattern is clear in the backgrounds of those who are in jail. According to the Ministry of Justice, about a quarter of prisoners have been in care at some point during their childhood, nearly a third have experienced abuse and 41 per cent have observed violence in the home. Almost a quarter had a drug problem before going into prison and some end up with one while they are there. A lack of education is another common theme. Almost two thirds of prisoners have been suspended and 42 per cent have been permanently expelled from school. About half have some kind of neurodiversity and many cannot read or write. The government's figures show that 71 per cent of adults in prison have literacy levels below those of an 11-year-old and for maths the number is 73 per cent.

There is also a trickle-down effect between the generations. More than a third of prisoners have a family member who has been convicted of a crime. One study found that about two thirds of those with a convicted father were convicted themselves by the age of 32. Offending is highly concentrated in the most dysfunctional households. According to HM Inspectorate of Probation, only 6 per cent of families in England and Wales account for half of all convictions. "The quality of parenting is crucial to a child's prospect of leading a crime free life," its report concluded.

The Princess of Wales is among those who have highlighted the important role that the early years play on an individual's social and emotional development. Her Centre for Early Childhood has calculated that adverse childhood experiences such as neglect or abuse cost £16.1 billion a year to society, including the impact of crime and antisocial behaviour. The importance of an early bond between infants and their primary caregivers is well-documented around the world. Without it people are more vulnerable to going down the criminal path. Peter Fonagy, professor of contemporary psychoanalysis and developmental science at University College London, said emotional attachment was crucial for a child to grow up with a healthy ability to manage natural human aggression. "If parents are neglecting and do not have the resources to look after their children then that tells the child, 'I'm



in an environment where I will need aggression to survive'," he said. "It's not just genetic code. It's also the postcode. Those children who experience maternal rejection, maternal neglect, physical maltreatment and abuse are far more likely to be in a persistent violent pattern."

Sarah-Jayne Blakemore, professor of psychology and cognitive neuroscience at Cambridge University, explained that adversity in early life actually had a physical impact on the brain. "You can see the effects right throughout childhood and adolescence, and those children are far more likely to get caught up in the criminal justice system," she told the commission. "The brain is particularly plastic in childhood and adolescence and that means that it's particularly susceptible to environmental input. The environment can confer opportunity, it can be positive and nurturing, but environments can also be very stressful and harmful and that can have a negative effect on brain development, which can result in later antisocial behaviours, and mental health problems."

She emphasised, however, that these young people should not be written off. "It's not too late to intervene with young people who are already caught up in the criminal justice system, or who are excluded from school. It's really important not to give up on those kids. Their brains are plastic right throughout their adolescence."

One study found that babies who had suffered extreme emotional deprivation in cruel Romanian orphanages set up during the Ceausescu regime in the 1980s had brains that were 8.6 per cent smaller than their peers. Even children who were adopted by loving, nurturing families in the UK had an overall reduction in brain size and the longer they had been in the orphanage the greater the damage. Eamon McCrory, professor of developmental neuroscience and psychopathology at University College London, studied the brains of children who had experienced less severe forms of neglect in the UK. When his subjects were shown brief flashes of angry faces there was heightened activation in the amygdala, the bit of the brain that controls the "fight or flight" response to danger. The children had no conscious memory of the pictures but their brain had instinctively reacted in the moment. "That is an adaptation that can help keep the child safe if they're growing up in a household where there's domestic violence," McCrory said. He pointed out, though, that such "hypervigilance" could be a disadvantage at school or in the street because it could make the young person jumpy and aggressive. "A child may struggle with their attention in class or overreact to teachers' efforts to manage them. They may misinterpret cues from peers in ways that get them into fights. It's very challenging for them to cultivate and maintain stable relationships with others because they're perceiving the world as threatening in a way that it isn't."

Michael Gove, a former justice secretary, had an alternative perspective on the impact of early adversity. "Many of those who commit crime are people who have poor impulse control and that, I think, is often as a result of a variety of different experiences earlier in life," he said. "If you grew up in an environment where the response to frustration is literally lashing out, where your parents are not just substance users, but substance abusers, then you find yourself in a circumstance where you see people finding relief through escape, rather than through grit. Growing up without love, boundaries or barriers, and growing up in circumstances where adults aren't displaying care, but are displaying either selfishness of violence, or other forms of self-indulgence, is poor preparation."

This is not to excuse violence or criminality, but it is only by understanding the potential causes of antisocial behaviour that it is possible to decide how to respond to it in order to prevent crime. There is a danger of a vicious circle developing in which children who already feel alienated are forced ever further to the margins of society. The French writer Victor Hugo highlighted the importance of education in preventing crime when he said: "He who opens a school door closes a prison." Yet a growing number of pupils, almost certainly including some of the hypervigilant teenagers who overreact in the classroom, are being driven out of mainstream education. Last year, suspensions of pupils from school rose by 36 per cent and permanent exclusions rose by 44 per cent. Of course, teachers must be able to maintain discipline in the classroom,

and heads should be free to exclude pupils in extreme circumstances, but many young people are being too quickly written off. Alternative provision is often appallingly inadequate and there are long waiting lists for places, leaving vulnerable teenagers languishing at home or roaming the streets, with no adult supervision. Kiran Gill, founder of The Difference, a charity that sends high-flyers into alternative provision settings, said that teachers in these institutions had "the most complicated as well as the most rewarding" roles in the education system because of the challenging nature of the children and their families. They should be seen as the brain surgeons of the teaching profession. "But at the moment, you're three times more likely to have an unqualified teacher if you are being educated in a pupil referral unit [Pru] and you have a 4 per cent likelihood of getting your English and maths qualifications. That is a disgrace." Some experts spoke of a "pipeline from Pru to prison". A fifth of children in custody were previously in unregistered alternative provision, with no proper quality control or safeguards.

Exclusions, however, are only part of the picture. About a fifth of children are persistently absent from school and almost completely disengaged from education. The children's commissioner found that a quarter of the young people in secure settings had been formally excluded but more than half had been out of education for at least a year and some had been off school for three years. Two in five had special educational needs, making it hard for them to thrive in mainstream education. Only about 20 per cent of these children had passed their English or maths GCSEs, compared with more than 70 per cent of the general population. "Absenteeism in a way is a more fundamental problem," according to Lib Peck, director of the violence reduction unit in London. "Going back to 'what are the driving factors [of crime]', if a kid isn't in school then they're going to find it harder to attain, they're going to be more detached from society. It's no big surprise is it really?"

Andy Burnham, the Greater Manchester mayor, said he was deeply worried about the number of pupils dropping out or being thrown out of school. "It's become too easy for a head teacher to exclude. They're under pressure from Ofsted and there's a vested interest sometimes to exclude quickly. Actually it might be ADHD or some undiagnosed neurodiversity: there are lots of reasons why a young person's behaviour might be difficult. It's too easy for them just to push them out. You've got to have a system-wide approach. For me the pupil referral units have become a symptom of a school system that is geared to the interests of some kids rather than all kids." He said the education system needed to be better at helping young people to manage their emotions and navigate the online world. "When we were at school, if there was a fight, you went home and the dust was allowed to settle. Nobody had filmed it. Now young people go home and all of the stuff is shared. They get worried and anxious: my God, someone's going to get me the next day … It leads to things escalating very quickly. Are we teaching young people enough in the art of de-escalation and recognising when something is getting dangerous? What is the broader set of life skills that we are giving our young people when they're in school? We're still missing masses there, I would say, in terms of the breadth of the curriculum."

> "A lot of today's issues come back to the way in which social media ratchets up the pressure

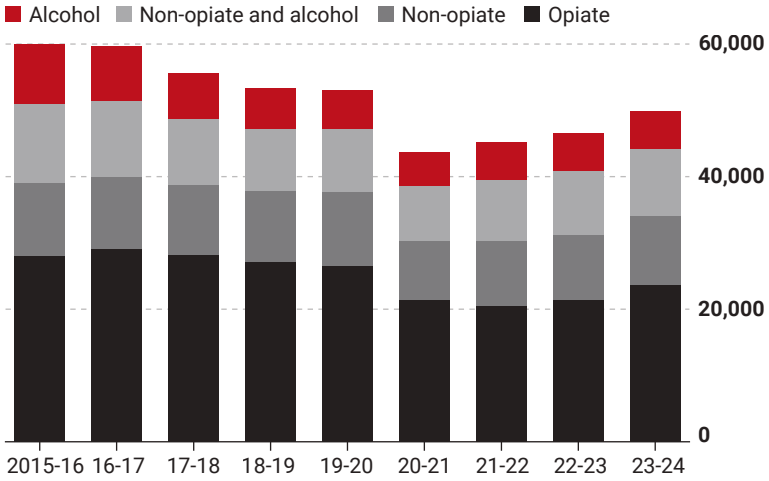
One solution would be to ensure that schools remain responsible for the academic outcomes of pupils they do remove. This would end the perverse incentive for head teachers to exclude young people who might affect their league table ranking. It would also help to drive improvements in alternative provision because schools would be more demanding. Gove, who as education secretary introduced strict behaviour guidelines, argued that exclusions were often a "consequence rather than a cause" of the real problem. But he said head teachers should not simply be able to throw children out and forget about them. "Any child who's initially on the roll of a school must be counted in that school's overall performance. So, you take responsibility for an excluded child, for making sure that the alternative provision is adequate and that it is supported. Of course you can decide that child A should not be in your school at a particular point, but you can't operate an 'out of sight, out of mind' approach."

This is necessary but it is not sufficient. The children's author Sir Michael Morpurgo said there was a wider problem: that society had forgotten the true purpose of school. "Education should be about the enrichment of the whole child, the creation of positive experiences and memories, so that you build up in a child a sense of self-worth," he told the commission. "It's this kind of enrichment that can, whatever the circumstances of a child's background, help them feel that they belong. The thing that is ruining us, it seems to me, is that we've come to this culture where education is about the grooming of success, but success in the terms of the market, not in terms of deep enrichment. Children are judged by how good they are at their written work and remembering. It's testing, testing, testing. Half our children feel really good about themselves — they think 'yippee, I'm off to university' — but we forget that the other half experience failure, and it's from the other half that people end up in prison."

There must be a greater effort to help those with special educational needs, using data to identify pupils with conditions including autism and ADHD as early as possible in primary school. The Born in Bradford project is tracking 13,500 children born at the Bradford Royal Infirmary between March 2007 and December 2010. Using datasets from across the public sector it is coming up with innovative solutions to tricky social problems. One of the early successes was the "glasses in classes" scheme, which cross-checked health and education data to find that a third of pupils who had poor eyesight diagnosed were not going to the optician so were struggling in school because they could not see properly. By giving glasses to all pupils who needed them the project boosted literacy rates in one of the most

REHAB ON THE INSIDE

The number of prisoners in treatment for drugs and alcohol has been steadily falling



Includes prisons, young offender institutions and immigration removal centres
Source: Office for Health Improvement and Disparities

deprived parts of the country. The same principle is now being applied to special educational needs. The researchers analysed data about children with autism diagnosed by the NHS at the age of 11 and found that many of the traits were already apparent in the information collected by schools for educational reasons at the end of the reception year. In fact, they found that they could predict with remarkable accuracy which children would later get an autism diagnosis on the basis of the teacher's assessment at the age of 6. Having identified the children on the basis of the data, they sent a team into schools to do a formal assessment, bypassing the 7-year waiting list and ensuring that support was provided more quickly.

Mark Mon-Williams, professor of cognitive psychology at Leeds University, who is running the Born in Bradford project, said there were clear benefits in terms of reducing criminality. "A lot of these children are flying under the radar right now. If you start supporting those special educational needs early on, then the child's less likely to become absent, they're less likely to end up not in education or training and ultimately they are less likely to end up in the criminal justice system. If we want sensible decisions around how we organise our public services we've got to zoom out and start looking at the whole system, not just the education bit or the health bit or the social care bit or the policing bit." The digital ID proposed by the commission would make it possible to match up data sets from different public services because each child would have a single unique identifier from birth. It would stop children like Sara Sharif, the 10-year-old who was murdered by her father and stepmother after being taken out of school supposedly to be home-educated, falling through the gaps of state support.

The criminal justice system is often the end of the road when other bits of the public sector have failed. Mental health services have been slashed and there are an estimated 8 million people in England and Wales who could not access the specialist help they needed because they did not meet the threshold for treatment. Community provision is inadequate, in-patient services are overwhelmed and there are long waiting lists, meaning that more people end up in crisis. According to the Royal College of Psychiatrists, there has been a 34 per cent increase in referrals to secondary mental health services over the past five years but 16 per cent of consultant psychiatrist posts are vacant. In the 1970s there were 154,000 mental health beds in England and Wales, now there are fewer than 18,000. "In London there has been 100 per cent acute adult bed occupancy for the last two years, in Manchester it is 120 per cent and Northamptonshire 130 per cent," Lade Smith said. "And, as the number of general adult beds fall, the number of forensic beds increases because people are not treated early enough. There's a correlation." Instead of costing £20,000 for a general mental health admission, which typically lasts about six weeks, it costs about £250,000 for a forensic unit admission, which is likely to last about 18 months. The case of Valdo Calocane, who fatally stabbed three people in Nottingham after a catalogue of failings in his mental health care, shows the dreadful human cost of not ensuring that people get the treatment they need at the right time. yet Child and Adolescent Mental Health Services are commissioned to provide services to only 35 per cent of those who are referred. This is against a background of a 20 per cent increase in children and young people presenting with mental health problems since the pandemic. Even before Covid-19 struck there were concerns about the increase in mental disorder among young people, particularly eating disorders, depression and anxiety.

Addiction can be another accelerator of the "conveyor belt" to prison, according to Mike Trace, chief executive of the Forward Trust, which delivers drug and alcohol treatment within the criminal justice system. "People are attracted to compulsive drug and alcohol use to deal with problems in their lives which to a large degree are driven by trauma, neglect, abuse, mental health issues," he said. "Around 70 per cent of our clients who are addicted prisoners will have had adverse childhood experiences. The idea that we approach this saying, 'There are 500,000 immoral people in the country and 66 million moral ones that need to be protected from them,' is fatally flawed. People have personal responsibility. Not everybody who was neglected or abused as a child went on to be a career burglar, but you've got to start from the premise that you are dealing with a large number of damaged people, marginalised people and if you don't find a way to handle that damage and that marginalisation you're not going to achieve any successful results."

In the prison population, two thirds of women and more than a third of men report offending to buy drugs. Almost half of women report having committed a crime to support someone else's drug use. There is also a long tail of addiction. The Ministry of Justice study found that 18 per cent of prisoners had a family member with an alcohol problem and 14 per cent had a relative with a drug problem. In 2022 the government expanded a

programme for police forces to routinely test the suspects they arrested for drugs. More than half the drug tests came back positive.

Dr Emily Finch, clinical director for addictions at the South London and Maudsley NHS Foundation Trust and chair of the addictions faculty at the Royal College of Psychiatrists, pointed out that although drug addicts stole to feed their habit, alcohol was actually the "most prevalent" driver of crime. "Violence against women and girls, domestic violence, is almost all driven by alcohol." Cannabis is a particular problem because of the association with mental illness, including psychosis. "I can treat opiate users, I can treat alcohol users if we're given enough funding to do it. It's much more complicated to treat cannabis users.'

Then there is gambling. Henrietta Bowden-Jones, director of the Centre for Behavioural Addictions, said that about 2.5 per cent of the adult British population had a gambling problem and about 70 per cent of those with a serious addiction would have committed an illegal act. "The fraud I've seen in my 20 years dealing with gambling disorder patients has ranged from a few pounds — I remember a father breaking into his child's piggybank and taking the savings — all the way up to £7 million." She said the government needed to do more to stop people getting addicted, including ending the "gamblification" of sport through sponsorship and advertising. "If you normalise something, as we have normalised gambling, and you associate it with activities that are healthy, enjoyable, family fun, like sport, you create a new generation. Young people are now watching sport in order to gamble. Anything that drives gambling … will eventually drive crime."

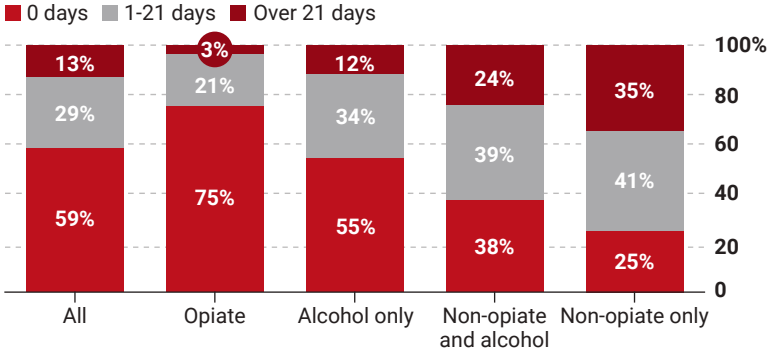
The commission does not believe there is a "magic money tree" that can be shaken to release funds but investment in addiction services and mental health provision is significantly cheaper than dealing with the consequences and cost of crime. All the evidence suggests that the earlier the intervention the better for the child and for society. An analysis by the Institute for Fiscal Studies found that Sure Start, the large-scale early years programme introduced in England during the Blair years, cut the number of children who went on to receive a custodial sentence by a fifth. The Supporting Families programme, set up by Cameron to give intensive help to some of the most complicated households, reduced the proportion of children going into care by a third, the proportion of adults going to prison by a quarter and the number of young people receiving custodial sentences by almost two fifths. An evaluation found that intervening with the whole family at an early stage was "successful in preventing high-cost statutory intervention and provides a net benefit to the taxpayer".

70%

of those with a serious gambling addiction have committed an illegal act

GETTING HELP

Time from being taken into custody to starting treatment, by substance dependency



Includes prisons, young offender institutions and immigration removal centres.
Source: Office for Health Improvement and Disparities

A few similar schemes are still operating. The Pathfinder project in Birmingham offers wraparound family support to some of the most troubled and troublesome households in the city. It was set up by Rob McCabe, an educational social worker who was working in the Youth Offending Service when he started to notice that certain schools had a disproportionately high number of young people getting involved in crime. One south Birmingham school, Lindsworth, which specialised in children with complex social, emotional and mental health needs, had 45 per cent of pupils who were known to the criminal justice system. "I went through the children's services record for every pupil on the roll and counted instances of domestic abuse, bereavement, substance misuse, sexually harmful behaviour," he said. "There were nine instances of rape just within one cohort. Nearly 70 per cent of the school population had been affected by domestic abuse, about a quarter of the pupils had been affected by addiction. There were really high numbers of family members in prison." He worked out that 75 of the children at the school had cost the youth justice system £3.1 million between the ages of 10 and 18. Yet these children were churning round and round the system being passed from pillar to post by different agencies. There was huge waste and inefficiency. "It wasn't uncommon for those kids to have 25 social workers involved in their families' lives. It wasn't the lack of money within the system, it was the lack of relationship at the heart of the work."

In 2016 he founded the Pathfinder programme, which is jointly funded by schools, the police and crime commissioner and charitable foundations to build what he called an "ecosystem" of support around the child. Each family has a school-based worker who then acts as a conduit to other services. One participant, Bradley, now 18, was in tears as he described to the commission how he had become involved with a gang at the age of 15. "They were bullying me, they stabbed me, I felt I had no choice." The Pathfinder caseworker Claire

Williams helped the family to move house, found a teacher to give Bradley one-to-one tutorials after he was excluded from school and introduced him to a boxing coach. Now he is training as a car mechanic. "Without Claire I honestly think I'd be in jail," he told the commission.

The evidence is clear about what works but many programmes have been cut as local authorities struggle with squeezed budgets. There has also been a resistance from some at Westminster to back so-called "nanny state" interventions in families. But as the former home secretary Alan Johnson, who was orphaned at the age of 13, argued it is crucial to step in to protect children. "The state is insulating these kids against their families in a way." When it costs about £119,000 a year to send someone to a young offender institution and £271,000 for a place at a secure children's home, the money spent on early family intervention will be repaid many times over in the long run.

Mentoring and peer-to-peer support have also been shown to be effective both in this country and around the world. The Becoming a Man programme, created in Chicago to tackle gun and knife crime among the young, uses a combination of mentoring and school-based group counselling to help teenagers to handle their emotions and control their aggression. Independent analysis showed a 50 per cent reduction in violent crime, a 35 per cent reduction in overall arrests and a 19 per cent increase in school graduations among participants.

There are things that work and all the evidence suggests that it is beneficial if at all possible to keep young people out of the vortex of courts and custody. The clinical psychologist Terrie Moffitt, professor of social development at King's College London, studied sets of identical twins born in Britain in 1994 and 1995 who had been involved in illegal activities. Their crimes had been similar, but in many cases only one of the pair had been caught by the police so it created a unique chance to compare the trajectories of the two siblings. "We got their police records from the Home Office and the Ministry of Justice. We were able to compare what happened in subsequent years within a set of twins," she said. "What happened was more reoffending for the twin that was processed more deeply into the justice system. These are identical twins. They're genetically the same. They grew up with the same parents, went to the same school, were getting in trouble at the same rate and yet one of them encountered the justice system and the other one did not."

