

# Justice and Home Affairs | Annual Report

## Membership

### Shadow Cabinet

Diane Abbott MP\*  
Richard Burgon MP  
Angela Smith MP  
Jon Trickett MP†<sup>1</sup>

### NEC

Alice Perry\*  
Alun Davies AM  
Keith Vaz MP  
Claudia Webbe

### CLPs and Regions

Ann Cryer  
Huw Irranca Davies AM  
Unmesh Desai  
Annabelle Harle  
Simon Lightwood  
Mike Payne  
Brynnen Ririe  
Dave Watson†<sup>2</sup>  
Christian Weaver  
Linda Woodings

### Affiliates

Siobhan Endean  
Ian Hodson  
Kameljeet Jandu  
Ash McGregor  
Fiona Wilson

### Elected Reps

Simon Blackburn  
Richard Corbett MEP  
Dave Watts

\* Co-convenor

†<sup>1</sup> Replaced Ian Lavery MP

†<sup>2</sup> Replaced Jill Merchant

## Policy Development

The Justice and Home Affairs Policy Commission was constituted following Annual Conference 2016, covering the Home Affairs, Justice, Cabinet Office, and Devolved Administrations portfolios.

At Annual Conference 2016, a Justice and Home Affairs policy seminar was held with delegates discussing a range of issues with members of the Shadow Home Affairs and Justice teams, including then Shadow Home Secretary, Andy Burnham, and Shadow Secretary of State for Justice, Richard Burgon MP. Alice Perry (NEC co-convenor) chaired the meeting, taking contributions from the floor before allowing shadow ministers to respond. Several delegates expressed concerns around the crisis in prisons, including staffing levels and how to balance punishment, rehabilitation and public safety. There was also a discussion on probation, with calls for the part-privatisation of the service to be halted. Delegates shared concerns about access to justice, particularly the effects of legal aid cuts in reducing the number of law centres and firms offering legal aid services, as well as the effect of cuts to the Equality and Human Rights Commission. Other issues raised included anti-social behaviour, fraud committed against vulnerable people, and the implications of Britain leaving the European Union, including the impact on citizens' rights, the policing of cross-border crime, and the European Arrest Warrant. Concerns were also raised that the Prevent Strategy may contribute to the stigmatisation of some communities.

In addition, a well-attended Equalities, Civil Society, and Political Reform seminar was held at Annual Conference 2016. Jonathan Ashworth MP chaired the meeting, taking contributions from the floor and allowing shadow ministers to respond. Cat Smith MP, Shadow Minister for Voter Engagement and Youth Affairs, and Paul Flynn MP, Shadow Leader of the House, had a wide-ranging discussion with delegates on issues such as how to engage young people in politics and encourage greater participation in the democratic process more widely. Delegates questioned the panel about electoral reform, including greater use of proportional representation and extending the franchise to 16- and 17-year-olds. Delegates also discussed whether a system of compulsory voting similar to Australia should be considered for the

UK, and concerns were raised over the upcoming boundary review and the reduction in the number of MPs by 50. Delegates put forward suggestions on improving voter registration, and also discussed wider political reform including making the House of Lords democratically elected.

A composite motion calling for greater action from the Government on unaccompanied asylum-seeking children was also passed at Annual Conference 2016.

In November 2016, the National Policy Forum met at Loughborough University to set the priorities for each Commission for the coming year. As part of this process, two breakout sessions were held for Justice and Home Affairs issues. Over the course of the weekend, Representatives identified immigration, access to justice, and prison reform as the priority issues they felt the Justice and Home Affairs Commission should focus on during this year's policy-making cycle. Representatives also identified a number of other issues which they thought should be considered by this Commission in the year ahead including domestic violence and gender-based violence, human rights, police cuts, hate crime, tackling extremism, electoral and constitutional reform, victims' rights and historic injustices, and bereavement support in the criminal justice system.

The Justice and Home Affairs Policy Commission held its first meeting of 2017 in January. Shadow Minister for the Cabinet Office, Ian Lavery MP, gave an update on the work of the Cabinet Office team, highlighting Brexit, voter registration, the boundary review, and cyber-security as particular areas of interest. Shadow Attorney General, Baroness Chakrabarti, then updated the Commission on behalf of the Justice team on the current crisis in the prison estate and on issues surrounding access to justice and human rights law. During this meeting the Commission considered the Agenda 2020 process, with the Chair outlining the timetable of activity and setting out the key stages in the policy-making process. Representatives also discussed how the priority topics should be decided upon based on priorities discussed at the NPF meeting in November and the ten pledges announced at Annual Conference 2016. The Commission discussed potential topics for future meetings and possible invitees to give evidence.