> "They were bullying me, they stabbed me, I felt I had no choice

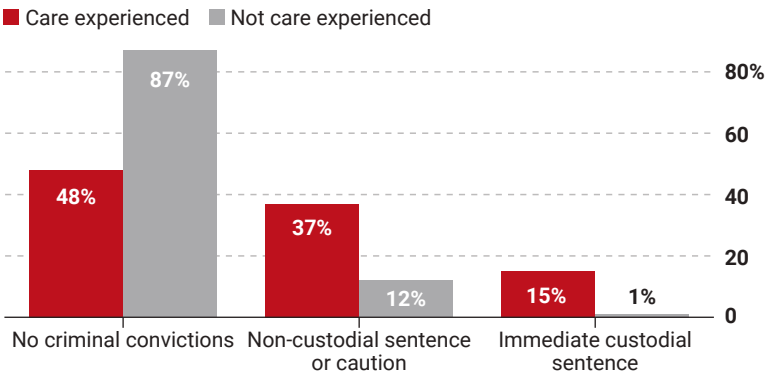
Her explanation is that the twins who had been through the court process began to define themselves as criminals at a very early age and then found it hard to escape from that box. "It's called labelling theory in criminology," Moffitt said. "After they got arrested their optimism scores were less. They endorsed items on our personality questionnaires like 'with my background I'll never be able to get ahead' or 'I can't succeed because other people don't like me.' They began to see themselves as bad people but there was also the external appraisal: employers or admissions officers at universities. If you have a criminal record that changes what opportunities people are looking at for you."

This supports the idea put forward by Dame Rachel de Souza, the children's commissioner for England, that children who commit non-serious offences should have their criminal records wiped clean. She told the commission that the young people who took part in the riots that followed the Southport stabbings, for example, should be able to "move on with their lives" and become successful adults. "They're children," she said. "It feels hard to think a 14-year-old who has served an 8-month sentence for throwing a stone and been really stupid would carry that conviction on their record for the rest of their life so I hope that we can think of how they can make reparation but also let these children have a life going forward." There will always be young people who commit serious sexual or violent offences for whom custody and a criminal record are the only proper response but if it is possible to find an alternative and avoid labelling children then that is likely to be better in the end.

David Halpern, the founder of the Behavioural Insights Team, argued that making small changes to the environment in which criminals operate could make a big difference. He pointed to the dramatic fall in car crime and burglaries since the introduction of immobilisers and alarms. "When countries have introduced requirements to wear helmets for motorbikes you typically see between a 30 and 60 per cent reduction in motorcycle thefts. If you're now going to go and steal a motorbike or a moped, you've got to remember to bring a helmet, because most people don't leave it on the bike. You need to introduce extra frictions." If society stopped being hooked on the "weird psychology" that "people commit crime because they're bad" then it would actually be possible to have a significant impact on driving down crime, he said. "There are lots of areas that are really tough. Trying to increase life expectancy by 20 per cent, that's a pretty tough gig. Trying to reduce crime by 20 per cent is extremely doable. I've always been very optimistic about what's possible if we can crack some of our mental constraints and be a bit more evidence-based."

CARE SYSTEM TO CRIMINAL CONVICTION PIPELINE

52% of people who grew up in the care system have a criminal conviction by the age of 24, compared to 13% of those without care experience



Data looked at outcomes for individuals born in 1993 to 1994 and educated in England, between 2003 and 2017
Source: ONS

Inside UK's first secure school



IN MANY WAYS the Oasis Restore academy in Kent looks like any other school. It has classrooms, a playground with a basketball hoop, a sports hall, a theatre, an art room and a music studio. But there is a difference. The pupils here are all murderers, rapists, drug dealers, gang members and serious violent offenders.

These children are some of the most dangerous and damaged young people in the country who have all been convicted or accused of heinous, horrible crimes. Yet instead of being sent to a traditional young offender institution, a noisy frightening place where they would be locked in a cell for large parts of the day, they are living in Britain's first secure school, with no bars on the windows and teachers rather than guards.

The ground-breaking facility is trying out a new approach to youth custody that puts the emphasis on education and therapy rather than punishment and retribution. Set up under the academies programme, it is run not by the Prison Service but by Oasis, a multi-academy trust that has more than fifty mainstream schools around the country. "It's not a young offender institute or a prison, it's a school," says Steve Chalke, the founder. "We have bedrooms not cells; we have student flats not wings; and we have fobs instead of jangling keys. The staff don't wear uniforms. They are youth workers, they are teachers, they are health professionals, they care for children. The philosophy behind everything we do here is not, 'What have you done wrong?' But, 'What's happened to you?'"

The secure school, which opened last August, can take up to 49 young offenders between the ages of 12 and 18 who are on remand or have been sentenced to custody. There are gardens, bean bags and pictures of animals on the walls. The aim is to create an atmosphere of calm for children who have been surrounded by chaos.

Sometimes young people will arrive in the middle of the night because it is the safest time for them to be transported, under the cover of darkness. Often they struggle to sleep. For some there is a form of comfort in their bedroom door being locked at night. It is the first time they have felt safe in years.

Classes are small, no more than five, and some children receive one-to-one tuition. Many pupils struggle to read and write so basic numeracy and literacy are woven into every subject. There is enormous flexibility in the lessons on offer. In maths, one 15-year-old, who has a learning age of 8, has been studying basic multiplication while another, just a few months older, has been learning about Isa savings accounts.

The emphasis is on vocational courses. The school has a workshop where young people can learn bricklaying and decorating, recording booths for those considering a music career, a hair and beauty salon, a design and technology room with a 3D printer and a kitchen.

"The education is bespoke," says Chalke. "It starts where the child is instead of where the system thinks they should be. It's understanding that there's no such thing as normal, that we're all atypical, that every human brain is as different as every human fingerprint."

> "There's no such thing as normal: we're all atypical, every human brain is as different as every human fingerprint

There are limits. Oasis Restore is surrounded by a security fence, children are not allowed to leave and they are locked in their rooms at night. They cannot have mobile phones or access to the internet, although they all have a screen in their room that they can use to watch television, listen to music or make



Steve Chalke with some of the staff at Oasis Restore

video calls to approved numbers. The aim is to make the secure facility feel more like student accommodation or a family home than jail.

Children live in supervised flats with their own bedroom and a shared kitchen, dining room and sitting room. They can choose their own duvet cover and put up posters. There are board games, a fruit bowl on the table and milk in the fridge. The young people wear their own clothes, although hoodies are banned. The strings could be a strangulation risk.

It is tough love, according to Chalke. "We're not a bunch of softies or happy-clappy hippies. What's easy is locking a child in a cell for endless hours, all you need to be able to do is turn a key and have a cup of tea. What's really hard, as every parent knows, is to sit with an anxious teenager. The whole thing is about trust. Everyone needs someone they can believe in and who can believe in them."

Chalke, who is also a vicar, says that almost all the children in the criminal justice system have suffered some kind of trauma. Many have been abandoned, neglected, beaten or abused. Some have witnessed domestic violence, been exploited by organised crime gangs or have special educational needs.

"People are capable of evil things but I don't believe there are people who are inherently evil," he says. "We do evil things as an outcome of what's happened to us."

He insists the staff are not naive. "Every student here has committed a very violent crime. We're aware of that. There's always a victim of violent crime, a family who are victims of violent crime. There's a family that sits around the child that's here, with all sorts of emotions running through their heads about what's happened. Nothing about the school is seeking to dismiss any of that, but it's attempting to say, 'So, what is the pathway back to a life that's going to contribute?' The core belief here is that you can't hurt someone in order to heal them, it doesn't work. You can't punish people into being wonderful community-orientated citizens."





The police were pelted with bricks and bottles and police vans were set alight in riots that followed a brutal knife attack in Southport



Young offenders at Parc take part in the Duke of Edinburgh award scheme

Custody nights under canvas

At Parc Young Offender Institution near Bridgend in Wales, teenagers can complete the Duke of Edinburgh award, including camping expeditions in the Gower Peninsula and the Vale of Neath.

One boy is preparing for his silver award, which will involve two nights out of custody and a three-day hike. Eleven teenagers have already achieved the bronze.

Each young person is accompanied by three adults during their release to ensure that they are safe and do not abscond. Those who are judged too risky to be allowed beyond the walls camp out in the prison yard instead.

Jamie Williams, the enrichment manager, says the scheme is equipping the young people to thrive in the outside world by teaching them resilience, leadership and a sense of responsibility.

"We are giving these children the skills they need to go back out of custody without needing to reoffend," he says. "Having a bronze award on your CV can be the difference between getting a job or not."

These young people have almost all been convicted of serious violent offences, but Williams says that the Duke of Edinburgh award has allowed them to rediscover an innocence that many of them had not known for years.

> "We have got children who don't know how to sleep in a bed or use a knife and fork

"Some of them have never seen a sheep before. We took one young man out to a deer park. This child from a council estate in Manchester had never seen a deer before, he couldn't believe it. We passed a really old church, he went in and talked to the volunteer about the stained glass window. Then he played on a swing for 20 minutes. He said, 'Don't tell anyone.' He was back to being a child."

For the volunteering part of the award, the young offenders cook meals for a local homeless shelter, using plastic knives to prepare the food. "It's the boys giving something back and it's surprising how many of the children have been homeless themselves," Williams says.

The "work" element of the award can involve taking care of the institution's pet bearded dragon, Frankie.

The Duke of Edinburgh award has been offered in prisons for about a decade. It aims to be available in all young offender institutions (YOIs) by the end of next year, as well as working with young people on probation or at risk of entering the prison system.

The expeditions are possible under the Release On Temporary Licence scheme, which is used in adult jails for prisoners to go out to work. Young offenders are given permission to leave the jail only if they stick to the rules and complete their education or training. "We have seen a huge increase in good behaviour because they want to do the activities which they are choosing and designing," Williams says.

Charlie Taylor, the chief inspector of prisons, has consistently judged Parc the "best performing" YOI in England and Wales.

Anne Marie Jackson, the head of Parc YOI, acknowledges that the prison is working with "some of the most dangerous children in society" but says many of them are damaged and traumatised.

"We have got children who don't know how to sleep in a bed or use a knife and fork or know what a boiled egg is," she says. "We act like family. The bottom line is children here have to have a certain level of rules and regulations but unless you are building a relationship with the child they're not going to learn or listen.

"We don't like to look at what they've done. They are starting with a clean sheet. We have all made mistakes. We try to educate the children about choices and consequences."

08 POLICING

Most police officers are brave, dedicated and hard working but the public has lost confidence

Alison was 29 when she met Mark Cassidy, who introduced himself to her as a builder from Birkenhead. It was 1995, they were both part of a left-wing campaign group in east London and she quickly fell head over heels in love. He told her he loved her, they shared a romantic holiday in Thailand and he was at her side when her mother remarried. They were a couple for five years and lived together for four of them. It seemed like a normal, happy relationship.

Then one day she found a letter on the kitchen table telling her he had left her. Her first reaction was grief. "There was the shock of being on my own and the desolation of someone I loved abandoning me. I was 35 and my world was turned upside down." Then she started to question why he had vanished so suddenly and without trace. "I transferred the sadness into an obsession about finding him. I thought, 'OK, you don't want me to find you so I'm going to find you.' "

Eventually she hired a private detective who proved that "Mark Cassidy" was a fake identity. It turned out that he was an undercover police officer called Mark Jenner who was married with children. Having her heart broken was bad enough but, for Alison, the discovery that the man she loved had been lying throughout their relationship was a double betrayal. "There are all of those shared moments that you suddenly look at in a different way and you reframe them," she told the commission. "The sense of violation and humiliation and shame is comparable to rape."

Alison (a pseudonym) was one of eight women who brought a case against the Metropolitan Police. She is now a core participant in the public inquiry into undercover policing. There are, she said, almost sixty women who have come forward to testify that they were deceived into having relationships with police officers who had assumed other personas. "It's unbelievably appalling, but with everything that's come out since about police misogyny, is it surprising?"

The so-called "spy cops" scandal is one of the most shocking examples of police misconduct in recent decades. This was not a few cowboys freelancing or going off the rails. Women were tricked into falling in love by officers attached to the Met's Special Demonstrations Squad. The secretive unit was clearly detached from the mainstream — and many senior officers were horrified to discover its existence — but there was a systemic pattern of exploitation and manipulation. Something clearly went wrong with the initial oversight. At least three of the undercover police officers had children with the women they deceived.

> "The sense of violation and humiliation and shame is comparable to rape

There has been a tendency by some senior figures to dismiss the awful cases as a "few bad apples" but there have plainly been wider cultural problems in the police for many years. The convictions of Wayne Couzens and David Carrick, both serving police officers who abused the faith placed in their badge to carry out heinous crimes, did not emerge from a vacuum. Baroness Casey was excoriating in her review of the Metropolitan Police, published in 2023. She described "systematic and fundamental" problems in the country's biggest force and found discrimination "baked into the system". There was a bullying "boys' club" culture in which predators flourished with "too many places to hide" and a prevailing culture of "blindness, arrogance and prejudice". The investigation of violence against women was so degraded that broken fridges were used to store rape victims' samples which then had to be thrown out.

In her evidence to the commission, Casey said she found it sad that Sir Mark Rowley, the Met commissioner, had refused to accept her conclusion that there was institutional racism, misogyny and homophobia in his force. While accepting systemic and cultural failings, Rowley insisted that the word "institutional" was "both ambiguous and politicised". Casey said: "I was concerned that that showed a level of denial. It doesn't get you anywhere if you can't describe what it is. I could have used 'organisational', I could have used 'systemic', I could have used lots of other words, other than 'institutional' but the point was that in many ways they are out of touch, really out of kilter with the general public. There's a culture of 'reputation first', a very

strong sense of, if we talk about anything that is negative, then we'll never get rid of that label. They refer to it as a 'label' and I say, 'The thing is, it's an accurate description of your systems and processes.' "

There are many dedicated, hard-working and brave police officers who are risking their lives every day in the line of duty. On visits to police stations around the country, the commission met dozens of superb chief constables, superintendents, inspectors, sergeants and PCs doing their best to protect the public and make the streets safer, often in very difficult circumstances. They were empathetic with victims, courageous in challenging suspects and thoughtful about the evolving threats they faced. Many were innovative and imaginative about how to reinvent their roles to better serve their communities.

Yet the individual excellence so often on display does not mean that there is not an underlying problem, as many senior figures acknowledged. Neil Basu, a former assistant commissioner in the Met who served in the police for thirty years, said the strengths and weaknesses were two sides of the same coin. "There is a massive amount of fantastic culture in the police: the camaraderie, the teamwork, the fact that it is public service par excellence. We talk about running towards danger when everyone else is running away, the leadership police constables have to show from day one, the fact that they really do love each other."

On the other hand, he said: "There is a really conformist nature to policing, you have to fit in or F off. You can get into a state where you will forgive anyone anything, as long as they're on your side. The basic problem is a bullying culture. It comes from being hugely hierarchical. Bullying is the disease, the symptoms are racism, misogyny and homophobia." He criticised the police use of stop and search and said he was regularly targeted because he is of Asian descent. "It's humiliating and if chief constables think that it is okay that a police officer can give you the lawful reasons for doing it and that's enough, that is massively underestimating the power of that interaction."

Sir Tom Winsor, former chief inspector of constabulary, said that in some respects there was a defensiveness that meant the police did not always learn from their mistakes: "The police circle their wagons," he said. "The quality of vetting of applicants is pretty poor in some places. Sometimes the kind of people who want to join the police are the people who really shouldn't get into the police and the police are not good enough at weeding people out."

Rear Admiral Matt Parr, a submarine captain and then senior naval officer before becoming one of the inspectors of constabulary, described the contrast between the cultures of the police and the military. "There was a 'no blame' culture in the military that said, 'What can we learn from things that either went wrong or nearly went wrong?' I found that nearly wholly absent in policing. Cover-up is an emotive phrase, but you end up incentivising people not to look under the stones and say what did we get wrong here? You never admit your mistakes." He said his statutory inspection found that the police vetting process was shambolic and senior officers often failed to take enough of an interest in questionable behaviour. "I went to Merseyside police with a colleague of mine on a Friday afternoon. As we arrived all the new entry cops had finished their training and were leaving for the weekend. As they left one of them got into a one-year-old Porsche 911. I said jokingly, 'I take it he has had to explain how as a probationary police constable cadet he is driving a year-old 911?' The police officer said, 'That would be an infringement of his rights.' As a submariner, if I turned up in that car I would be hauled straight into the unit security officer to say, 'I want to see your bank statements, Sunshine. Show me how you are paying for that car.' The police are just not rigorous about it. That is why you end up with Wayne Couzens."



40%

of Londoners believe the police to be insitutionally racist

He found examples of officers who had been transferred between forces despite facing allegations of sexual impropriety and fraud. "Ultimately [the police] are not very good. They don't have systems that encourage the right people with the right skills to get to the top. They don't invest in those people on the way up."

Kurtis Christoforides, chief executive of Police Now, which recruits high-flying graduates into the force both as PCs and detectives, said: "Policing has a very, very strong internal culture so I think



the only way you can drive that long-term change is by bringing in people that think differently."

There is an awareness at the highest level of the need for change. Sarah Crew, the chief constable of Avon and Somerset, is one of the most senior women in policing. "There's misogyny in society and I don't think the police are any different from that," she said. "What we are, though, is very alive to that and I think there is a real sea change in policing. For the time being, what we're seeing is lots of cases coming to court and misconduct processes. People will look at that and think, 'Gosh, policing is riddled with it,' but on the other hand, policing is tackling it. It was always a minority, but those minorities can have a huge impact on the trust and confidence in everybody, and it makes it very difficult to do policing … Trust and confidence is hanging by a thread."

In a service that relies on the principle of policing by consent, public confidence is crucial. Polling for the commission by YouGov found that less than half of people believed that the police would investigate impartially. Almost a third believed they were institutionally racist and more than a third thought they were institutionally misogynistic, rising to 40 and 46 per cent in London. More than half do not trust the police to understand the concerns of victims of crime.

The public are not alone in feeling disillusioned. Peter Clarke, the former head of counterterrorism for the Met and a member of the commission, said many retired officers felt "disappointed and quite angry" about recent scandals. "Policing should never have been stereotyped solely by so-called canteen culture. There should also always have been mention of the qualities of compassion, courage, courtesy and doing things with and for the community which run through policing." He pointed out, however, that the middle-ranking levels in local policing had been hollowed out. "In my experience, culture is driven by permitted behaviours and operational context. I've spoken to young officers who never saw their supervisors. Poor behaviour was going unchallenged."

Over the past 15 years police forces have been on a rollercoaster of budget squeezes and funding uplifts, job cuts and recruitment drives. Unlike health and education the police were not protected from the austerity era and between 2010 and 2017 officer numbers fell from 144,000 to 122,000. Then, in 2019, Boris Johnson promised to recruit an extra 20,000 frontline officers. The workforce is now back up to almost 147,000 but more-experienced officers have been replaced by new recruits. More than a third of officers have less than five years' experience, more than double the number in 2016, and the proportion who have been in the job between 10 and 15 years has halved. Rick Muir, director of the Police Foundation, the think tank that produced a widely respected strategic review of policing, said: "They've taken police numbers back to 2010 levels, except what you've got is a much more inexperienced, less supervised workforce. Frankly, I think that's a bit of a recipe for disaster. In any organisation if you said 'we're going to cut our workforce by 20 per cent' and then 'we're going to increase it by 20 per cent', that's a crazy way to run something. If you go out on a blue-light response shift, in most forces now the vast majority of officers will have less than three years' experience. It feels incredibly fragile."

At the same time, the number of police community support officers, often the most visible part of the force, has declined consistently. In 2010 there were 16,918 PCSOs; by September 2024 there were only 7,417, a drop of 56 per cent. Many back-office roles have also been axed, meaning that police officers spend more time on administrative tasks rather than investigating crime. Sir Mark Rowley, the Met commissioner, said there were at least 2,500 police officers in London doing support roles that could be done by police staff. "You end up with an approach which is saying the only capability that matters is police numbers. I'd like more police officers, but I'd also like them to be well-trained, well-equipped, have good buildings to work out of, have the right technology and the right data," he told the commission. In many cases, police civilian staff have more appropriate skills for particular tasks and they can also be cheaper than fully fledged police officers. Chief constables should be able to decide the right mix in their forces, to ensure the highest levels of efficiency and effectiveness, rather than being constrained by arbitrary Home

Office targets for the numbers of police officers.

Across England and Wales, there are 241 police officers per 100,000 resident population, but there are big variations around the country. The Met has the highest rate at 378; Lincolnshire has the lowest with 154 officers for every 100,000 people. Despite the recent boost to numbers, England and Wales have fewer police officers per capita than many European countries. In France there are 422 police for every 100,000 people, in Germany the rate is 349, in Italy it is 456 and in Belgium the number is 334. The United States has 242 officers for every 100,000 of the population.

Meanwhile, the context in which the police are operating has changed. Calls to the police on 999 have increased an average of 5 per cent every year for the past decade and now stand at more than 12 million a year with another 20 million contacts through the non-emergency 101 line and online. Public order offences in England and Wales are at 465,000 a year, compared with 159,000 in 2014. In London alone about half a million officer hours are taken up annually with policing protests.

Officers increasingly find themselves acting as the service of last resort, dealing with the consequences of cuts to other bits of the public sector. According to the Police Foundation, mental health cases have increased by a quarter in recent years and officers spend more than three million investigation hours a year on missing person calls. Last year the Policing Productivity Review found that police officers were spending 800,000 hours a year sitting with mental health patients in hospitals waiting for assessment. The nationwide Right Care, Right Person initiative is supposed to mean that NHS staff rather than the police attend these cases but in many areas mental health teams do not provide round-the-clock cover. Donna Jones, the Hampshire and Isle of Wight police and crime commissioner, said: "The police will be the first responders to somebody standing on a motorway bridge about to jump. They know that this person is in a schizophrenic episode but the ambulance doesn't get there for well over an hour and, in fact, it's not a normal ambulance you need, it's a mental health ambulance and they only get to around 60 to 65 per cent of the calls because of how stretched they are. The police end up having to arrest that person for their own safety, which is really frightening for someone in that situation. We can have an entire shift for two police officers taken up with one person. There are young people in the care system who go missing and it's not the social workers who are driving around looking for these children or going and picking them up from two or three counties away, it will be the police."

When the commission joined a shift with a police emergency response team in Salford, the mix of calls included a missing child and a person standing on a motorway bridge as well as vandalism, burglary and domestic violence. Sir Andy Cooke, the chief inspector of constabulary, warned: "It's easy to criticise the police about how they should be arresting more people, and I often do, but when they're spending 30 to 40 per cent of their time doing things that you wouldn't normally associate with policing, then they haven't got time to do the things that we'd love them to do. It's not just health, it's education, it's social services. The police at times are the first, the last and the only resort for people, particularly after five o'clock on a Friday. That can't be right."

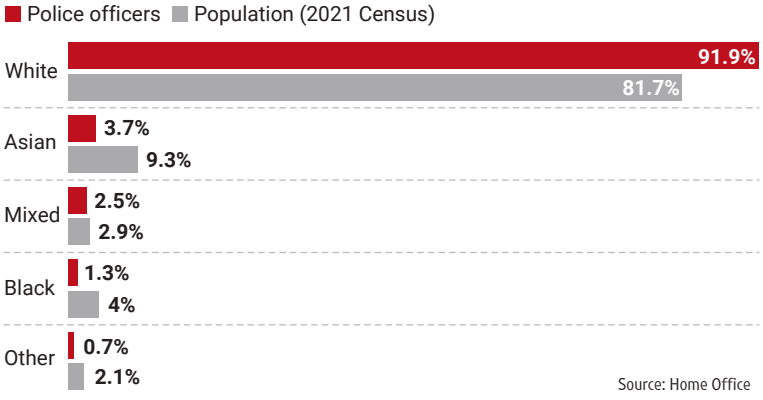
Nick Smart, president of the Police Superintendents' Association of England and Wales, told the commission: "We are the service that doesn't say no, and we have suffered as a consequence of that."

The police have also found themselves on the frontline of the culture wars. Lord Herbert of South Downs, the chairman of the College of Policing, argued that the focus on recording non-crime hate incidents had become an impediment to officers doing their jobs. More than 13,200 hate incidents were recorded in the 12 months to June last year. Doctors, vicars and social workers are among the thousands of professionals investigated by the police over non-crime hate incidents. One force recorded an incident against two secondary school girls who said that another pupil smelt like fish. "We need to prevent harm, we need to ensure that minorities are protected and be alive to things like antisemitism but on the other hand we must ensure that police are not drawn into the trivial," Herbert said. "We want to apply a commonsense approach where the police officer would receive a complaint and they would be able to say, 'We're sorry, we can understand you find that offensive but it's not a matter for us.'" Although it is valuable for the police to gather intelligence, the non-crime hate incident category has become so confusing and controversial that it has almost certainly exhausted its usefulness. Even Stephen Parkinson, the director of public prosecutions, admitted he had "no idea" what non-crime hate incidents were and "had to look them up".

Gavin Stephens, chair of the National Police Chiefs' Council, pointed out that officers were increasingly dealing with the consequences of problems in the rest of the criminal justice system too. "You walk into any police station anywhere in the country of a decent size and they'll have an offender management team. They will be trying to manage the effect of risky former prisoners back out in the community. In years gone by, that was never policing's responsibility. We play our part in it because it's really important for community

DIVERSITY HIRE

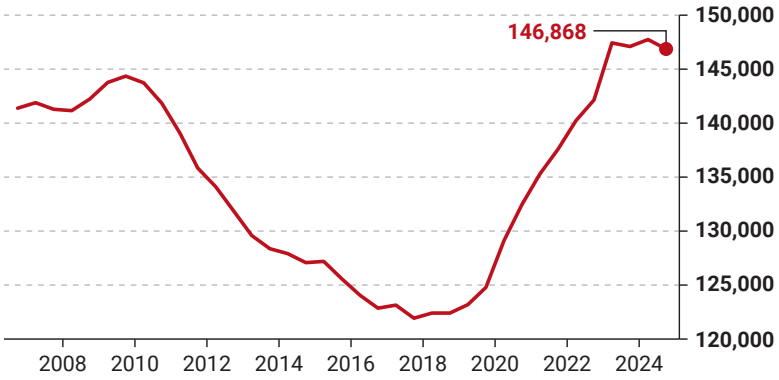
Police officers are disproportionately white



Source: Home Office

BOBBIES ON THE BEAT

Number of police officers in England and Wales, full-time equivalent



Source: Home Office

safety but is that a role for policing, or is that a role for investment elsewhere in the system?"

The workload pressures mean that an increasing number of police officers are struggling with their own mental health. In 2019, officers lost 495,000 working days to mental health issues. By 2023, that figure had increased by 55 per cent to 774,000 days, according to Freedom of Information responses for the commission. Reasons for absence included post-traumatic stress, work-related stress, anxiety and depression. One officer said he had been told to "man up" by his superiors when he took three months of mental health leave after he was knocked unconscious by a man wielding a carving knife. Amid low morale, the proportion of officers leaving the force by resigning voluntarily rose from 18 to 56 per cent between 2013 and 2023. Tiffany Lynch, of the Police Federation, compared officers to sponges who had to absorb the impact of violence, death and trauma. "We're human, we can only take so much before we fall over."

The commission has several recommendations to restore public confidence in the police while also liberating officers to do the job they signed up for, which is fighting crime. A new licence to practise should be created for the police, similar to the system that exists for doctors and lawyers. The accreditation would be administered by the College of Policing with revalidation every five years, subject to an officer reaching the required standards, competency levels and qualifications to perform their duties. Specialist areas of expertise could be added to the licence, in the way that already happens for firearms officers, detectives and public order duties. Any police officer who failed the assessment would initially receive further support and mentoring but after successive breaches they would have their licence removed and would no longer be able to serve.

This would make it easier for rogue officers to be sacked. It is worrying that the Metropolitan Police has been unable to fire officers who have failed its vetting process. The new system would also ensure better professional development for the vast majority of officers who are honourable and abide by the rules. When policing is more complex than ever, and public demands are rising, officers should be given the additional skills they need, particularly to use the technology that will ultimately boost the productivity of the service. The importance of ethics and impartiality should be woven through the training.

It would be important for the licensing system not to become overly bureaucratic, but other professions have managed this. The medical profession, overseen by the General Medical Council, has annual appraisals that feed into a revalidation process every five years. The idea of a licence was supported by all the key figures in policing in evidence to the commission. Gavin Stephens, the NPCC chair, said: "I do think there's real merit in the licence to practise, not least because it would drive some of the investment needed in the professional development of those people that are doing some of the most difficult roles. And a licensing system would bring to bear some remedial, corrective action that might be needed at the organisational level."

Sir Andy Marsh, head of the College of Policing, said it was deliverable and need not be overly bureaucratic. "The five most trusted professions in the UK have some form of licensing so the customer knows who they're dealing with and the standards they can expect. We could deliver a light touch licence to practice that would give the public a greater degree of assurance."

Sir Andy Cooke, the chief inspector of constabulary, also backed the plan. "When you look at the experience of police officers, we've got 35 per cent of police officers under five years' service and most of those will be on the front line," he said. "There needs to be a better system that will give them the skills, the ethics and the legitimacy to do their job."

Rick Muir, of the Police Foundation, argued that the costs would not be huge. "There's plenty of evidence that the system needs reform. It needs to be easier to get rid of bad police officers and I think a licence to practise would be welcomed by the vast majority of officers who are crying out for investment in their learning and development. The whole point is to raise standards, both in terms of someone's conduct, but also in terms of their training, skills and knowledge."

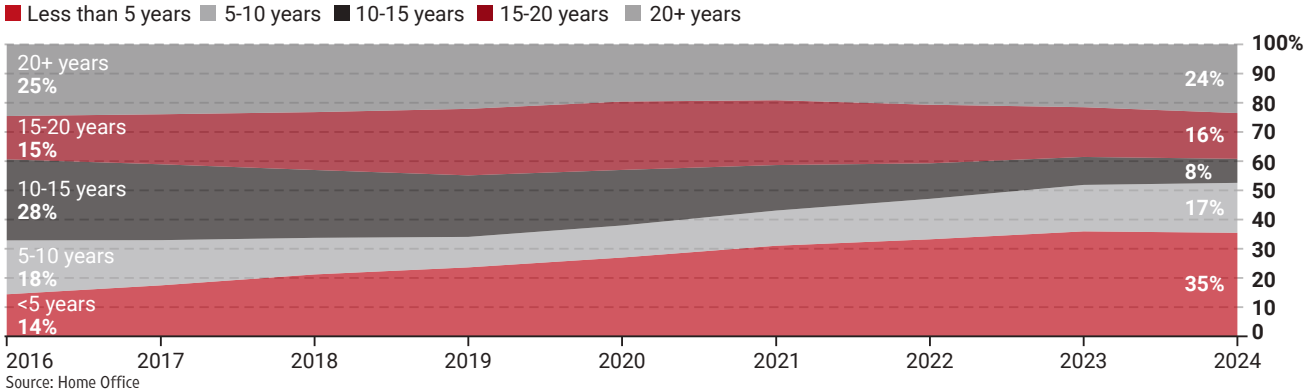
The commission also looked at the structures that govern the police. There are 43 forces across England and Wales. They are a mixture of very large forces, such as the Metropolitan Police, Greater Manchester police and West Midlands police, medium-sized forces such as Avon and Somerset and Thames Valley, and very small forces such as Wiltshire and Bedfordshire. Although there is value in policing being close to local communities, crime and disorder are now much more national and international than they used to be and the structures need to reflect that new reality. Policing must be able to operate as a single system, not 43 semi-autonomous fiefdoms. One option would be to redraw the map and merge the forces but this would be expensive, disruptive and distracting. It would be a mistake to replicate the errors made by Andrew Lansley, the former Conservative health secretary, in the NHS and focus on a time-consuming reorganisation.

55%

Increase in police working days lost to mental health problems 2019-23

POLICE OFFICERS' LENGTH OF SERVICE

The proportion of police officers with less than five years' experience has more than doubled since 2016



Source: Home Office

There does, however, need to be better coordination from the centre. The College of Policing's Sir Andy Marsh described an imbalance between central and local capabilities that made it harder to spread innovation across the service.

A new National Centre for Policing, working alongside the College of Policing, should be created to provide a central resource for forensic science services, technology, data analytics and air support, ensuring that all the forces have systems that are interoperable but also horizon-scanning to look for future threats and opportunities including crime prevention. There are now about thirty national services provided under the umbrella of the NPCC, each overseen by a chief constable on a part-time basis with opaque governance arrangements. These roles should be full time within the national centre so that policing can be standardised. Stephens said the "brigading" of capabilities was essential to deal with the evolving threat from criminals who pay no attention to police force boundaries. "I think there is more that needs to be done at the national level. I don't think it's tenable any longer for forces to be able to pick and choose on key technology developments, or on some of the core services that they need."

The flow of money needs to change, so that more funding is retained at the centre and the decision-making process in the police must be updated. At the moment the system requires 86 signatories for some decisions. This is unwieldy to say the least and a practical first step would be to introduce a form of qualified majority voting, avoiding the need for unrealistic perpetual unanimity. As Rick Muir explained: "It's a bit like when Alexander Hamilton was battling to establish a strong federal government in America after the American Revolution. I think policing needs a similar moment like that. The centre is far too weak. You both need a national organisational body to host capabilities and you need a governance mechanism to make decisions at the centre." There must be greater cross-fertilisation between the police and the National Crime Agency, which means aligning salary bands. At the moment, NCA investigators are classed as civil servants and paid about 5 per cent less than police officers, which creates perverse incentives.

23%

Average turnout in 2024 PCC elections

The police also need to be more open to working with the private sector, particularly when it comes to delivering technological and AI solutions.

The police and crime commissioners (PCCs), first elected in 2012, have a mixed record and should, where possible, be combined with the mayoralties. At the Conservative conference in 2011, Theresa May, then home secretary, declared that the PCCs would be "powerful public figures" of the "highest calibre" who would "make the police truly accountable to the people". Five years later, after a string of controversies, she admitted that she may have created a monster. Last year, turnout in the elections for the PCCs averaged 23 per cent across 35 regions and was as low as 17 per cent in Wales. Most PCCs are from a party political slate. In England 19 of the 33 successful candidates were Conservative and 14 were Labour in 2024. Some have little understanding of or respect for the operational independence of the police; others have been too close to the chief constable. As Sir Tom Winsor said: "The effectiveness of the local accountability of the police should be improved. Putting so much power over the police into the hands of a single person is too risky. Some PCCs have been excellent, too many have performed badly, to the detriment of policing and public safety."

In London and Greater Manchester, the deputy mayor oversees the police as part of broader responsibilities for the criminal justice system. This is a model that works well and should be replicated where the mayors exist or are being created as part of the expansion of devolution. In parts of the country that do not have a mayor, the PCCs should remain for now. Over time the small number still in place could become the chairs of local criminal justice boards.

The changes that are required go beyond the local governance structures. Lord Blunkett, the former Labour home secretary, said the aim had to be to combine old and new forms of policing to create a service fit for the 21st century. "Nobody believes that it's necessary to have Dixon of Dock Green walking down their street, but they do want a visible police force in some form or other," he said. "The big challenge, though, is what's happening online and I don't think that the construction of the present policing service in England and Wales is geared up to doing that. It's absurd to believe that you can have boundaries where there are no boundaries."

Bobbies on 21st-century beat

TWO SHOPLIFTERS HAVE been apprehended at the shopping centre in Norwich and the police are on their way. The thieves were caught on security cameras stealing make-up and moisturiser from Boots then taking stationery from Clinton Cards. Both are middle-aged women who worked together to conceal the items and remove the security tags. The total value of the goods is about £300.

It is the first crime of the day for police constables Kerry Robertson and Alex Cooke, on their regular foot patrol in the city. The women do not deny that they were pilfering goods but they have no previous offences on the police database. This means that, instead of being arrested, they are given a conditional caution and banned from the shopping centre for three months. The stolen property is returned to the shops. If the women are caught committing another crime they will face tougher punishments. "They're testing their luck," Cooke says. "It's rare to come across a first-time offender."

The daily shoplifting patrol is part of Norfolk's strategy for fighting low-level "volume" crime. As they stroll through the market place the two PCs stop frequently to speak to shop staff and members of the public, greeting many by name. They check in with security guards, ask a rough-sleeper to clear away her sleeping bag and take bottles away from people drinking in the square.

This is not just a throw back to a previous era. Robertson and Cooke are "bobbies on the beat" for the 21st century. They have an app on their mobile phones that links the police to the shops and restaurants in the city. When a shoplifter is caught the police and other businesses are instantly notified. Retailers can also report suspicious activity or register when a persistent shoplifter has been spotted. There are photographs of the city's most prolific offenders and details of crime hotspots so the police know who to look out for and where to patrol. "We are not just wandering around," Cooke says. "We can look at the app and decide where we will be most useful."

The police meet local businesses once a month to discuss strategies for dealing with the most frequent shoplifters. The list changes all the time. Robertson explains: "There are usually about ten who cause the most damage in the city. They are our regulars. If we can put conditions on those people that reduces offending."

Often, Cooke says, criminals are creatures of habit and will return over and over again to the same shop. "Some of our most prolific offenders just love a Co-op. It's strange, we can't explain it." Others have a fondness for particular products. "One particular thief loved stealing chocolate, he would grab the whole box of bars. In that case he was selling to a handler. Another one stole a packet of Dib Dabs."

Robertson, 33, has been a police officer for 11 years. "It can be frightening. I've been assaulted, I've been spat at. People have no respect for the police any more." What makes it worthwhile is being able to protect the vulnerable, she says. "I managed to get a domestic abuse victim to a refuge. We had been going out to help her for years and she finally managed to be brave enough to come with us to safety. That's one of my proudest moments."

Cooke, 34, studied criminology before joining the force seven years ago.

The businesses in Norwich can sign up to a commercial version of Neighbourhood Watch. If someone is caught stealing from one of the shops in the scheme then they are banned from them all. The department store has live facial recognition technology, which sends an instant alert when a prolific offender enters.



Kerry Robertson and Alex Cooke greet many shoppers, staff and even prolific offenders by name



09 THE COURTS

The crumbling buildings are a potent symbol of a system in crisis, with burgeoning backlogs and despairing staff

It was 9 o'clock on a Monday morning when the commission arrived at the Crown Court in Maidstone, Kent. The judges were ready for a packed schedule of murder and rape trials but the alarm system had broken in the custody cells. There were eight courtrooms but only two defendants at a time could be held securely and so many of the trials would have to be postponed. The backlog of cases was at an all-time high, but three courtrooms stood empty for most of the day. Jurors, who had given up their time to do their public duty, were sent home. Victims, complainants and defendants faced further delays. There could not have been a more potent symbol of the broken criminal justice system.

This was not a one-off for Maidstone. Last year the roof leaked and one courtroom flooded, meaning that a murder trial had to be postponed. Instead of hearing evidence, the judge spent the day mopping the floor alongside court staff. Previously a disabled juror had to be discharged two weeks into a case because all five lifts were broken and there was no wheelchair access. The technology is also woefully out of date. One lawyer recalled with horror a pre-recorded interview with a vulnerable witness, a 15-year-old girl, being lost because the crucial evidence had been stored incorrectly on the court database.

Victims and complainants are losing faith. In the barristers' robing room, Daniel Stevenson explained that the rape trial he had been due to be prosecuting had collapsed after four years. "My complainant has withdrawn her support for the prosecution case and the delay has been a big part of it," he said. "It's immensely frustrating. Justice is being completely undermined." The pressure on barristers is becoming intolerable. "I used to have a caseload of twenty cases," Stevenson said. "My caseload is now probably getting close to a hundred cases. These are live cases that haven't been resolved because of the delays in the system. The system really is at breaking point."

Hannah Williams, who practises at Red Lion Chambers in London, said everyone in the system was trying to keep the show on the road. "I had one judge who was doing two trials at the same time, working around each other in the same court, with two juries, two sets of barristers and witnesses," she said. "You work every weekend because you are so busy in court every day. You feel that if you don't you are letting down the person you are representing. But it does take an emotional toll, especially the sexual offences cases." The unpredictability makes it impossible to have any kind of work-life balance. "A lot of my friends are starting to have babies and they are concluding that this job is just not compatible with a family," Williams, 33, said.

Over the course of the year, overcrowded prisons and underperforming police forces have more often grabbed the headlines but the crisis in the courts is at least as acute. In January 2019 there were 33,000 cases outstanding in the Crown Courts. There are now more than 73,000. The number of defendants is even higher: according to the Crown Prosecution Service, almost 85,000 individuals await trial, up from 37,689 in 2019.

A vicious circle has developed. The long delays mean a rapid decline in guilty pleas as defendants on bail "make the Micawberish attempt to see if something will turn up", as Sam Townend KC, former chairman of the Bar Council, put it. Meanwhile, there are 17,000 prisoners on remand, awaiting trial or sentencing because their cases are stuck in the backlog, making up almost a fifth of the jail population. Instead of people flowing freely through the criminal justice system, there are blockages at every stage. Over the past five years the average time between a crime being committed and the Crown Court case ending has gone from 16 to 23 months. This is partly because of the time taken by the police and prosecutors but pressure on the courts is a significant factor. Some trials are now being listed for 2028. As Lord Mackay of Clashfern, lord chancellor under Margaret Thatcher and John Major, put it: "Justice delayed is hardly justice at all."

The failure of the legal process is not just about size, it has an impact on real people every day. Anna Soubry, the former Tory MP who returned to the criminal Bar after leaving politics, told the commission that she had one rape case relating to an alleged offence in 2019 that has been listed for 2026. "My client is a man of impeccable good character. He's innocent until such time as he is proved otherwise but he has to wait seven years to clear his name," she said. Five-year waits for sexual offences cases to get to trial are, in her experience, not uncommon. "I had one chap who had got married and had two children before he had his trial. The complainant had completed her A-levels, finished her degree and started her first job." The delays are compounded by the crumbling court estate. "There was a time in Nottingham when there were almost as many buckets as there were courtrooms," Soubry said. "I had a case where my client was in Lincoln Prison but he was due for trial in Sheffield Crown Court. It was listed for a 10am start and he was produced by the prison escort service at 2.45pm. That's almost a whole day gone. The heating in Derby is controlled from Birmingham so you've got jurors who give up their time to do their civic duty sitting in courtrooms which are freezing cold because the air con's gone mad in winter or boiling hot because the heating is on full blast in summer. There's nothing we as barristers can do. Like everyone else who works in the courts we feel we count for nothing."