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Representatives considered a report covering the submissions that had been received since the Commission last met, as well as several motions from Annual Conference. Finally, the Commission discussed recent developments in policing and the changing patterns of crime.

The second meeting of the Commission was held in February 2017. To begin there was a discussion of the Version One consultation document which had been circulated in advance of the meeting. Representatives suggested the immigration section could include questions relating to integration, international students, and highlight the particularly vulnerable position of refugee children. In addition to the three priority issues identified at the NPF, the Commission decided a fourth issue should also be included: Victims' Rights and historic injustice. The Shadow Home Secretary, Diane Abbott MP, updated the Commission on the work of her team to push the Government to do more on providing support to unaccompanied asylum-seeking children. She also discussed with the Commission on concerns within the business sector about the Government's current approach to immigration, as well as concerns about the counter-radicalisation strategy. Finally, the Commission had a discussion on Brexit and free movement. To facilitate an open conversation, two guest speakers from different sides of the Brexit debate – Seb Dance MEP and the FBU's Paul Embery – were invited to give their views on what will happen to immigration policy once the UK leaves the EU. As part of this discussion, Commission members also considered submissions that had been received since the last meeting relating to immigration and Brexit. Commission members raised points on ensuring as many CLPs as possible make submissions. Representatives also discussed submissions received via the Labour Policy Forum website and the importance of encouraging submissions from as many people as possible, both members and supporters.

Planned evidence gathering sessions on prison reform and access to justice were cancelled as a consequence of the Westminster terror attack in March. Nevertheless, the Commission was able to consider a wide range of written expert evidence which it had received on the priority issues.

Submissions were received from the Solicitors' Regulation Authority, the National Secular Society, Children's Charities' Coalition on Internet Safety, Focus on Labour Exploitation (FLEX), Detention Action, Detention Forum, the Jo Cox Loneliness Commission, Which?, British Future, Criminal Appeals, the Refugee Council and Refugee Action among others.

### Labour's manifesto

Following the snap election announcement in April, the NPF engaged in an accelerated manifesto development process. As part of that process, NPF Representatives took part in meetings on their priorities for the manifesto. In addition, outside experts, third sector bodies, and stakeholder groups were also asked to submit written evidence on what they thought should be prioritised.

After receiving a wide range of proposals via the manifesto survey and through other outreach work, the Commission held a teleconference so Representatives could consider the submissions received, as well as highlight the key priorities which they felt should be reflected in manifesto. In reference to the submissions received, the call was divided up into key themes: justice; immigration; policing & crime; and national security. On policing and crime, Representatives identified improving community policing, as well as more robust action on child sexual abuse and domestic violence as priorities. On national security, members suggested a pledge to maintain membership of Europol and wider security cooperation post-Brexit, as well as commitments on improving cyber security and tackling cyber crime, online grooming, and radicalisation.

Several measures to tackle the ongoing crisis in prisons were suggested, including: improving the recruitment, retention, pay and conditions of prison officers, better treatment of prisoners with mental health problems, and reforming the payment-by-results model of probation for levels offenders. Commission members highlighted the abolition of tribunal fees and measures to improve access to justice as key priorities. Having received a large number of submissions on human rights, and with reference to the ten pledges announced at

Annual Conference 2016, the Commission agreed that a strong statement in support of the Human Rights Act would be welcome in the manifesto.

On immigration, members felt the manifesto should include proposals to tackle the undercutting of wages by unscrupulous employers and the practice of recruiting workers exclusively from abroad, as well as strengthening trade unions' ability to protect workers' rights. Members were also clear that the manifesto should reflect the positive contribution that migrants have made to the UK. Other priorities for the Commission included removing international students from net migration calculations, reinstating the Dubs scheme, and ensuring a fairer system of placing refugees in local authorities.