23

The average delay in months between a crime being committed and the court case ending

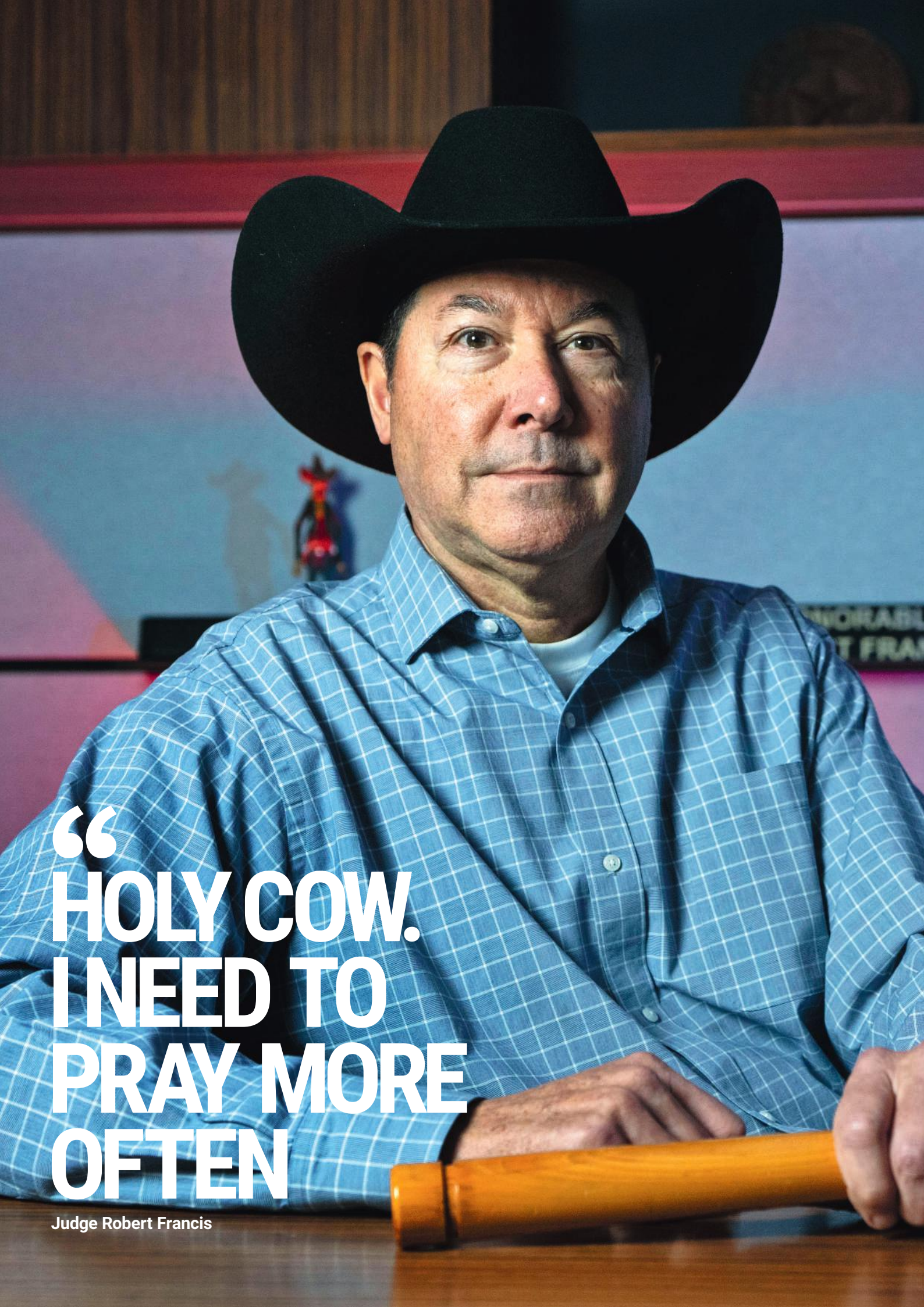
The crisis in the courts has been building for more than a decade. Between 2009-10 and 2022-23, the justice budget for England and Wales fell 22 per cent per person in real terms. The last government cut barristers' fees, sold court buildings and reduced the number of judicial sitting days. Even before the pandemic the backlog had started to rise. Then Covid struck, the courts had to close and the outstanding caseload rocketed. The 2022 barristers' strike, which won a 15 per cent pay rise, made matters worse.

The inefficiencies are astonishing. A quarter of available court rooms are typically empty, often because there is no judge. Over the 12 months to September 2024, almost 26,000 Crown Court trials listed did not go ahead. About a third of these were so-called "ineffective" trials, adjourned on the first day, with all the disruption and disappointment for victims, complainants, witnesses, juries and defendants. According to analysis by the Criminal Bar Association, 142 trials were delayed at the last minute because there was no judge, 180 were adjourned because prisoners were not delivered on time, 72 were delayed because there was no interpreter and 1,327 were adjourned because there was no prosecuting or defence barrister, a 20-fold increase since 2019. These examples of why a trial does not go ahead are not exhaustive. If either prosecution or defence is not ready then the judge can do little but press the pause button until justice can be served. Energy and time is wasted day after day.

Shabana Mahmood, the justice secretary, has now boosted the number of judicial sitting days to help to tackle the backlog, but this will not resolve the crisis. "There are so many problems," Kama Melly KC, chair of the Criminal Bar Association's rape and serious sexual offences committee, said. "Hull Crown Court closed because there was an infestation of fleas. Then a couple of months ago the toilets broke and there was excrement coming down the walls of the robing room. Sheffield was shut for a couple of days through flooding. The closure of courtrooms on multiple days is obviously relevant to the backlog but the crumbling of the estate is relevant to the retention issue as well. When I started nearly twenty years ago there would be car parks for barristers at court, somebody might help you with your bag in the courtroom. I remember being brought proper tea in a teapot. Now, there's no canteen, you can't get a hot drink in most of the courts and you've got shit pouring down the walls."

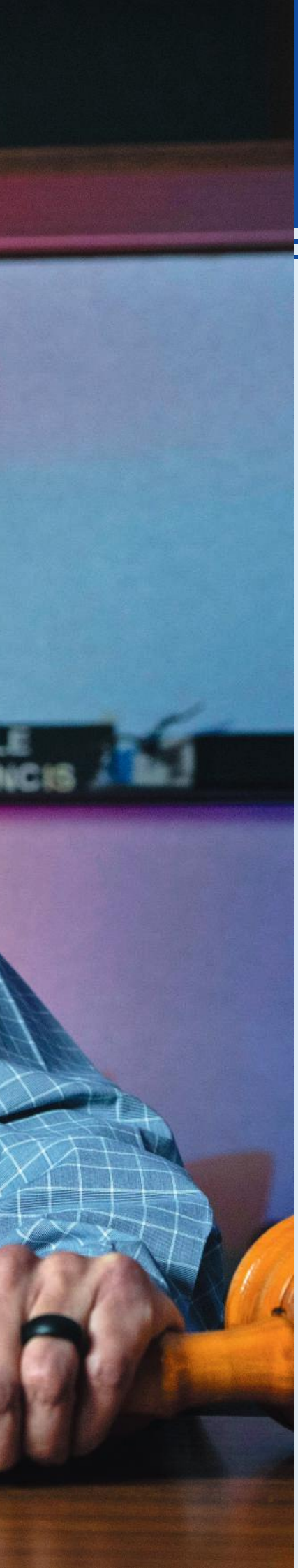
Amid a recruitment and retention crisis at the criminal Bar, the shortage of prosecution and defence barristers is a growing problem.

Continued on page 86



“HOLY COW. I NEED TO PRAY MORE OFTEN

Judge Robert Francis



Meet Judge Bobby, dude of the bench

A MINIATURE COWBOY stands next to the gavel in Judge Robert Francis's office in Dallas, Texas. "Judge Bobby", who is 65, lives on a ranch, drives a pick-up truck and wears a stetson. He is a keen hunter with an extensive collection of the stuffed animals he has shot.

In court, Francis is a combination of gameshow host, preacher and judge. He does not use a robe, seldom sits on the bench, paces around and swears a lot. At the start of the session a wheel of fortune is spun to determine which most well-behaved offender should get a prize: they can win a gift card, a coffee break or a standing ovation.

Francis, a Republican, has helped to lead a revolution in criminal justice in the Lone Star state. He pioneered the problem-solving courts that allow offenders to avoid jail if they agree to have treatment for their addiction and undergo random drug tests, under the supervision of a judge. Two thirds of the people who are sent to his drug court successfully complete the year-long programme. "There will always be people who fail and end up in prison," he says.

On the day the commission visits, 16 women are lined up on benches in the court room. All are addicts who have committed crimes that would almost certainly have meant that they would have ended up in prison if they had not signed up to Francis's court. One is a crack cocaine user with a long list of offences including aggravated assault with a deadly weapon, theft and possession. According to the report from her probation officer, she has stayed clean, given up cigarettes, is paying her bills on time and said her ambition was to finish the programme then set up a charity "helping people like myself".

Another is an alcoholic with convictions for burglary and assault: her report card states that she was "always good".

A third, with a charge sheet including fraud, criminal trespass and possession, who had previously been addicted to cocaine and meth, is listed as ready for graduation. Her goal is to open a food truck and get her two children back. A fourth woman has not done so well. Her notes say that she has not completed any community service hours and has admitted to smoking crystal meth. "What the hell?" Francis has scribbled beside her name.

Over an hour, the judge roams the room, checking in with the women, praising those who have stayed off drugs, challenging those who failed a random test. "I ask about their life. I talk to them about the things they enjoy that they can't have if they're addicts. There's a saying, 'Addiction is giving up everything for one thing and recovery is giving up one thing for everything.' "

Francis sees himself as a father figure for those under his supervision. "I do refer to it as 'parenting'," he says. "People call this 'rehabilitation' but really it's 'habilitation'. They were never habilitated to begin with. You're not redoing the good, you're undoing 32 years of bad and then trying to bring them up to where you need them to be in one year. Holy cow. I need to pray more often."

After 40 years as a lawyer, Francis insists over a Texan barbeque that he is no softie. "I think part of the reason that my colleagues trust me is, if somebody goes south and needs to be sent to prison, I'll revoke their probation and send them to prison," he says. "I'm not sending them. They're sending themselves." He has two ironclad rules in his court: don't run and don't lie. "You have to show up and you've got to tell me the truth. If they lie to me, they're probably going to relapse, which means they go right back to that prison unit."

He thinks it is important to understand why people become addicts and turn to crime. "I don't have an addictive personality. I like bourbon and I like rye whisky, but I don't have to have a drink every night. Some people aren't that way. If you grow up in a household where you don't have parents, or there are drugs and alcohol continually used in the house, it's hard. Most of the women I deal with have suffered some sort of physical sexual abuse by somebody who should have been their caretaker, that's going to jack with your head."

A fiscal conservative, Francis understands why people want to see offenders sent to prison but he insists he has found a better way to be tough on crime. "We could lock everybody up and throw away the key, but if we did that we couldn't finance roads and we couldn't finance public education, and we couldn't finance any public health," he says.

Continued from page 83
Between 2015-16 and 2019-20 almost half of criminal barristers with between 8 and 12 years' experience and two thirds of silks with 18 to 22 years' experience stopped specialising in crime. The drop-out rate is particularly high among women. Jason Pitter KC, the leader of the North Eastern circuit and a member of the commission, described a "perfect, or rather imperfect, storm" of factors "bearing down on those within the system". He drew a parallel between the stress faced by advocates and the sense of "moral injury" doctors and nurses describe in the overstretched NHS. "People think that all barristers are just engaged in the bottom line of remuneration, but in fact the vast majority of barristers have an interest in justice, that's why most of us started. When the system isn't working we don't just say, 'Well that's not my fault'; we feel part of it so we will do what we can to try and make it work. That compounds the pressure. Out of a sense of obligation, people take up the slack, do more cases, try to get to more places." He said the wider context was far more hostile for the legal profession than it was when he started out 30 years ago. "In recent years it has become open season to criticise lawyers and the judiciary. As a result there are people who are under genuine threat and that has a knock-on effect on other members of the profession. It creates a real sense of fear and insecurity."

He also pointed out the lack of diversity at the top of the profession, in particular the judiciary. "For example, there are no black High Court judges at all. It's hard to believe. Of course these things take time, I'm not one of those people who says, 'Let's correct it all immediately,' but, whilst more is now being done, it's taken too long. That can be incredibly demoralising for many within the system. For some people that will stifle their ambition. If we want the public to have confidence in the legal system we need a diverse judiciary reflecting those appearing before it."

Mary Prior KC, chair of the Criminal Bar Association, said the court system was at the "accident and emergency, firefighting" stage. "In 2018 or 2019 most cases got dealt with in six months. We remember that time. We're not living in that world now. We know when we decide to do crime, we're going to earn less than other people do but we now earn much less than other people do. The reality is that almost any other area of law will pay you a lot more."

The most successful barristers can earn many times more if they go into commercial law or take on wealthy individuals to defend than if they stay in the publicly funded system. One senior criminal KC warned that the "enormous gap" risked undermining confidence in the entire legal process. "When I qualified in 1986 all sorts of barristers did crime and pretty much everybody both prosecuted and defended. That was the norm. People who were representing banks in multimillion-pound extremely highly paid cases one week would go and do a murder at the Old Bailey the next week. That was because legal aid was comparatively well paid," he said. "The really massive difference now is that your chances of acquittal as a defendant are significantly higher if you're rich and that completely wasn't the case when I started being a barrister. Everyone has access to justice, it's just that the quality of the representation they get can be very different."

> "There are no black High Court judges at all. It's hard to believe

Danielle Manson, a 34-year-old junior at Matrix Chambers, got a scholarship from the Kalisher Trust, a charity that supports aspiring barristers from disadvantaged backgrounds, but she worries that it will be increasingly difficult for others like her to afford to continue in publicly funded law. "If you do a youth court trial that lasts half a day you get paid £75," she said. "People don't go to the criminal Bar to make money. At the beginning there's a fire in your belly. You can tolerate the derisory pay because you get a real buzz doing this job, you see your work in action almost instantaneously. You get that 'not guilty' verdict and you're there in the moment, it doesn't compare to any other job. But we as criminal lawyers are exposed to the worst of society, the awful things that people do, the child sex offences, the horrific cases of violence and domestic abuse. The pay is terrible, it's spinning plates all the time and people get to a tipping point. They get scooped up by other jobs."

The workforce crisis may be even more acute for duty solicitors, who at any time of the day or night go out to police stations to represent people charged with a crime. Since 2017 more than 1,400 solicitors have stopped doing publicly funded criminal work, 26 per cent of the total. The average age of a duty solicitor is 49 and less than 4 per cent are under 35. "There is a risk that duty solicitors will disappear," Richard Atkinson, president of the Law Society of England and Wales, said. "There are next to no young people coming in and people are leaving in legions. I chaired a round table of heads of law schools at our universities and each and every one of them reported that they advised their students not to undertake publicly funded work."

Sandra Paul, a partner at Kingsley Napley, said her firm had handed back its government contract. "As a criminal litigator there's a real sense of sadness," she said. "But they've made it so difficult to work under the legal aid scheme that it's actually cheaper for us to do it pro bono." In 2022 almost half of those appearing in the magistrates' court for imprisonable offences had no legal representation.

There are similar inefficiencies and inequities in magistrates' courts, which deal with a million cases a year, compared with 100,000 in the Crown Court. About 10 per cent of sitting days in the magistrates' courts are not used, usually because there is no legal adviser. Tom Franklin, chief executive of the Magistrates' Association, said the legal advisers in magistrates' courts were paid less than similar roles in other parts of government and many left as a result. "It's like having a leaky bucket," he said. "Sometimes it feels like, over the last few years, the government has played a giant game of Whac-A-Mole, where a crisis appears in the justice system and the government comes out with a mallet and hits that problem only for that to then create another problem somewhere else down the line." To add insult to injury, magistrates

are not allowed to claim childcare expenses if a sitting is cancelled at the last minute, even if it was not their fault. "Three quarters of magistrates say that they are out of pocket as a result of being a magistrate," Franklin said. "The reason people do it is because they want to give back to their community. They come from all walks of life, from bus drivers to city bankers and from 18-year-olds to 74-year-olds and everything in between but I know of magistrates who have had to leave the magistracy because they can't fund it."

The problems across the system are so profound that radical reform is the only way to put the courts on a sustainable footing. The commission proposes a new intermediate court, sitting in the Crown Court but with cases tried by a judge and two magistrates rather than a jury. At the moment the most serious cases can be tried only in the Crown Court and the least serious only in a magistrates' court but a large number can be tried either way. The defendant can opt for their case to be heard by a jury in the Crown Court. The intermediate court would deal with the "either way" cases involving a maximum sentence of two years and many other lower-level crimes. The kinds of offences covered would include theft, handling stolen goods, criminal damage, possession of a controlled substance and some forms of non-serious assault. They would not include serious violent or sexual crimes. Defendants could still ask for their cases to be heard in the Crown Court but they would be tried by a judge and two magistrates rather than a jury.

The intermediate court would drastically speed up the delivery of justice while also cutting costs. Instead of taking two days, a trial could take as little as three or four hours freeing up time for more serious cases to be heard by a jury. The commission's analysis suggests that at least 12,000 cases could be tried under the new system every year, allowing the court to rapidly make a significant dent in the backlog. The reform would mean some defendants losing the right to choose a jury trial, but Lord Burnett of Maldon, a former lord chief justice, told his fellow commissioners that the distinction between those who can opt for their case to be heard by 12 members of the public and those who cannot was "entirely arbitrary" rather than a fundamental principle of the justice system dating back to Magna Carta. "This notion that in 1215 the idea was created that somebody who had committed a trivial offence could have a jury is just fantasy," he said. "There are certain types of offending which do not justify the time, expense and involvement of the public that a jury trial entails. But there are many serious offences which do and it is simply unacceptable that because the system is cluttered up, somebody might have to wait three years to be tried in the Crown Court." The intermediate court "will free up the Crown Court to accelerate the cases that do need a jury and get on with them more quickly", he said. "The position at the moment is as straightforward as this, that using all the resources available, so that's all the judges, all the courtrooms, all the lawyers, the Crown Court backlog can only increase because the volume of work coming into the courts continues to grow. Something has to happen or the current position is just going to get worse and worse." There would, he predicted, be a reduction in the "gaming of the system by 'not guilty' pleas" and more defendants would choose to stick with a magistrates' court.

26%

of solicitors have stopped doing publicly funded criminal work since 2017

Dame Anne Rafferty, a former Court of Appeal judge and a member of the commission, agreed: "I'd like to be introduced to any prospective juror who, when asked, 'Do you think it is right that for the third theft of a Mars bar, he appears in front of you whilst a rape victim waits?' tried to justify the current position."

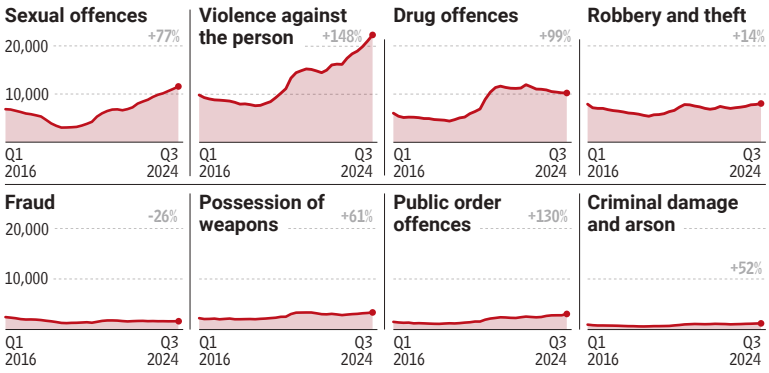
Claire Waxman said anything that delivered "swifter justice" would be welcomed by victims as well as defendants.

Barbara Mills KC, chair of the Bar Council, argued that the intermediate court would not fix the workforce challenges, the crumbling estate or the lack of resources. "The danger is we grab a fix but will it solve the problem? We say with fairly strong voice it won't," she said. Certainly, creating the new tier will not be enough on its own but the evidence presented to the commission suggests that without a change of this nature it will be impossible to deal with the wider problems in the criminal justice system.

The proposal for an intermediate court was widely supported in evidence to the commission, including by five former lord chancellors, both Labour and Conservative, and two former lord chief justices. Alex Chalk KC, who served under Rishi Sunak, said that without radical reform of the courts the situation for the criminal justice system was "irrecoverable". He pointed out that the "judge and two magistrates" system already existed for appeals against magistrate court convictions. "This is a ready-made court reform option which is there and could be rolled out quite quickly." In the 1950s Lord Devlin declared that jury trials were "the lamp that shows that freedom lives". But Chalk insisted that the intermediate court was a "calibrated and proportionate proposal" that would speed up the delivery of justice. "You have got to face down those people who say the lamp of our liberty," he said. "The reality is we have a Rolls-Royce system with the jury system, but a Rolls-Royce system with too much traffic on the road does not provide a Rolls-Royce experience. You've got to take the traffic off the road. That means having a Crown Court with jury trials which is available for murder, for manslaughter, for rape, for arson with intent, for serious terrorism offences. But not potentially for some lower-level offences, which are just destroying the court experience for victims, for

THE BACKLOG

Number of open cases at the Crown Court by offence type



Percentage point change since 2016. Source: Ministry of Justice, Criminal Court Statistics

witnesses and defendants. The current situation is not giving adequate justice to anyone so you have to look at this in the round."

Lord Mackay said he believed it was now "essential" to introduce a new tier in the form of an intermediate court. "You can't expect jury trials to be quick. Therefore, I conclude in my own mind that a really effective change would be to go to something which is not a jury trial, but which takes some of the work out of the jury trial system to make it happen more quickly. And I honestly think that it's fundamental that the jury trials should come on in a reasonable time." Lord Falconer of Thoroton, lord chancellor during the last Labour government, insisted that having a "justice system that is able to deal with crime … Is more important than the precise level at which you deprive people of the right to a jury trial. Would it be regarded as an assault on jury trial? The answer is yes, it would. Is it a price worth paying in order to have a functional criminal justice system? In my view, it is."

Jack Straw, a former home secretary and justice secretary, said there was a good reason most other countries, including Scotland, did not give defendants the right to choose a jury trial. "You have to have a rational system for determining which level of court should try which level of offence and having a system where it's left to the defendant is not rational. What it has meant is that the serious defendants play the system."

The right of appeal would remain the same and juries would, of course, continue to play a crucial role in the criminal justice system, hearing the most serious cases in the Crown Court. Cheryl Thomas, co-director of the UCL Judicial Institute, said juries were fair, effective and efficient. Having studied all the jury verdicts returned in England and Wales over 15 years, she said: "When a jury reaches a verdict, it is the one part of the system where ethnic minorities are not disproportionately treated." She warned against "tinkering" with the one bit of the system that was working.

There is, however, no particular reason to justify the cut-off point being set where it is. An element of lay representation would in any case be included in the intermediate court through the magistrates. Lord Phillips of Worth Matravers, a former lord chief justice, said the intermediate court was a good idea in the current context. "I am a great supporter of the jury system but I don't think that one should necessarily be trying with juries all the cases that are being tried with juries at the moment."

The Magistrates Association also welcomed the idea. Tom Franklin said: "We're very open to the idea of changes to the powers and jurisdictions of magistrates to help with the situation. And particularly that idea of judges and magistrates sitting together is something that we have been very happy to discuss."

Sir David Lidington, lord chancellor under Theresa May, gave his backing to it, at least as a temporary measure. "I think public confidence in the criminal justice system is greater if people say, 'It's a jury of my peers.' The trouble is, I look at the present system and I think, 'How are we ever going to clear the backlog?' "

Other changes are needed too. There must be investment in the physical infrastructure of courts. It is ridiculous that so many trials are delayed at the last minute because of leaking roofs, dysfunctional boilers and broken alarm systems. In the end the financial, let alone the human, cost of this approach is far greater than the expense of fixing the problem. Technology is also an increasingly vital part of the criminal justice system and all courts should be fitted with the equipment needed to stream interviews or show video evidence to juries, linked up to the single digital case file. This would allow there to be more remote hearings without undermining the quality of the trial. The contracts for prisoner transport must be rewritten so there are tougher sanctions on the companies if defendants are late.

More should be done to encourage barristers and solicitors to stay within the publicly funded criminal justice system. There are too many inconsistencies in the fee structure. Mary Prior KC told the commission: "If I prosecute the murder of a child, my brief fee, as a silk, is £10,000. If I defend that same case, my brief fee is £18,000. If I prosecute a rape case, I will earn just under £500 less than if I defend one. Why should one earn less for doing at least the same work?" The discrepancies between prosecution and defence fees should be removed and a more rational system created so that people get paid for work they do on a case even if they do not end up presenting it in court. There is a strong argument for the creation of an independent fee review body, similar to the pay review bodies that exist for other public sector workers, including the police and judges, to take the politics out of pay for publicly funded lawyers. Legal advisers in

70%

of cases in the Crown Court end up with a guilty plea

the magistrates' courts must be paid the same as elsewhere to prevent the high drop-out rate.

Other changes should be made to encourage more early guilty pleas. There are perverse incentives in the fee structure, which make it advantageous for lawyers to keep a case alive. Stephen Parkinson, the director of public prosecutions, pointed out that 70 per cent of cases in the Crown Court end up as a guilty plea but only 36 per cent of those defendants plead guilty at the first substantive hearing. "You've got 34 per cent of cases clogging up the Crown Court that are eventually going to be a guilty plea, around 20 per cent on the day of trial. So we've really got to crack down on that," he said. "Our culture as prosecutors is, we sit back and wait for an approach. It's a bit like being in a 1950s dance hall hoping some man will come up and invite you to dance. I'm beginning to have conversations about changing this so that, in appropriate cases, we initiate a conversation."

Problem-solving courts should be introduced across the country to ensure that offenders get the addiction treatment or mental health support they need. Other countries have had a 33 per cent decrease in further arrests for those on similar programmes, compared with people serving a standard prison sentence. In Texas and New York the commission met judges who described the positive impact of drug and mental health courts on offenders and therefore on communities. Offenders can avoid jail if they agree to adhere to strict conditions. They regularly meet the same judge who monitors their progress. They have to submit to random drug tests and can be sent to jail immediately if they breach their conditions. In this country, four intensive supervision courts have been piloted, successfully, in Liverpool, Birmingham, Teesside and Bristol. The commission visited two and saw the power of an on-going relationship between offender and judge. An initial evaluation found that more than three quarters of the offenders involved in the scheme stuck to the conditions imposed and did not need to be sanctioned. They also tested negatively for drugs more than two thirds of the time. Lord Timpson, the prisons minister, said: "I do think it's working. When you pick the right offender at the right time in their criminal life this can be the difference between turning their life around or seeing it keep spiralling down."

If these courts were in place throughout the country it would create a robust, credible alternative to jail for non-violent offenders that would help to reduce reoffending by tackling the drivers of crime. The problem-solving courts would not all need to sit in formal courtrooms. The commission met a Dutch judge, Maria Leitjen, who delivers "neighbourhood justice" from a community centre in Amsterdam, sitting at an oval table with mental health professionals and addiction specialists as she tries to solve the problems in offenders' lives. She said: "It's more than just justice, it's also social work." A similar approach could work here. Dame Anne Rafferty suggested that judges could sit in pubs, church halls and libraries. "The community can embrace justice and justice can position itself locally, as it always did and should still do."



Carl May, at the community payback scheme in Canterbury

Pay your community back and avoid prison

MEN IN HIGH-VIS jackets emblazoned with the words "Community Payback" are clearing a graveyard in Canterbury. As well as tidying the graves and digging out weeds they are planning a memorial garden for children in a corner of the cemetery that was previously overgrown.

These offenders, who have been convicted of offences ranging from drink-driving to domestic violence, are doing unpaid work as part of a community sentence.

Community payback is designed to ensure that offenders can visibly atone for their crimes while giving back to the neighbourhoods they have harmed. Other projects include painting public buildings and putting up community garden sheds.

Judges can impose 40 to 300 hours of voluntary work on criminals as an alternative to jail. The projects are chosen to rejuvenate local communities while also giving offenders experience to get a job.

People who have full-time jobs must do a minimum of seven hours of unpaid work at the weekend. Those who are unemployed are expected to do two or three days a week. Carl May, the community payback supervisor, insists that it is not a "cop out" for the offender. "Some people have the impression that unpaid work is a softer option but in my experience it is a robust alternative to being in prison," he says.

He says it also helps rehabilitation. "People are learning new skills whilst working on different projects. We had one gentleman who was with us for drug dealing. He helped clean windows, mow lawns and plant trees at a local community hall."

He now has a legitimate job in the music industry. That counts as success in the criminal justice system.





Support for community sentences

THE PUBLIC ARE open to a revamped approach to sentencing focusing on rehabilitation to deliver better value for money, according to focus groups run for the commission by the public opinion company Public First (Oliver Myers writes).

Participants in two swing seats won by Labour in the 2024 general election said that they would support community sentences for non-violent offenders, as long as harsher custodial sentences were retained for those who committed more serious offences.

Phil, a security engineer in Wakefield, says: "Community sentences are good, providing they're not a danger to the public. I think it's a good idea." He says these could include litter picking or graffiti cleaning, adding "You want them to feel awkward so that they think twice about doing whatever they did again."

Kat, a therapist in north Somerset, says her support for community sentences depended on the crime. "If it was nicking a Mars bar from Tesco . . . I think then yeah, that's acceptable. But I think if it's somebody that's threatened someone with a knife, then no, it's not acceptable."

Michael, a warehouse worker in Wakefield, says prison was the wrong place for the mentally ill and addicts: "They're just going to be locked up, aren't they, when they're going to need help most."

Tina, from north Somerste, who is retired, says prison was to punish people. "But to also rehabilitate them back into society where they learn skills to get through life with respect for other people and not be violent and cruel, etc. It's to acknowledge they've done wrong and to help them to change their life."

Amy, a clinical researcher in Wakefield, says the trade-offs were difficult. "You're asking me to pick between prisons and school places and infrastructure accessing doctors and dentists," she says. "Why should

> "They're just going to be locked up when they need help most

our children suffer? And if children suffer, then they're going to be the next generation that are in prison. So that's a different one for me to answer."

Jessica, who works for a water company in north Somerset, says alternatives to prison were better value for money. "To put somebody through court and to sentence somebody to a year in prison costs the government £60,000. If you put somebody through therapy and actually rehabilitate them rather than putting them in a cage for something of a low petty crime, as such, it's going to cost the government a damn sight less."

Mark, an estate agent, tells the north Somerset group: "It doesn't matter how long a sentence is. If you're going to throw them back on the streets again and you've not given them the opportunity to turn left as opposed to go back to crime again, many of them are going to go back to crime . . . It's going to be a routine that they can't ever find their way out of."

Costs and benefits of digital ID

THE BENEFITS OF digital ID outweigh the costs for members of the public, according to evidence from focus groups run for the commission by the public opinion company Public First (Oliver Myers writes).

Participants in the groups in two swing seats won by Labour in the 2024 general election are positive about the potential of ID to improve public services, reduce fraud, control immigration and make the internet safer for children. Some have concerns, however, over the security of their personal data.

Pete, who is retired but used to work in the motor industry, believes that a digital ID system could reduce benefit fraud, improve national security and "stop the boats". He tells a group in north Somerset that the only people who would have a problem with a digital ID "are the people who have something to hide". He says: "The government, if they knew the people that they were dealing with, then we could stop a lot of the fraudulent practices that are going on now. It would help us as a country become a little bit more secure."

> It would save filling out forms all the time and finding out user codes and resetting passwords

Stacey, who works in administration in north Somerset, agrees that a digital ID system would "eliminate a lot of criminal actions", but also thinks it would make life online easier generally. She says, "It'll also be good if all our information is saved in one place because it would save filling out all these forms all the time and finding out your user codes and resetting passwords."

Vickie thinks the potential benefit of restricting children's access to pornography is good and believes that technology is good for streamlining infrastructure. She tells the Wakefield group that in the past two years her local NHS services have moved all their paper documents to electronics, but she has some security concerns. "If I need to get in touch with a hospital, I don't have to, I can just look on the system. So I think it's made life easier, but actually if it falls into the wrong hands, then that's where the worry is."

Michelle, a customer service manager in north Somerset, agrees that it is easier to have everything in one place, reducing the need for different passwords, but also thinks that there would be improvements by joining up public services. She tells the group that anyone claiming benefits, pensions or carers allowance has to go to several different people. "If you had to have one place for everything it would just make everything a bit easier. All in one bit, all your information and everything for people to get at if they need to." She adds: "And just, the process would work quicker."

Joe, who teaches people how to drive plant machinery in Wakefield, believes that using digital ID to reduce online fraud is a positive but he shares concerns about data security. "I can see the advantages of it, provided they have really robust cybersecurity," he says. "If you're putting everybody's ID and details all in one place, in one central government database, it's got to be pretty secure."

10 SENTENCING

Jail terms have been lengthening but prisons do not have the room to accommodate them

When Lord Clarke of Nottingham was appointed justice secretary in 2010 he was determined to transform the sentencing regime that had led to ever-longer jail terms and a spiralling prison population. He drafted a government bill aiming to scrap most minimum tariffs introduced by politicians over the previous twenty years. He knew it would be contentious but, to his astonishment, the proposed legislation sailed through the relevant cabinet committee.

Then the prime minister found out about it. "I was summoned to a meeting with David Cameron, which was a very difficult meeting," Clarke said. "We had a long wrangle about it but he just wouldn't hear of it. David's quite a sensible chap. At one point, I said, 'Don't you want a liberal justice secretary in your government?' He said, 'Well, of course I want a liberal justice secretary, but I don't want people to see that I've got a liberal justice secretary.'"

The only part of Clarke's proposals to survive was the plan to scrap the indeterminate imprisonment for public protection (IPP) sentences. The whole saga, the former chancellor and home secretary told the commission, was symptomatic of the problems with criminal justice policy in this country. "Successive PR people in No 10, no doubt encouraged by the prime minister, just keep lengthening sentences and demanding that they're to be tougher," he said.

Jack Straw, home secretary under Tony Blair and justice secretary under Gordon Brown, took a slightly different approach to the same problem when approaching reform. "I think you have to do it rather surreptitiously," he said. "You know the line in TS Eliot's *Four Quartets*: 'Humankind cannot bear very much reality.' I was always very happy for people to say that I was a hard bastard if it meant I could do other much more liberal things without anyone noticing."

The current crisis in the criminal justice system is one of politics at least as much as of policy. Over the past thirty years the prison population has doubled, driven mainly by an inexorable rise in the length of prison sentences. Successive home secretaries legislated to introduce higher minimum tariffs for certain offences, ratcheting up the sentences that judges are obliged to impose, across the board. As David Gauke, the former Conservative justice secretary, who is conducting a review of sentencing for the government, observed, a form of "penal populism" has taken hold, which assumes that punishment is all that matters and the only form of punishment that counts is prison.

Almost all crimes now attract a much longer sentence than they used to. In 1993 the average custodial sentence was 16 months. By June 2024 it was 23 months, a 44 per cent rise. For more serious indictable offences, the average prison sentence is now more than two years longer than in 2010. The typical length of the minimum term imposed for murder rose from 13 years in 2000 to 21 years in 2021. For manslaughter, the sentence increased by 49 per cent, for aggravated burglary by 48 per cent and for possession of a knife by 50 per cent between 2010 and 2023. There has been an inevitable knock-on effect in prisons. Nearly three times as many people were sentenced to ten years or more in 2023 than in 2010. The number of life sentence prisoners serving a minimum term of more than 20 years has doubled and, in June last year, 67 people were serving whole life orders, compared with 43 a decade earlier.

Lord Phillips of Worth Matravers, the former lord chief justice, who was called to the Bar in 1962, said: "In my time in the law we have seen the sentences double. Has the seriousness of offences doubled, as well? No, it hasn't. There is no justification for the doubling of sentences by some kind of objective standard. It has been a reaction to perceived public opinion, leading to statutory change. We are seeing the catastrophic effects of that at the moment, because there simply isn't room in prison for all the offenders who have been sentenced to go to prison."

There has also been a significant drop in the number of offenders serving punishment in the community rather than being imprisoned. Last year a third of those convicted for indictable offences were given custodial sentences, double the proportion in 1993. Meanwhile, the number of community sentences imposed halved from 150,000 in 2012 to 75,000 last year. Half the people now sentenced to custody have committed a non-violent offence. Lord Burnett insisted that it was time for a radical rethink. "The system is close to breaking point. The prisons are full, they can't recruit sufficient prison officers. They can't provide the rehabilitation that is necessary if people are going to stand any chance of being kept on the straight and narrow. We are significantly out of step with almost all advanced democracies for no discernible benefit."

Even Lord Howard of Lympne, who as Home Secretary famously declared that "prison works", said he thought the pendulum had swung too far towards jail. "To be honest, I'm somewhat surprised by the extent to which the prison population has gone up," he told the commission. "Sentences have lengthened very considerably since I left office, perhaps not always justifiably."

The effect of the rampant sentence inflation is all too apparent in the violent and squalid prisons. In 1990 the prison population of England and Wales was about 40,000. By last year it had soared to almost 88,000. It fell a little as a result of the emergency early release scheme introduced by the government, but is now back up to about 87,000. Demand for prison places is projected to grow by an average of 3,000 people a year. If the sentencing regime continues in its present form, the Ministry of Justice predicts that the prison population could exceed 112,000 by 2032. Despite the emergency early releases, prisons will run out of places again by next spring.

Sir John Major described the state of Britain's jails as a "total and utter disgrace" and criticised the "excessive zeal" of politicians. "I was there on the day Willie Whitelaw [Margaret Thatcher's home secretary in the 1980s] discovered that the prison population had hit 40,000. He was apoplectic about that number. Today there are 87,000 people in prison and yet crime is falling, including violent crime," the former prime minister said. "There are far too many people in prison. What's happened is that the sentences have become longer and home secretary after home secretary has decided he or she must be tough on crime. Whenever there is a scandal or a public outcry, the home secretary of the day says, 'We will toughen the law and make the sentence longer,' and it is wrong on almost every count. We overuse prisons. We undervalue alternative sentences." He said the politicisation of sentencing had to end. "Our judicial system is intended to be independent. I think we should trust the judges. I would go back to a system in which we give the judges much wider discretion."

His successor as prime minister, Sir Tony Blair, said new tools, including GPS tagging, meant that there were now more credible alternatives to prison than when he had come to power in 1997. "In those days the only instrument you really had was longer sentences, so your prison population rises, which is then a problem because your prisons become overcrowded," he said. "Technology today provides you with ways of tracking people and of helping them rehabilitate in ways that you just couldn't have done before so you've got other things at your disposal."

> "The system is close to breaking point. The prisons are full, they can't recruit sufficient prison officers

The UK sends a greater proportion of the population to prison than any other western European country. The incarceration rate in England and Wales is about 139 per 100,000 people, compared to 68 in Germany, 64 in the Netherlands, 117 in Spain, 96 in Sweden and 55 in Norway. With many prisoners locked up for 23 hours a day unable to go out of their cells for education or work, the human cost is enormous but the economic price is also huge. Analysis for the commission by the policy consultancy Public First found that Britain would save £2.5 billion a year of taxpayers' money if the number of people being sent to jail fell to the western European average. In this scenario the Treasury would see additional benefits of up to £810 million a year as a result of more people being in work rather than in prison. The annual boost to the nation's finances could be more than £5.5 billion if the proportion of the population in prison were reduced to the same level as Scandinavian countries. As Gauke, a former chief secretary to the Treasury, argued: "You can take the approach that we are, as a society, happy to live with a much larger prison population but you've got to pay for that. That's quite an expensive thing to do. I don't think that's the best way of spending money to deliver a safer society. If you are looking for bang for your buck in terms of reducing crime, prison is quite an expensive way of doing it."

The average price of a prison place is about £52,000 a year, the same as an expensive private boarding school, although there are large variations between more secure and more open parts of the estate. The government has embarked on a jail building programme due to cost more than £10 billion. Without sentencing reform, however, even this will not deliver enough places to keep up with demand. Shabana Mahmood, the justice secretary, told the commission: "It is not physically possible to build fast enough to resolve this crisis and so we have to find a way to get the system away from being on the verge of keeling over. I don't want to compromise on people who need to be locked up for reasons of public protection. That's non-negotiable. But for everybody else, we have to think about how much of the sentence is [served] in prison and how much of it is out of prison. If it's outside, how do we make sure it's proper punishment that can give confidence to the public?" Punishment and rehabilitation were, she insisted, two sides of the same coin. "Sometimes it's presented as a choice between one or the other. You're either a hardliner on punishment or you're seen as being a bit softer and therefore more for rehabilitation. I think the only choice to make is both. People have to be punished but it's also in our collective interest that more of those people who've broken



our laws succeed in turning their lives around."

At the moment, public trust is being eroded by the perception that prisoners are let out early and "life does not mean life". Community sentences are not seen as sufficiently robust. There is, though, a disconnect between the "tough on crime" rhetoric and the reality of a system that generates high levels of reoffending. About 37 per cent of adults who leave prison reoffend, rising to 57 per cent of those who have served short custodial sentences. In Norway, which puts a much greater focus on rehabilitation, it is only 20 per cent. James Jones, the former Bishop of Liverpool who chaired an independent commission on sentencing, said the public was right to be outraged when a serious crime is committed "but we have to move on from that fixation on the length of a sentence, and invest much more in the content of the sentence. If we don't do that, we will find that prisons remain warehouses for the incorrigible, rather than being greenhouses for the redeemable."

37%

Percentage of adults leaving prison who reoffend

The playwright James Graham described the power of restorative justice. In his play *Punch*, he tells the true story of Jacob Dunne who killed a stranger in a bar and went to prison. Then, by meeting his victims' parents, he allowed them to confront him about what he had done and to move on. "It is a moral fable," Graham said. "Restorative justice probably invokes, in the culture wars, all those classic tropes of being soft, woolly, easy, liberal, progressive, woke. What really surprised me is how rigid, robust, muscular and evidence-based it is. Having looked these individuals in the eyes, I can't, on an emotional level, think of anything harder to do than the victim being given the opportunity to hear the offender's story and the offender having the capacity to hear the harm that they caused and to take accountability and responsibility, and then turn their life around. I think that's probably the hardest thing that anyone could ever do. It's not soft. The evidence is there: around 85 per cent of victims and 80 per cent of offenders claim to have had a positive experience when it comes to restorative justice. For those offenders who did experience it, it reduces the reoffending rate by about a quarter. There needs to be a willingness from our political class and the wider criminal justice network to say, 'These are really hard arguments to make, but we're going to make them over a long period of time with passion and with detail, with humanity and with empathy.'" If the public can hear the human stories he thinks they will understand "the irrationality and the madness in a system that would rather spend more for a gesture than spend less to actually prevent and help something".

Research from around the world shows that longer sentences do little to disincentivise criminals or reduce reoffending. Julian Roberts, executive director of the Sentencing Academy, explained: "There is quite a bulk of evidence which suggests that the preventative benefit of a six-year sentence is no greater than the preventative benefit of a four-year sentence." There are also anomalies in the sentencing framework because politicians have interfered piecemeal, usually in response to a tragedy that

has hit the headlines. For instance, if a murder is committed with a knife in the street the minimum tariff is 25 years, but if the killer takes a blade from the kitchen drawer and strikes in the home the starting point is 15 years. The discrepancy was introduced by the last Labour government in an attempt to look tough on knife crime but has ended up appearing to discriminate against women who are the victim of domestic homicide.

A more recent example of legislation having an unforeseen consequence is the new offence of assault on an emergency worker. The commission heard from several witnesses that this law, passed in 2018, is contributing significantly to the Crown Court backlog. In the year ending June 2023 there were a total of 15,549 of these cases proceeded against in the magistrates' court but because the maximum tariff had been increased to two years, 1,668 of them had to be heard in the Crown Court with a full jury trial. The average sentence was four months, well within the magistrates' powers. The Labour peer Baroness Kennedy of the Shaws KC raised concern about the trend for naming laws after the victims of particularly terrible crimes. In the past two decades at least twenty so-called "apostrophe laws" have been passed, 14 of them created in the past five years alone. "There's a sort of choosing who's a worthy victim and who's an unworthy victim," Kennedy said. "I do think that the whole language of victimhood has become a detriment in terms of how we talk about sentencing."