Justice and Home Affairs priorities also featured in teleconferences and meetings held with regional NPF bodies and other stakeholder groups as part of the manifesto development process. The future of policing was discussed during a number of meetings, with NPF Representatives expressing a desire for commitments to improve community policing and to increase the numbers of officers. Representatives also discussed better training for the police on hate crimes. On immigration, it was felt greater action was needed to tackle pressure on public services in areas that have seen high levels of immigration, with discussions on how the Migration Impact Fund should be reinstated.

Measures to increase access to justice also featured prominently during the manifesto development process, with suggestions that employment tribunal fees should be scrapped and calls for a fair legal aid system that protects the most vulnerable. Representatives also thought that there should be greater use of restorative justice.

On the devolved administrations, Representatives were clear on the need for Labour to set out its opposition to a second Scottish independence referendum. There were also calls for more work to be done to ensure women in Northern Ireland are able to receive the same access to abortion as those living in the rest of the UK. There was strong support for the devolution of policing to Wales, as well as ensuring a fairer funding settlement. Discussions were had on political and electoral reform, Representatives suggested extending

the franchise to 16- and 17-year-olds, as well as adopting online voting to improve turnout and creating an effective statutory register of lobbyists to increase transparency.

During the election campaign, Labour set out five key commitments to enhance community safety. The centrepiece of the pledge was a commitment to reinvigorate community policing, reflecting the work of the Justice and Home Affairs Commission. At the beginning of the campaign, Jeremy Corbyn announced that Labour would put 10,000 more police officers on the country's streets. The Justice and Home Affairs Commission investigated policing as a priority issue last year, taking evidence from experts as well as engaging with members and stakeholders through online consultations and regional meetings to develop a bold policy for policing and crime. The Commission heard that effective community policing promoted local intelligence gathering and improved community relations, which helps in early crime prevention, public safety and countering or identifying forms of radicalisation or pathways to violent extremism. Key challenges identified by expert witnesses included tackling violence against women and improving relations with BAME communities. These issues were reflected in Labour's 2017 manifesto, with pledges on a new commissioner for tackling domestic and sexual violence and a National Refuge Fund, as well as a commitment to eliminate institutional biases against BAME communities in the criminal justice system.

Other priorities for the Justice and Home Affairs Commission this year have also featured in Labour's offer on community safety. The focus on issues around immigration can be seen in the commitment to strengthen our border controls, investing in more staff to help tackle people smuggling and other cross-border crime. There is also a pledge to address the dangerous understaffing of our overcrowded prisons and improving officer safety by lowering the prisoner-to-staff ratio.



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## Current Issues

### Terrorism and counter-extremism

Attacks in Britain and across Europe over recent years demonstrate that terrorism and extremist ideology pose a serious and growing threat to our freedom and to our way of life. Our police, security and intelligence services work around the clock to counter that threat; the Commission believes it is imperative that they have the powers and resources they need to continue this vital work. Submissions received by the Commission also made clear that effective oversight of those powers was crucial in ensuring that they are used proportionately and that individual liberties are protected.

The extremist threat our country faces is evolving and becoming more complex. In recent years there have been hundreds of British jihadists returning from fighting with Daesh in Syria and Iraq, as well as the radicalisation of individuals here in Britain, either online or in our communities. There has also been an alarming rise in right-wing extremism. From the attack on Finsbury Park mosque or the murder of Jo Cox MP by right-wing extremists to the recent attacks at London Bridge and Manchester by Islamists. It is clear that extremist ideology of whatever kind has the capacity to wreak havoc and destruction on our streets. The Commission therefore welcome the manifesto commitment to review PREVENT. It reflects a sentiment expressed in many submissions received by the Commission that our counter-terrorism strategy needs the support of all communities and must address all the threats we face, from whatever source.

### Brexit - Immigration and security cooperation

Over the course of the past year the Commission has received many submissions on what leaving the EU will entail, in particular what should happen with our immigration system and our security cooperation with other European nations.

The spike in hate crimes against BAME and immigrant communities in the wake of the referendum emphasised the need to discuss this issue in a sensitive and thoughtful manner. As we plan for a future outside of the EU, the Commission believes the correct approach is one which recognises the contribution made by people

who have come to work and live here, but which also addresses concerns around the effect of immigration on public services and the exploitation of migrant workers by unscrupulous employers seeking to undercut wages. As part of our evidence gathering sessions, the Commission conducted a lively debate between