Of course, parliament should determine the laws of the land but too often legislation is introduced by ministers in a knee-jerk way, in response to short-term political priorities, without proper consideration of the wider consequences. This tendency is made worse by departmental divisions in Whitehall that make it harder for governments of whatever colour to see things in the round. The Home Office, in charge of crime, can legislate to its heart's content, leaving the Ministry of Justice, responsible for prisons, to pick up the pieces and the bill. As Sir David Lidington, the former Conservative justice secretary, explained, there are "conflicting incentives" across government. "The Ministry of Justice is always on the receiving end. When any other government department puts forward a policy initiative that would require new criminal penalties of some kind, they are supposed to sign up to an agreement to reimburse the MoJ for the additional costs of courts and prisons. The Home Office is the most frequent offender, as you can imagine. In practice, it's never really done. It is always politically attractive for prime ministers and for home secretaries to mount campaigns for tougher sentences, longer sentences, additional specific offences building in aggravated factors, that just incrementally adds to the burden."

Sir Robert Buckland KC, lord chancellor under Boris Johnson, said the MoJ was often treated like the "abused junior partner" of the Home Office. "Sometimes the relationship between the two departments was an unhealthy one and was not conducive to the efficient administration of the criminal justice system," he said.

Many witnesses made the case that crime and policing should be brought back together with

> "It is politically attractive for prime ministers and for home secretaries to mount campaigns for tougher sentences

sentencing and prisons, as part of a restructuring of Whitehall departments. The Home Office would be broken up, with immigration separated from law and order. The Ministry of Justice could then take over responsibility for crime and policing as well as prisons. The distinct lord chancellor's role could also be reinstated as guardian in cabinet of the rule of law, with a new department for legal and constitutional affairs. Nick Davies, of the Institute for Government, said the defining problem in the criminal justice system was "the lack of joined-up thinking in policy-making" between the Home Office and the Ministry of Justice. "We have had successive home secretaries who have sought to toughen sentencing and a justice system that is struggling to cope with that. Fundamentally, I don't think ministers have been honest with the public about the trade-offs. I think some of the cultural problems in the Home Office are so deeply ingrained that there is a good case for splitting it up. It would certainly make sense to have one cabinet minister who is responsible for the system from crime prevention and prosecution all the way through to imprisonment and rehabilitation."

The commission is instinctively wary of disruptive Whitehall reform, but in this case the incentives are so misaligned and the divisions are having such a profound impact that a departmental restructuring should be seriously considered. This will take time but, more immediately, there is an urgent need for politics and short-termism to be set aside and for a new "common sense" approach to sentencing. A new independent sentencing advisory board (similar to the migration advisory committee) should be set up to depoliticise the process and give objective advice to the government on proposed changes to legislation. The board would be able to provide evidence-based guidance, highlight emerging trends, set out the impact on prison places of new policy and act as a trusted source of information for the public.

There must be a radical reform of the make-up and structure of sentences. It is crucial not to lose sight of the importance of punishment in the criminal justice system. The sentences imposed by the courts should signal society's disapproval of wrongdoing and the most serious offenders must be locked up for a very long time. But the courts and the prisons are in a negative cycle of retribution and reoffending. If the aim is to cut crime and keep the population safe it is not working and something has to change. The current situation is plainly unsustainable. The steady increase in the length of prison sentences is not justified and is ruinously expensive. There must be a recognition that alternative forms of punishment are equally valid, and might in fact be more effective for some offenders. A criminal placed under home detention curfew, with strict conditions on their movements, has still had their liberty curtailed, but at far lower cost to the taxpayer. It costs about £8,000 a year to monitor an offender on a tag, less than a sixth of the price of a prison place. Being required to confront a

drug addiction or alcohol problem as part of a robust community sentence might actually be harder for some people than going to prison. To avoid the collapse of the prisons, to improve rehabilitation and to avoid wasting money, the ambition must be that fewer people go to prison and that many of those who do get a custodial sentence should be inside for a shorter period. Politicians should stop creating new minimum tariffs in response to every difficult case and leave greater discretion to the judiciary. As Dame Anne Rafferty said: "Let the judges do the judges' job."

There must be more clarity for the public about what a sentence will mean and better incentives for criminals to reform. The current system of automatic early release is confusing and inconsistent. Some prisoners can get out after 40 per cent of their sentence, for others it is 50 or 66 per cent. The rules have changed several times since automatic early release was introduced in 1991 making them hard to understand and there is no motive for prisoners to behave well since they know they will be released early regardless.

The commission favours a more transparent system with less of a cliff edge between prison and the community. Judges should be able impose a sentence with graduated stages designed to encourage good behaviour and rehabilitation. There could, for example, be an expectation that, if the prisoner follows the rules and takes part in education or treatment, a third of the time will be in prison. A third would be under "house arrest" — home detention curfew, with the offender able to go out to work during the day — which is still clearly punishment but with a shift towards reintegration. The final third of the sentence would be spent on licence, with some more limited conditions and restrictions still in place. The time served on each part of the sentence would depend on the progress made by the criminal. Automatic early release would go. Instead, prisoners would have to demonstrate positive decisions to move on to the next stage, creating an incentive to do the right thing and making it easier to manage them while they are in prison. There would be a sliding scale so the different parts of the sentence could be adjusted, depending on the effort put in by the prisoner as well as the balance between public safety and rehabilitation.

The community part of the sentence must be robust and technology now makes this possible. The new generation of GPS trackers allow movements to be closely monitored and alcohol tags register when an offender who is not allowed to drink has breached the conditions of their release. These are also being developed for drugs. As Nick Hardwick, former chief inspector of prisons and head of the Parole Board, told his fellow commissioners: "You can punish people without locking them up in prison. You can restrict their freedom and limit what they are able to do using technology. There is a category of prisoners that you could identify who would be very unlikely to reoffend again, where you say, 'You can earn earlier release by your behaviour in prison.'"

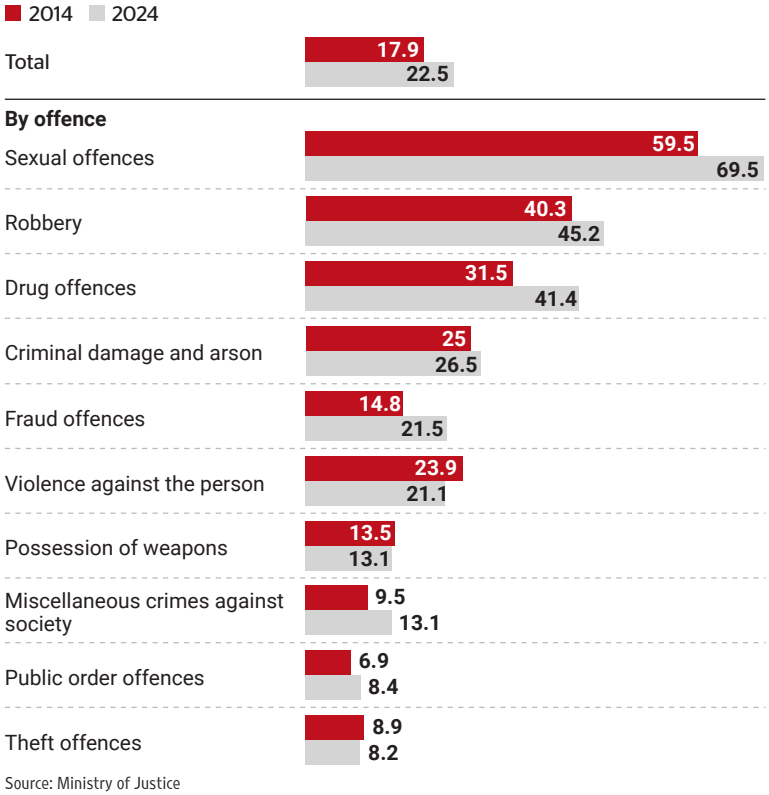
Gavin Stephenson, chairman of the National Police Chiefs' Council, talked of "virtual prisons" with people in effect incarcerated at home. It is unrealistic to tear up all the minimum tariffs introduced over the years, but the murder laws have to be rewritten to remove inconsistencies and make the system fairer. It is beyond the scope of this inquiry to draw up detailed proposals on the precise level at which sentences should be set for different types of homicide but this is being reviewed by the Law Commission. Politicians have to accept that legislation introduced to deal with one problem might have the unhappy consequence of creating another and the criminal justice system needs to be seen as a whole. A way has to be found safely to release over-tariff IPP prisoners. Prisons still hold more than a thousand of these "lost souls" who have never been released, although the punishment was abolished in 2012.

There should be a presumption against short sentences, with the focus for persistent offenders on drug, alcohol or mental health treatment. The option of prison should remain as a last resort but the high reoffending rates for those sent to prison for less than 12 months means that an alternative should in most cases be found. This means investing in drug and alcohol treatment and mental health support in the community. There must also be more residential women's centres, where female offenders unable to go home, for example because of domestic violence, can live. A good model is the Hope Street centre, set up by Lady Edwina Grosvenor in Southampton. It is a positive step that the government is changing the law so that people in a mental health crisis can no longer be sent to prison as a "place of safety" but this will work only if there are alternative facilities in the community.

Ministers must get a grip on the number of people recalled to prison for often quite trivial

MONTHS IN PRISON

Since 2014, the average custodial sentence length has increased for all offences except for violence, weapon possession and theft



Source: Ministry of Justice

breaches of their licence conditions. The recall population now makes up 15 per cent of those in prison in England and Wales and is contributing significantly to overcrowding. By the end of last year almost 13,000 people were in prison after being recalled while monitored by the Probation Service. In 1993 there were less than 100. Martin Jones, the chief inspector of probation, said what he called excessive conditions were often in place for "very extended periods of time" and the probation service had become too risk-averse. "Sometimes recall is an absolutely crucial measure to protect the public from significant harm but that's a minority of cases — 12 per cent of the reasons for recall in the latest period were for alleged further offending, 88 per cent were for non-compliance — drug taking, alcohol and problems with accommodation," he said. "If we had increased the recall population 100-fold over the past thirty years and the number of serious offences committed by people in the community under the supervision of the probation service had plummeted, I would say that's worth it. But that's not what has happened. The rate of serious further offending by people under the supervision of the probation service is about 300. If you go back on time it's always been 250 to 300. It hasn't really had an impact on keeping the public safe. Recall has been much more about compliance and the fact that if you put people in prison and you don't fix their underlying problems with homelessness or addiction then they're going to trip up." The commission heard of one prisoner recalled for missing a probation appointment because he had accompanied his mother to A&E after she collapsed. Rather than box-ticking bureaucracy, there must be a greater focus on public safety and support for probation officers to exercise their professional judgment. The assumption should be that returning someone to prison is the last port of call rather than the first lever to pull. The length of the licence period for non-violent offences should also be cut.

Polling and focus group research for the commission suggests that the public is far more open to sentencing reform than politicians have traditionally believed. A YouGov survey found that 47 per cent of people think non-violent offenders should receive community sentences, compared with 36 per cent who believe that these criminals should be sent to prison. Three quarters of those polled said people with drug or alcohol addictions who commit non-violent crimes should receive treatment instead of going to prison. Only 12 per cent thought those with mental health problems who commit non-violent crimes should get a custodial sentence and only 25 per cent believe mothers convicted of these offences should be sent to prison. The poll found people three times more likely to think it more important for prisons to focus on preventing reoffending than on punishing offenders. There was, however, widespread misunderstanding of the way in which sentences have risen. In fact only 8 per cent thought sentences had got longer over the past 30 years, compared with 57 per cent who believed they had got shorter. This creates an opportunity to win the argument for change on the basis of the facts rather than the myths that have taken hold in recent years. There really is no alternative and other countries have done it.

15%

fall in Texas prison population under Rick Perry

Twenty years ago Texas faced a prisons crisis similar to the emergency in Britain today. Jails were at capacity and the projection was that an additional 17,000 places would be needed over five years, costing $2 billion to build and operate. Then, in 2007, a right-wing Republican governor, Rick Perry, was elected. He decided that the spiralling cost of locking people up was a waste of money. Instead of building prisons, he concentrated on reducing reoffending and diverting people from the criminal justice system. He spent millions on drug treatment and mental health support, set up hundreds of problem-solving courts and obliged low-level offenders to go to rehabilitation instead of prison. Judges were encouraged to give non-violent criminals community sentences, with conditions they must abide by to avoid being locked up. A "good conduct time" scheme allowed prisoners to earn time off their sentence through good behaviour.

As Perry set out to "eliminate the incarceration epidemic", as he put it, the prison population fell by 15 per cent and the state closed 16 prisons. The crime rate in Texas has fallen by 29 per cent to its lowest since 1968 and the rate of reimprisonment is now 20 per cent compared with a national average of 68 per cent. It was a remarkable change of direction for Texas, which still has the death penalty, but there was cross-party support for the programme, as fiscal conservatives joined forces with social liberals. On a visit to Texas, the commission met some of the key architects of the prison reform programme, who explained that the key to winning public and political support was to make the dual argument that taxpayer money could be saved and crime reduced by a new approach.

John Creuzot, the Democrat Dallas County district attorney, persuaded Perry to switch tack by demonstrating that in his drug court recidivism was 57 per cent lower than in traditional courts and every dollar spent saved $9 in future costs. "We started focusing on the needs of the person, as opposed to the fact they had committed a crime," he explained. "Our goal was to rehabilitate not to incarcerate."

Perry, who served in the first Trump administration, boasted that his prison reform programme had saved billions of dollars. "For too long fear has dictated America's criminal justice policy," he wrote in 2015. "Citizens, afraid of the growing violence brought on by the drug wars of the 1980s, demanded harsher penalties and longer sentences. Politicians, afraid of looking soft on the issue, eagerly obliged. But policy driven solely by fear — absent the equally powerful motivation of human redemption — has failed us."

He insisted that the changes he had introduced "did not make Texas soft on crime. It made us smart on crime." Britain must now take the same approach. The position is beyond conjecture: the examples we set out prove the advantages, for the public and offenders, when a principled, evidence-based approach turns its back on gesture politics.

Helping ex-offenders into work

In 2014, Steve Freer and Val Wawrosz, two prison officers at HMP Leeds with sixty years' experience between them, decided they had had enough of seeing the same faces returning time after time to jail. Too often they found the children of prisoners also turning up on the wings as inmates.

They set up Tempus Novo, a charity dedicated to helping ex-offenders to find work and reintegrate into the community on their release. Since then they have placed more than 1,222 into jobs with companies including Maersk, John Lewis and GXO. Only 39 have ended back in prison, a 97 per cent success rate.



Steve Freer and Val Wawrosz outside Leeds Prison

The secret, Freer says, is a personalised approach and ongoing relationships. Wawrosz says: "What we do is get ex-offenders who want to change their lives, we get employers who want to help change people's lives and we put them together. We support both parties, not just the ex-offender but the employer as well for twelve months.

"When we place somebody into work we make sure that everything's in place for them. We make sure they can get to work, we help them with their ID and bank account. Then the night before they start our case worker will be ringing asking, 'Have you got everything ready for the morning? Do you know what bus you're catching and what time you have to leave?' It's holistic support." At the same time the charity contacts the ex-offender's line manager to make sure everything is going well.

Free says: "We are there pretty much 24/7. You deal with people and you have built that relationship up so you don't want them to fail. The government is always, how quick, how cheap and how big? Tempus Novo took the opposite approach. We looked at what was working, we looked at what wasn't working and we learnt from it. We built a system where each caseworker has a maximum caseload of 50, which is probably a third of what a probation officer tends to work with."

The emphasis is on sustainable employment. "We won't work with just any company that thinks it's bums on seats and cheap labour," Freer says. "These are proper good jobs with progress, backed up by the fact that 20 per cent go on to get promoted."

The scheme costs £3,000 for each year-long placement, compared with £52,000 for a prison place. Freer says: "We've now got companies who, because of the quality we provide, pay us £3,000 per person for everybody that successfully gets out of their probation.

From robbery to record-breaker

John McAvoy was born into crime. His stepfather was an armed robber and his uncle was involved in the Brink's-Mat robbery, one of the most audacious crimes in history, when £26 million of bullion, diamonds and cash was stolen from a warehouse near Heathrow. "That had a really profound effect on me as a child," he told the commission. "Criminal activity was completely normalised to me. Organised crime was just a way of life."

At 16 he dropped out of school and bought his first gun. By 18 he was in prison. "I was released from prison when I was 21, a hundred times worse than the person that was locked up because to me being rehabilitated was weakness."

He returned to crime, was arrested again while trying to raid a security van and ended up back in jail. Then one evening he saw on the News at Ten that his best friend had been killed while carrying out a robbery in the Netherlands. "I realised I was just wasting my life, rotting in this cage. I didn't want to be in this world any more."

McAvoy, now 41, started going to the gym and applied the dedication he had previously shown in executing the perfect robbery to reaching 10,000m on the rowing machine. One day a prison officer, Darren Davis, saw the numbers on the screen. "He came back a couple of days later and gave me all the British and world records on an indoor rowing machine. I could already nearly break some of those records. Darren just put this seed in my head that I had an ability. I went back to my cell with all these pieces of paper. I saw a way in which I could use my body to get me out of that life."

McAvoy broke three world records and eight British records while in prison. Now he is a triathlete, sponsored by Nike. Being allowed to train and attempt the records "was obviously for me, personally, amazing as an athlete", he says, "but what was fundamentally important was my relationship with Darren, that prison officer who saw something in me. He used to come into work on his days off and sit with me in the prison gym and allow me to train. He mentored me, he would talk about his family and bring me in books. He was the first positive male role model I ever had in my life and I can't describe to you the profound impact that had on me. This man changed my life because he believed in me and it was the first time I'd ever felt like that. Prison officers are the key. Their job isn't just to lock someone up, it's to change lives and make society a better place."



John McAvoy is now an athlete sponsored by Nike

Hope on offer



Lady Edwina Grosvenor set up the facility with the help of her own money

When Lady Edwina Grosvenor was 12 she spent an hour with two heroin addicts at a drug rehabilitation centre on Hope Street in Liverpool. Her father, who was the sixth Duke of Westminster and one of the richest men in Britain, wanted to educate his children about the dangers of taking drugs and show them that not everyone had their privileged existence. She became fascinated by "society's hidden people", she says. "I grew up understanding why people take drugs. They weren't in the position that they were in because they were leading their best life. They'd had difficult lives, they were trying to medicate themselves and forget about the trauma they'd suffered."

Now Grosvenor, 43, has set up her own Hope Street, a pioneering centre in Southampton designed to keep women in the criminal justice system out of prison. Women who are on remand, at risk of domestic violence or homeless can be referred to the unit instead of being sent to jail, allowing them to stay with their children and get therapy.

While most penal institutions are grey, metallic, noisy and frightening, Hope Street is bright, airy, friendly and calm with lots of cream sofas, oak floorboards, colourful paintings and plants. There is a cafe, where home-made toffee apple cake and flat whites are served by female offenders. It has a sensory garden, a therapeutic labyrinth, a vegetable patch and a children's play area.

The centre has accommodation for 24 women and their children. On the day the commission visited there were seven women, a three-year-old and a new baby whose mother would have been released from prison homeless had she not been able to go to Hope Street. "We got her here three days before she gave birth," Grosvenor says.

Women typically stay for about 12 weeks although some have been here for more than six months. There is a morning "check in" meeting and evening activities including film nights, cooking or karaoke. Each resident also has an intensive personal therapeutic programme. Some go out to work, all have access to the addiction treatment or psychological support they need. "Obviously prison is not a place where anyone's going to recover from any mental health issues," says Grosvenor, who is a member of the government's Women's Justice Board.

With prisons overflowing and thousands of offenders being released early, she insists something has to change. "The system is in meltdown. The reoffending rates are through the roof, the assaults in prison are through the roof, the self-harm's through the roof, the prison service is haemorrhaging staff, quite understandably."

> "Prison is not a place to recover from mental health issues

She thinks there are too many people in jail. "We need to work out what prison is for and who it is for. It shouldn't be for ill people who need support. If people end up going they need to come out less likely to harm other people and commit a crime."

Having worked in two women's prisons before setting up her own centre, she believes many female prisoners should be getting treatment in the community instead of being locked up. "We cannot forget the fact that most of the women going to prison are the primary carers. So you've got all these children disappearing off into the care system." She points out that the cost of the community facility is a fraction of that of prison: about £10,000 a year compared with £48,000 in a women's jail.

She helped to fund the £7.5 million construction costs of Hope Street herself but her ambition is for a network of women's centres all over the country, set up with government support.

11 PRISONS & PROBATION

Most provision is woefully inadequate but some imaginative schemes offer a way forward

"I think if we stop being shocked then we shouldn't be doing the job," Charlie Taylor, the chief inspector of prisons, said. Every week he tours the country making unannounced visits and he is frequently horrified by the conditions he finds. "If you walked into some of the cells that we've seen and you just shrugged then I think it would be time to go. It would show that your radar was becoming detuned."

Taylor's reports are frequently excoriating. In January he declared a "national security threat" after inspecting two maximum security jails — HMP Manchester and HMP Long Lartin, in Worcestershire — where he found drones dropping drugs, zombie knives and mobile phones into prison yards. The authorities had in effect "ceded the airspace" over the jails, he said. Then in February the chief inspector highlighted the "astonishing gaps in basic decency" in women's prisons. Female inmates were given ill-fitting prison-issue men's clothes and a "bizarre rule" prevented them from washing their underwear in a washing machine. For some women, the "lack of care to meet their basic needs causes such distress that they resort to harming themselves".

Last year at HMP Bedford, Taylor went into the basement to visit the segregation unit. "It looked like a First World War re-enactment," he recalled. "There were sandbags everywhere. Water was coming out through the floor when it rained hard and staff were having to walk round in wellington boots. There was raw sewage coming up. It was really disgusting." On a visit to HMP Wandsworth, where an inmate escaped in 2023, inspectors found wings that reeked of cannabis and prisoners "going days without seeing any sunlight". At HMP Hindley "more than half were testing positive for drugs. Even the substance-free living wing had drugs pouring into it." Often, he finds two men sharing a cell designed by the Victorians for one, with an unscreened toilet in the corner. "You sometimes see headlines about prisons being like holiday camps but I defy anybody to walk around Wandsworth and not be moved and worried about what they see there," Taylor said. "If you went to your local pub and asked what kind of conditions prisoners should be kept in I think a lot of people would say 'I don't really care if it's pretty horrible, maybe they'll learn from their mistake.' But if you posed the question differently and said: 'These people are coming out sometime, what do you want them to be like when they come out? Do you want them to be drug addicted, thieving in the neighbourhood, failing to look after their kids? Or do you want them working hard, taking care of their family, paying their taxes?' Then I think you potentially get a slightly different answer. It's costing the taxpayer more than £50,000 a year to keep someone in prison. Locking someone up behind a cell door for 22 hours a day as they begin to develop a drug habit that they didn't have when they went in is a huge waste of money."

7

The number of homicides in prison last year, the highest number in a decade

Winston Churchill said that the way in which a society treats its criminals "is one of the most unfailing tests of the civilisation of any country". If that is the case then Britain is demonstrably falling short. As retribution takes priority over rehabilitation, there are 87,000 prisoners crammed into an estate built for 79,500. Self-harm is out of control, drug abuse is rife, staff are overstretched and demoralised. Nick Hardwick, the former chief inspector, warned of a tinderbox atmosphere. "We are very close to the conditions prior to the 1990 riots in Strangeways," he said. "Prisons work if they're consistent, prisoners know what to expect and they're reasonably well run, it's in nobody's interest for it to kick off. But when that kind of contract breaks down then you start having frustration build up."

With jails in survival mode, there is too little time for prisoners to benefit from education or work, meaning they are more likely to reoffend on release. Prisons are frightening and dangerous for inmates and officers. Last year there were almost 30,000 assaults, a third of them attacks on staff, and almost 78,000 self-harm incidents. The assault rate in male prisons is 74 per cent higher than a decade ago. The rate of self-harm by women has almost quadrupled over ten years and among men has more than trebled. Last year 89 people took their own lives in prison and there were 7 homicides, the highest number in a decade.

Unsurprisingly, the prison service is struggling

to recruit and retain staff. Almost one in seven prison officers left in the twelve months to September 2024 and a third of those quit after less than a year. Many are choosing less stressful jobs with the UK Border Agency or local call centres. Experienced officers, steeped in what governors call "jail craft", are being replaced by more junior staff. A decade ago only 4 per cent of officers had been working in the service for less than three years. Now it is more than a third and new prison officers walk on to the wings with less than ten weeks of training. Tom Wheatley, president of the Prison Governors' Association, said: "It would be fair to say we've been through periods like this before but there's always been a bit of light at the end of the tunnel. There doesn't appear to be light at the end of the tunnel at the moment. Over the last ten to fifteen years governors have ended up with jobs that are almost impossible to do."

The actor Dominic Taylor spent four years working as a prison officer and still suffers the emotional scars. "I cut down my first suicide in week two and I ran to my first alarm on day one," he said. "You never know what you are going to find. It's a bloodbath on many days: people stabbing each other or cutting themselves. You are often mopping up vomit or blood. Everyone working in the criminal justice system is heartbroken. You start with the noblest of intentions and it's impossible to deliver on them. There were classrooms with no lights, water on the floor and broken windows. Almost nothing happens as it's supposed to. Almost nobody comes out unscathed. I still have PTSD, I can't take the noise of pans clattering in the kitchen because it takes me back to the metal doors slamming."

Pia Sinha, the former governor of HMP Liverpool and now chief executive of the Prison Reform Trust, described a "perfect storm" in prisons. "You've got a staffing crisis combined with an overcrowding crisis, which leads to poor purposeful activity, which then leads to a greater demand for drugs, because if you're not doing anything you're bored. So it increases criminality in prisons. And the estate is crumbling. You have a disintegrating Victorian infrastructure."

In a survey of prison estate conditions, only 2 per cent of buildings received a "good" rating for fabric, mechanics and engineering. The estimated cost to bring buildings up to a "fair" condition is £1.4 billion. Crumbling RAAC (reinforced autoclaved aerated concrete) has been found at five prisons and HMP Dartmoor was temporarily evacuated last year in response to elevated radon

53%

of women prisoners have suffered emotional, physical or sexual abuse



gas readings. Elisabeth Davies, national chair of the Independent Monitoring Boards (IMB), made up of volunteers who go into prisons every week, visits about ninety jails each year. She said "vermin issues" were widespread across the estate. "At Bullingdon, prisoners were bitten by a venomous spider and at Hollesley Bay a prisoner was bitten by a rat." There are also frequent health and safety breaches. "At Wayland, outdated cell doors are still in place, despite a prisoner receiving life-threatening injuries in 2022 as a result of a fire in a cell with this type of door. You have got heating and ventilation issues and flooding leading to uncomfortable and at times intolerable living environments for prisoners."

Last year environmental health inspectors shut down the kitchen at Pentonville for three months because of rats. The prison had to buy freeze-dried meals costing more than five times the normal food budget: on one evening it spent £9,000 on feeding inmates. Alice Gotto, one of the volunteer inspectors who raised the alarm, said: "There were droppings all over the floor and up in the lights, it was just really awful. We've seen cockroaches and mice in the cells. The prison had somebody in to shoot the pigeons on the wings."

Camilla Poulton, another IMB inspector at Pentonville, said: "You regularly see ambulances at the prison because there have been men found unconscious from taking spice." She said food was another concern. "Lunch is sometimes a half-frozen pasty and the evening meal is served at about 4 o'clock in the afternoon which means it is a very long night."

The state should be doing all it can to improve the health and wellbeing of those in its custody but many prisoners are forced to exist on a diet



of nutrition-free ultraprocessed food. Almost a fifth of them have type 2 diabetes, which is linked to obesity, and the number of inmates with the condition has doubled in five years. According to Freedom of Information requests for the commission, 1,770 prescriptions of the weightloss drug Ozempic have been given to prisoners over that time, costing the NHS almost £130,000.

Tim Kerr, a doctor who spent two and a half years in prison for drug offences and now works for the Howard League for Penal Reform, was appalled to discover that prisoners were often denied crucial medication. "I was on anti-depressants when I went in on a Friday evening but there was no prescriber or pharmacy over the weekend so it wasn't until Tuesday that I got the medications. I met two people who didn't get anti-epileptic drugs for about six weeks. One of them had a seizure and that still didn't prompt the prison to prescribe the drugs. It probably comes down to a very badly run system but if that happened in a hospital it would be a 'never event'."

Prisoners are often the most damaged, distressed people in society but the system is doing too little to deal with their underlying problems and in some cases it is actively making them worse. Almost a third of women and a quarter of men have a drug problem when they arrive. Worryingly, 6 per cent of women and 9 per cent of men have developed a drug problem in jail. A fifth of women and almost a third of men report that it is easy to get drugs in their prison. Criminal gangs are constantly finding new ways to bypass security checks. In one jail inspectors found a pair of underpants that had been infused with the synthetic cannabinoid Spice. The inmates chopped it into small pieces and smoked the drug. Hardwick said the recruitment crisis was being exploited by criminals to place their associates as prison officers. "You've got organised crime sending people there. There's a lot of money to be made out of the drugs trade in prisons so you get somebody clean to go in."

> "There were droppings all over the floor and up in the lights, it was just really awful

More than half of men and almost two thirds of women in prison have a mental health problem. Davies said the IMBs have "increasing concerns about the imprisonment of people with severe mental illnesses for whom prison is simply not an appropriate or a humane environment". Prisoners who require treatment in a secure mental health facility should be transferred within 28 days but many are waiting hundreds of days for a transfer because of a shortage of specialist beds. "They often spend time segregated," Davies said. "At Erlestoke a prisoner with a personality disorder spent approximately eight months in a constant-watch cell due to repeated attempts to self-harm. Aylesbury had a prisoner with severe learning disabilities who lost extreme amounts of weight and was hospitalised after being segregated for approximately six months. It's barbaric."

Nearly three quarters of adult prisoners have literacy levels below those expected of an 11-year-old. Yet Dame Sally Coates, the former head teacher who conducted a review of prison education, said the standard of teaching was often "extremely poor" in Britain's jails. "I came across teachers I had sacked. One of them was teaching in a young offender institution so he was continuing to work with young people but the quality of the education he was delivering was such that he wouldn't have been employed in a school." Last year Ofsted judged the education in more than half of prisons to be inadequate and another third as requiring improvement. The Right Rev Rachel Treweek, Anglican bishop for prisons in England and Wales, said the purpose of jails had to be redefined. "The prime aim should be to reduce reoffending, which is good for the person and for society. At the moment we don't have that definition. Most people would say prison is about punishment but the criminal justice system holds a mirror up to so much of what is wrong within the bigger picture of society."

The first step towards making prisons fit for purpose is ensuring that the right people are there. Before he went into government, Lord Timpson, the prisons minister, told the commission that Britain had become addicted to punishment and that jails were predominantly full of "broken" people. "A third should be there, a third shouldn't go to prison at all for what they've done. And then there's another third in the middle, which are the very complex cases where other parts of the public sector are there to care for them," he said. Most women in prison have been convicted of non-violent crimes and many more female offenders could and should be punished in the community. More than half the women in prison have experienced domestic violence and 53 per cent report having suffered emotional, physical or sexual abuse as a child. Sonya Ruparel, chief executive of Women in Prison, said: "The mental

health needs are so acute and so visible when you go into a women's prison. So many of those women should not be there. They are not a danger to society. They're more a danger to themselves and they need support." About 55 per cent of female prisoners are mothers and an estimated 17,000 children are affected by maternal imprisonment every year. Many of them are taken into care, costing hundreds of thousands of pounds a year and making it more likely that their children will themselves end up in jail.

"There's no sadder place than a women's prison," the human rights lawyer Cherie Blair KC, said. "When we look at how society views women, there is this idea of 'good women' and 'bad women'. If a woman fails to live up to the idealised picture of the loving mother, the perfect wife, then somehow we treat her more harshly."

The £10 billion prison building problem creates an opportunity to rethink the shape of the jail estate. There should be more drug and alcohol treatment facilities and mental health units. In the Netherlands there are 16 forensic clinics that operate alongside the 25 jails, offering treatment as well as security. Some similar provision exists in the UK but it is woefully inadequate. More capacity must be created, either as standalone units or specialist wings within prisons, jointly funded by the prison service and the NHS. There should be gyms in all jails.

The high level of neurodiversities such as autism and ADHD within prisons is a significant issue. One survey found that nearly a third of prisoners arriving in prison had some kind of need. Four specialist units have opened since 2021 and these should be expanded around the country. At HMP Pentonville the neurodiversity wing has a sensory room, a converted cell with bean bags and soothing multicolour displays and staff take a more therapeutic approach. The atmosphere is calmer than in the rest of the jail and levels of violence and self-harm are lower.

The prison population is also ageing quickly as people are sent to jail for longer, sometimes for historical offences. There are now four times as many people over 60 as there were in 2002 and by 2028, the number of prisoners over 70 is expected to rise by 35 per cent. There are already more than 400 people in prison who are over 80. Some prisons have had to buy zimmer frames and stair lifts but jails are not set up for frail or confused old people. The commission heard of one inmate with dementia who went for 21 hours without being reminded to eat or drink and another who regularly soiled himself because staff could not find a way to get him to the lavatory. Secure care homes should be set up so elderly prisoners can be looked after in an appropriate setting, funded jointly by the Ministry of Justice and the Department of Health.

There must be a rebalancing between the centre and the frontline. Governors should have greater autonomy over their jails and be encouraged to innovate, so long as they adhere to basic requirements. At the moment recruitment, maintenance and procurement are all handled centrally by the prison service. The people actually running prisons have no control over who they employ, which educational programmes they run or how they arrange repairs. Governors find themselves waiting for months when they need to buy new drone netting, fix a window or even change a lightbulb. This is absurd.

> "There's no sadder place than a women's prison

The commission heard repeatedly that HM Prison and Probation Service was bloated and over-bureaucratic. Tom Wheatley, who has worked in prisons for three decades, said that when he started as a governor 20 per cent of the role was "HR, back office stuff" and 80 per cent was out and about in his prison. Now those proportions have reversed. Ian Acheson, a former prison governor and visiting professor at Staffordshire University, said: "You've got frontline prisons that can't find enough staff to safely unlock prisoners and you have 5,500 people working in prison service headquarters"

There must be minimum standards. As Rory Stewart, the former prisons minister, argued: "If you are running a hotel you don't get to say, 'We have got lovely chocolates on the pillow but we haven't changed the sheets since the last guest was staying.' Prisons need to have a very basic minimum structure of expectation shared between the prisoners and the prison officers. The cell call bell should work. Violence should be kept under control. The windows shouldn't be broken."

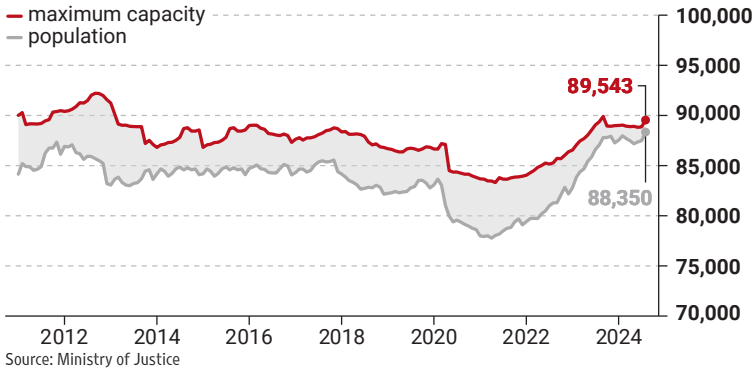
Within that framework, though, governors should be trusted to run their jails and be held to account for the service they provide. Accountability has to change to encourage prisons to prioritise education and rehabilitation as well as safety and security.

The best prison officers and governors are inspirational figures who change lives but they are too often ignored or sidelined. Like the prisoners in their care, they are out of sight and out of mind. A new College of Prisons and Probation should be established, to professionalise the service and create better career paths. There must be more rigorous training for those joining the prison service, with an emphasis on the importance of turning lives around rather than just turning keys. The college should promote professional development and could also oversee vetting.

Natasha Porter, the founder of Unlocked Graduates, which recruits high-flyers as prison officers, pointed out the "shocking mismatch" between the challenging nature of the role and the minimal induction process offered to most staff. "Social workers and teachers get four years of training, doctors get six. Prison officers are working with the people at the sharp end, who no one quite managed to reach, but they get about ten weeks of training at best. There are lots of people in prison who could really flourish and succeed in the right environment." Unlocked Graduates, which has an excellent record of changing the culture in prisons and boosting retention rates, must have its contract reinstated by the Ministry of Justice. Its approach to recruitment could also be expanded to probation officers, an equally crucial part of the system. To signal the value society places on those working in jails, the top prison governors should be rewarded

NO ROOM LEFT

Prison population and maximum capacity in England and Wales



Source: Ministry of Justice

with honours just as often as the most celebrated head teachers, police officers and surgeons.

Governors should work more closely with local schools and recruit teachers to help with prison education on a part-time basis. Dame Sally Coates said many school staff would welcome the chance to help some of the most disadvantaged members of society to learn to read and write. "Prisoners should have iPads," she added. "If you can't get to the education wing because you're just not being unlocked from your cell then you should be able to access education and teach yourself." Internet access would have to be restricted, of course, but some prisoners are learning "digital skills" by being shown a photograph of iPads and apps. The lessons being piloted by Oak National Academy in 17 jails using in-cell laptops should be available acros the country. Inmates could also use the tablets to communicate with their families. Research has shown that prisoners who stay in touch with family are 39 per cent less likely to reoffend. There is another baffling rule that prisoners cannot get a student loan for an Open University degree until they are six years from release despite the evidence showing that the qualification will make them much less likely to reoffend. If aspiration is to be encouraged, they should be eligible from day one and be able to take several courses.

Education is one key to reducing reoffending but employment is another. Prisoners are 9 per cent less likely to commit another crime if they have a job when they come out of jail. Governors must be incentivised to build links with employers and companies rewarded for taking on ex-offenders. Businesses should be offered relief on national insurance contributions for the first year if they hire ex-offenders, mirroring the system that already exists for veterans. The entrepreneur Sir Richard Branson told the commission that his Virgin Group already actively sought to recruit people with criminal records. "It's good for the business and at the same time it's the right thing to do," he said. "I know from our own experience that people with convictions will be the most loyal, most dedicated employees you can find."

The supermarket chain Iceland conducts job interviews with prisoners while they are still in jail. The successful candidates receive a physical letter a few weeks before their release. Richard Walker, the chief executive said: "People will pin this on their cell wall and it becomes the basis from which they can rebuild their lives once they are let out … It has been nothing but good for us. What we have found is that retention is higher, sickness is lower, labour turnover is lower. Store managers love it because they're getting grafters, people who turn up on time and quite frankly are grateful for a job." Iceland wants to expand the scheme and offer paid jobs to offenders on suspended sentences.

The government must encourage other companies to take a similarly imaginative approach. More prisoners who are safe to go out of jail to work should be allowed to do so, wearing an electronic tag. The number of open prisons should be increased and those that already exist must be filled. At the moment only about 4,700 prisoners are in low-security Category D prisons, even though there are 5,800 places. This is illogical when these facilities are so much cheaper than higher security prisons, costing under £37,000 a year per place, compared with the average of £52,000.

Probation officers, who between them oversee almost a quarter of a million offenders, are too often the forgotten arm of the criminal justice system and must be given more support. The caseload has become unmanageable and the justice secretary is right to focus the service back on to the medium and high-risk cases, with lower-risk offenders diverted towards treatment programmes. There should be a greater use of electronic monitoring to manage those who need less support. Technology could help professionals to keep up with bureaucracy too, through AI transcription services and data-sharing tools. Offenders should be sent text messages to remind them of appointments, with probation cases managed through an app.

The commission heard compelling evidence about the importance of assisting prisoners with "through-the-gate" support to meet their practical resettlement needs such as housing, employment, education, substance misuse programmes and mental health support. The delivery of these basic services at the final end of the criminal justice "pipeline" is an essential part of reducing reoffending. Only 45 per cent of people released from prison last year had settled accommodation on release and 13 per cent were homeless or sleeping rough when they came out of jail. This is a terrible indictment of the fragmentation in the system and people are twice as likely to reoffend if they are homeless so housing has to be a priority. Mayors should have a statutory responsibility for co-ordinating the provision of housing, health and substance misuse services for those leaving prison, working more closely with probation.

In Spain the boundary between prison and the community is much more fluid. About 25 per cent of prisoners are in open prisons and even inmates in closed jails are routinely allowed out. Once they have completed a quarter of their sentence, these prisoners can get permission to leave the jail to go to a parents' evening, play or sporting event, accompanied by a member of staff. Offenders earn greater degrees of freedom by completing therapy, education or training. As they progress

they may go out to work or to attend an event unsupervised. Absconding is rare. At Estremura Prison, near Madrid, the commission met Angels, a 48-year-old former engineer who is serving a 12-year sentence for fraud. She works in the prison bakery during the week then leaves the jail at weekends to work in a local bakery. Her aim is to set up her own bakery when she is released to home curfew in a few months. "It's not tempting to escape when I go out because I know if I do that then I will not achieve what I want," she said. In Spain, the objective of a sentence "is to prepare the inmate for normal life", Lourdes Gil, the co-ordinator of treatment and prisons management, said. "The way we think of it is to ask what the person is missing and try to fill that gap." Only a fifth of offenders commit more crime after release.

On international visits the commission found that Britain is increasingly an outlier in the way it runs its jails. In Sweden the prisoners at Osteraker Prison, near Stockholm, were out of their cells at least 12 hours a day, from 7am until 7pm. They have a packed timetable of education, work and treatment programmes. There are writing workshops, art courses, parenting groups and yoga classes. Officers are encouraged to play table tennis, football or dominoes with the inmates. In the common room prisoners were playing Monopoly, listening to audio books and painting. The smell of freshly baked brownies, prepared by inmates in a cookery class, wafted through the jail. The cells were neat and clean, with pale wood furniture. Each wing had a well-stocked kitchen including a large carving knife with the tip removed padlocked to the wall. Many prefer to eat the prison food, prepared by a Michelin-starred chef who lost his restaurant during the pandemic and started working in the jail. On the day the commission visited the menu included home-made meatballs with cranberry sauce, salmon, mashed potatoes and salad. "You can tell the level of humanity in a society if you see how we treat our prisoners," Friedrik Thunberg, the governor, said. "Prison is a punishment, dangerous people should be locked up but we are also here as a provider of opportunity."

At Alphen prison, near Rotterdam, the commission heard that the aim from day one is to prepare prisoners for "reintegration" into the outside world. The jail has 30 psychologists as well as teachers, employment coaches and housing and welfare advisers. In the last year of their sentence prisoners move into a dedicated wing where the cell doors are left open and inmates go out to work. "People think everything is black or white, bad or good, right or wrong but in prison everyone is an individual," one officer explained. Over the past 20 years in the Netherlands, the prison population has halved and 23 jails have closed, the buildings sold off for housing or hotels. Crime rates have fallen, rehabilitation has improved and reoffending has been reduced.

There is clear evidence of what works. In Philadelphia, one wing of a traditional American jail has been turned into "Little Scandinavia" for a randomised control trial of the two approaches to criminal justice. The more therapeutic, rehabilitative wing had significantly better outcomes, including less violence and self-harm, increased education and improved staff morale than the more punitive approach.

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prisons have closed in the Netherlands over 20 years thanks to falling crime rates

Some British prisons succeed against the odds. At HMP Oakwood, a category C jail on the outskirts of Wolverhampton, the best-behaved prisoners can spend 11 hours out of their cells. When the commission visited one of the wings, the sound of *No Woman, No Cry*, played on guitar combined with the smell of incense wafting from one of the cells, while prisoners chatted over a game of pool. A pet budgie fluttered around. Fathers can cook for their children on special family nights. These privileges are only available to those who follow the rules. The prison's incentive scheme was assessed as "unusually effective" by Charlie Taylor, who rated Oakwood as the best jail in the country after an inspection last year. The opportunities for work, training and rehabilitation are designed to keep the 2,111 inmates busy and costs are kept under control by getting prisoners to organise many of the activities. The facility, run by G4S, has a thriving carpentry workshop, prison television station, coffee shop and farm, all run by prisoners. "We've got, relatively speaking, a large amount of freedom in terms of what we do, how we plan things, and because of that we're really passionate," said Nathan, the prisoner who manages the garden centre, selling organic vegetables, flowers and plants to inmates, staff and visitors. Sean Oliver, the governor, pointed out that even many of the most dangerous criminals will be released one day. "Our prison's aim is to discharge them in a better state than when they came in," he explained. "It's not a perfect world, it will not always happen. However, surely that's the outcome everybody wants in society."

Despite the appalling conditions he sees in many jails, Taylor remains an optimist about what can be achieved. "When people do get to prison, I don't think we should be despairing," he said. "People can still turn their lives around. Prison can be transformative for people when the environment is right." This aspiration and belief must be at the heart of any civilised approach to law and order. There are many reasons to be concerned about the criminal justice system and the new threats that are emerging in an increasingly volatile world, but over the course of the commission's year-long inquiry solutions began to emerge. Taken together, the package of reforms contained in this report would modernise the delivery of justice, restore public trust, empower professionals, protect the country and make the streets safer. Over time they might even save money. They will require political courage to deliver but the evidence in favour of change is compelling and there is public appetite for reform. The status quo is not an option. With prisons overflowing, courts close to bursting, reoffending rates stubbornly high, police losing trust, criminals seizing the advantage in the online world and the costs spiralling, the real risk would be to do nothing. That would, in fact, be a reckless choice. It is time to put public interest before politics.



Staying on key

In Wandsworth prison, metal gates clang and staircases rattle but on one wing the sound of music echoes down the landing as a group of prisoners sing. One inmate is in tears as the voices join together in harmony, a moment of beauty in a world of ugliness.

Afterwards the prisoners discuss the relationship between emotion and masculinity. For an hour the toughness the criminals normally have to maintain to survive in this brutal Victorian jail is laced with vulnerability.

This is Liberty Choir, which takes volunteers into jails every week to sing alongside the prisoners. The charity, which has the motto "Unlocking hearts through song", works in ten prisons, singing everything from Snow Patrol and the Beatles to Gilbert and Sullivan. There are regular concerts within prisons for the friends and family of the inmates, as well as staff.

Liberty Choir, founded in 2014 by M J Paranzino, its director, and Ginny Dougary, a former Times journalist, has about a hundred volunteers. When inmates are released from jail they are encouraged to join one of four community choirs and offered support with setting up a home.

Last year the charity also started a graduate employment scheme, helping ex-offenders who have been part of the choir to find a job. "It is full circle," Dougary said. "These prisoners have let people down but how much in their lives have they been let down? We're dependable, we come every week and they know that. These are people in a dark space and it takes so little for us to make such a big difference. They shouldn't just be thrown away."

One former prisoner described the power of performing in the family and friends concert inside the jail. "I had my mum turn up, my aunt, my cousin, my two children, and having them in the front row looking up at me and smiling , was just beautiful," he said. "You start picking out family members of the other men and they're all absolutely beaming. The pride is tangible. There's an element of healing that comes with that on both sides, for the prisoner and for the family."

When he was released Liberty Choir volunteers helped him to find work and now he is determined to stay "on the straight and narrow" because, he said: "I don't want to let people down."

Roy Mills joined the choir in Wandsworth prison in 2014 and now sings in the South London Choir. "I've been in and out of prisons quite a lot throughout my years and just interacting with normal people coming in from outside was different," he said. "Then I really started to get into it. They were people that I would never normally mix with and I found them intriguing."

Since leaving prison in 2015, Mills has started managing bands and sang on an album with David Gilmour from Pink Floyd, who is a patron of Liberty Choir. "Music cuts through. A song will take you back to somewhere," he said. "I've not been nicked since 2014 so it's definitely made a difference to me."

Peace reigns in Little Scandinavia



DOGS AND CATS wander past a fish tank that is bubbling quietly surrounded by a jungle of pot plants. "It's like Dr Dolittle around here," says Gina Clark, the superintendent of Chester State Correctional Institution.

With its zen garden, cappuccino machine, pastel sofas, bread maker and therapy room, this bright and airy facility near Philadelphia could be a spa retreat or a luxury hotel. In fact it is an innovative wing at a medium-security jail next to a giant casino at the centre of the opioid crisis in Pennsylvania.

The people who live here have all committed serious crimes, some of them horrendous offences, but they are treated with respect by the staff and known as residents rather than inmates. They each have an individual cell with a desk, a television and a fridge. A shared communal living area includes a table tennis table, gym equipment, chess board, pool table and Xbox. There are telephones lined up along one wall for prisoners to call home.

The focus in the unit is on normality, tranquillity and reintegration into the community upon release. Residents order groceries once a week and cook their own food in the well-equipped kitchen: there is even an air fryer. They do their laundry, go out to work and attend lectures from Wharton Business School.

Instead of featuring slamming doors and jangling keys, the wing is painted in calming colours and has sound-dampening panels designed to create a peaceful environment. Prisoners wear comfortable polo shirts rather than scratchy overalls. The staff are known as "contact officers" not prison guards and play pool with the inmates to build trust. The murderers are the mentors.

The unit for 64 men is part of a ground-breaking experiment being run by an international team of criminologists in collaboration with the Pennsylvanian Department of Corrections that is looking at the effectiveness of different types of prison regime.

Known as "Little Scandinavia", the wing is modelled on jails in Norway, Sweden and Denmark, where the emphasis is on treatment and rehabilitation rather than punishment.

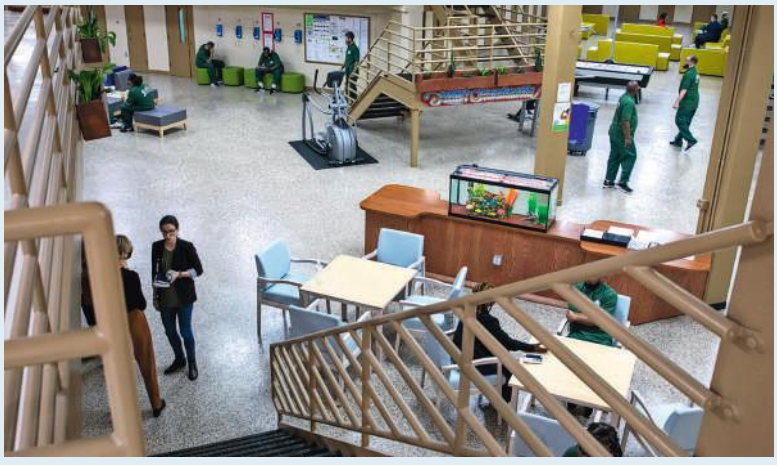
By contrast the rest of the Chester prison, which holds about a thousand criminals, operates as a traditional American jail. Many of these inmates remain locked in their cells for large parts of the day and the officers see their primary role as maintaining order. Violence, self-harm and drugs are rife. Two days after the commission visited there was a suicide at the jail.

As part of the randomised controlled trial, inmates are allocated by lottery to the Little Scandinavia wing. The progress of the two groups of prisoners is being tracked by academics from America and Norway who compare violence levels, staff morale and reoffending rates in the Nordic unit to those in the rest of the prison.

The programme is pitting two extremes against one another: America has one the highest rates of incarceration in the western world with 531 people in prison for every 100,000 of the national population. In Norway the number is 55 (in England and Wales it is 139). The US and Scandinavian criminal justice systems represent the tough and tender ends of the spectrum. While the Nordic countries prefer to "hug a hoodie" as David Cameron once put it, the death penalty is still legal in some American states, including Pennsylvania.

> "A lot of people just made bad mistakes and bad choices in their life. They haven't come from a background of a mum and a dad and a brother and a dog and the white picket fence





Games of chess and a peaceful environment make the Little Scandinavia unit feel more like home

The officers who work on Little Scandinavia travelled to Norway and Sweden to see how they do things differently. Matt Tomkins, a counsellor on the wing, recalls: "They said, 'What is a good day for you?' Our natural response was, 'I come in, I don't get hurt and I go home to my family safe.' They said: 'That's it? A good day for us is when we help change somebody's life.' "

The results so far are compelling. In Little Scandinavia, which opened in 2019, violence and self-harm are virtually non-existent and staff morale is much higher than in the rest of the prison.

Jordan Hyatt the professor from Drexel University, Philadelphia, who is leading the programme, says serious misconduct and the use of restricted housing (the punishment block where prisoners go for rule violations) "are down meaningfully" on the Nordic wing.

"In some cases they are down by almost half," he says. "The staff on the unit also report better health outcomes, better engagement at work and better rapport with their colleagues than they had before."

Gina Clark has worked in US "corrections" for more than twenty years. She inherited the Little Scandinavia pilot when she became superintendent (governor) of Chester prison two years ago. She expected it to be chaos but in fact Little Scandinavia is far safer than the rest of the jail. "I was a little sceptical about it but it changed me," she says. "I have fights and incidents quite often [on the other blocks]. There are weeks that we're responding two or three times to an inmate-on-inmate fight.

"I can honestly say that I've only had one incident of violence and zero staff assaults on the Scandi unit since it opened."

The unit is more expensive to run. There are three times as many prison officers for each inmate but the superintendent is convinced that the investment will be repaid many times over through improved staff retention and reduced reoffending rates.

"A lot of people think that people in jail have committed crimes, they're terrible human beings, you lock the door and that's it, they're out of society, forget about them," she says. "That's not true. A lot of people just made bad mistakes and bad choices in their life. They haven't come from a background of a mum and a dad and a brother and a dog and the white picket fence.

"They're not going to be here forever. Most of the people incarcerated are going to go home. So don't you want them to be better people, going home, than they were when they came in? Because at the end of the day, they're going to be our neighbours."

Having started out as a doubter Clark is now such a convert that she would love to turn her whole prison into Little Scandinavia. "If I had a jail that was totally comprised of Little Scandinavia housing units I think it would be different and I think it would be better."

APPENDIX
List of recommendations

Chapter 1 - Shoplifting, robbery and antisocial behaviour

1 An updated model of neighbourhood policing is required, informed by data and enabled by technology so that resources can be most effectively deployed.
2 The police must respond to shoplifting, robbery, antisocial behaviour and other "low-level" offences as well as to serious and violent crimes.
3 There must be a precise focus on crime hotspots and persistent offenders.
4 Contentious interventions such as stop and search can be focused on the places where they will make the most difference. Targeting knife crime hotspots would maximise the public safety impact while minimising the harm to community relations.

Chapter 2 - Knife crime and gangs

5 More should be done to target individuals who resell knives to teenagers on social media.
6 The ban on so-called "zombie knives" could be extended to other large "status" weapons.
7 The London violence reduction unit's Divert and Engage programmes, the Barts Health Trust and the St Giles Trust hospital ward-based violence reduction service, Redthread and Shift are the kind of models that point the way forward and should be expanded, with long-term economic and social benefits.
8 The age of criminal responsibility should be raised to 12 and then eventually to 14.

Chapter 3 - Violence against women and girls

9 Harmful material that would be illegal to distribute in physical formats such as magazines or DVDs should be banned online.
10 The Operation Soteria suspect-focused principle should be expanded to domestic abuse. The same idea could also be applied to stalking.
11 A network of Victim Care Hubs should be created to provide a single point of contact, give timely updates on case progression and create a seamless source of information and advice for victims and complainants, signposting to specialist support.

Chapter 4 - Cybercrime and fraud

12 There must be much better co-ordination and collaboration over cyber-crime and fraud, with the NCA holding the ring so that investigators can pick up on the links with organised crime gangs.
13 Tech companies must be more proactive about taking down content that is promoting illegal behaviour.
14 Public awareness of and protection from cybercrime should be improved by, for example, banning hyperlinks in text messages.
15 Greater priority should be given to tackling fraud at a policing and governmental level.
16 Informants and whistleblowers should receive a financial reward for information that leads to a conviction for economic crime, similar to the incentives for informants who expose tax avoidance.

Chapter 5 - Terrorism, radicalisation and online harms

17 A specialist unit should be set up to monitor and help to divert violent obsessives with no fixed ideology. Like the Fixated Threat Assessment Centre, it should combine the expertise of the police, who could follow up on suspected crimes, and the NHS, who would ensure that the mental health aspects of a case are dealt with consistently.
18 Social media should be restricted to those over the age of 16, with robust age verification enforced by a universal digital ID system.

Chapter 6 - The role of technology

19 The bright spots of innovations set out in this report — including AI and digital processing tools, digital interview rooms, drones and rapid video response — must be replicated across the country, with much greater co-ordination from the centre to ensure consistency. That will mean working more closely with the private sector, which has the expertise to deliver the changes that are required at the scale and pace that is needed.
20 Local police forces must have systems that are interoperable so that data can be freely shared.
21 There needs to be a shift in the workforce balance to allow more software programmers, data analysts and cybersecurity experts to sit alongside detectives and PCs. Chief constables should have the flexibility to decide how to spend their budgets, rather than being locked into targets for the numbers of frontline police officers.
22 The whole criminal justice system should move towards a single digital case file.
23 Live facial recognition technology should be rolled out around the country and a clear legal framework put in place.
24 A new British Data Authority must be created to oversee the rapid development of these new technologies.
25 Britain must put in place a universal digital ID system, allowing people to interact with the state and verify their details with the private sector in a safe and secure way. The unique code, given at birth, would make it much easier to prevent fraud, including welfare fraud, tackle illegal immigration and reduce identity theft. It would also facilitate robust age verification to protect children both in the real world and online.

Chapter 7 - The causes of crime

26 Schools should remain responsible for the academic outcomes of any pupils that they exclude to remove the perverse incentive to exclude those who might bring down their league table ranking and drive improvements in alternative provision.
27 There must be a greater effort to help those with special educational needs, using data to identify pupils with conditions including autism and ADHD as early as possible in primary school.
28 Match up data sets from different public services using Digital ID to stop children falling through the gaps of state support.
29 Invest in addiction services, mental health provision and family intervention to divert people away from crime.
30 Children who commit non-serious offences should have their criminal records wiped clean.

Chapter 8 - Policing

31 Although it is valuable for the police to gather intelligence, the non-crime hate incident category has become so confusing and controversial that it has almost certainly exhausted its usefulness.
32 A new licence to practise should be created for the police, administered by the College of Policing with revalidation every five years, subject to an officer reaching the required standards, competency levels and qualifications to perform their duties. Specialist areas of expertise could be added to the licence, in the way that already happens for firearms officers, detectives and public order duties. Any police officer who failed the assessment would initially receive further support and mentoring but after successive breaches they would have their licence removed and would no longer be able to serve.
33 A new National Centre for Policing, working alongside the College of Policing, should be created to provide a central resource for forensic science services, technology, data analytics and air support, ensuring that all the forces have systems that are interoperable but also horizon-scanning to look for future threats and opportunities including crime prevention.
34 The national services that are provided under the umbrella of the National Police Chiefs' Council should be brought within the national centre so that policing can be standardised.
35 The flow of money needs to change so that more funding is retained at the centre and the decision-making process in the police must be updated by introducing a form of qualified majority voting avoiding the need for unrealistic perpetual unanimity.
36 Police and crime commissioners should, where possible, be replaced by deputy mayors overseeing the police as part of broader responsibilities for the criminal justice system.

Chapter 9 - The courts

37 The commission proposes a new intermediate court, sitting in the Crown Court but with cases tried by a judge and two magistrates rather than a jury. The intermediate court would deal with many lower-level crimes, including "either way" offences that could receive a maximum sentence of up to two years. It would not deal with serious violent or sexual crimes. The defendant could still ask for their case to be heard in the Crown Court but it would be tried by a judge and two magistrates rather than a jury.
38 There must be investment in the physical infrastructure of courts.
39 All courts should be fitted with the equipment needed to stream interviews or show video evidence to juries, linked up to the single digital case file to allow more remote hearings without undermining the quality of the trial.
40 The contracts for prisoner transport must be rewritten so that there are tougher sanctions on the companies if defendants are late.
41 An independent fee review body, similar to the pay review bodies that exist for other public sector workers, including the police and judges, should be created to take the politics out of pay for publicly funded lawyers. This body should also remove the discrepancies between prosecution and defence fees and create a more rational system for advocates to be paid for the work they do on a case even if they do not end up presenting it in court.
42 Legal advisers in the magistrates' courts must be paid the same as elsewhere to prevent the high drop-out rate.
43 Problem-solving courts should be introduced across the country to reduce the number of people being sent to prison for non-violent crimes and ensure that offenders get the addiction treatment or mental health support they need.

Chapter 10 - Sentencing

44 The Home Office should be restructured in the longer term, with immigration separated from law and order. The Ministry of Justice could then take over responsibility for crime and policing as well as prisons. The distinct lord chancellor's role could also be reinstated as the guardian in cabinet of the rule of law, with a new department for legal and constitutional affairs.
45 There is an urgent need for politics and short-termism to be set aside and for a new "common sense" approach to sentencing. A new independent sentencing advisory board (similar to the migration advisory committee) should be set up to depoliticise the process and give objective advice to the government on proposed changes to legislation.
46 There must be radical reform of the make-up and structure of sentences. Judges should be able to impose a sentence with three graduated stages (prison, home detention curfew and licence), designed to incentivise criminals to reform with less of a cliff edge between prison and the community.
47 Politicians should stop creating new minimum tariffs in response to every difficult case and leave greater discretion to the judiciary.
48 There must be more clarity for the public about what a sentence will mean.
49 The murder laws must be rewritten, to remove inconsistencies and make the system fairer.
50 A way must be found safely to release over-tariff IPP prisoners.
51 There should be a presumption against short sentences, with the focus for persistent offenders on drug, alcohol or mental health treatment, with the option of prison as a last resort.
52There must also be more residential women's centres, where female offenders unable to go home, for example because of domestic violence, can live.
53 The growing recall population in prisons should be tackled by ensuring that people are returned to jail only if there is a risk to public safety, not for trivial breaches of their conditions, and the length of the licence period for non-violent offences should be reduced.

Chapter 11 - Prisons and probation

54 There should be more drug and alcohol treatment facilities and mental health units, either as stand-alone units or specialist wings within prisons, jointly funded by the prison service and the NHS.
55 There should be gyms in all jails to promote physical health.
56 Secure care homes should be set up so elderly prisoners can be looked after in an appropriate setting, funded jointly by the Ministry of Justice and the Department of Health.
57 Governors should have greater autonomy over their jails and be encouraged to innovate, so long as they adhere to minimum standards and are held to account for the service they provide. Accountability measures must change to encourage prisons to prioritise education and rehabilitation as well as safety and security.
58 A new College of Prisons and Probation Officers should be established to professionalise the service and create better career paths. There must be more rigorous training for those joining the prison service, with an emphasis on the importance of turning lives around rather than just turning keys. The college should promote professional development and could also oversee vetting.
59 Unlocked Graduates, which has an excellent record of changing the culture in prisons and boosting retention rates, must have its contract reinstated by the Ministry of Justice. Its approach to recruitment could also be expanded to probation officers, an equally crucial part of the system.
60 Governors should work more closely with local schools and recruit teachers to help with prison education on a part-time basis.
61 Prisoners should have iPads with restricted internet access. Inmates could also use the tablets to communicate with their families.
62 Prisoners should be eligible for a student loan for an Open University degree from day one, not six years from release, and be able to take several courses if they choose.
63 Businesses should be offered relief on national insurance contributions for the first year if they hire ex-offenders, mirroring the system that already exists for veterans.
64 More prisoners who are safe to go out of jail to work should be allowed to do so, wearing an electronic tag.
65 The number of open prisons should be increased and those that already exist must be filled.
66 There should be a greater use of electronic monitoring to manage those on probation who need less support.
67 The power of technology should be harnessed to help probation officers to keep up with bureaucracy, with AI transcription services and data-sharing tools.
68 Mayors should have a statutory responsibility for co-ordinating the provision of housing, health and substance misuse services for those leaving prison working more closely with probation to ensure better local co-ordination.

PICTURE CREDITS

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THE BURNING PLATFORM OF THE CURRENT CRISIS HAS CREATED A UNIQUE OPPORTUNITY FOR CHANGE

Rachel Sylvester, chair of The Times Crime and Justice Commission



“To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment

Why the police exist, according to the first principle espoused by Robert Peel, founder of the Metropolitan Police

THE TIMES

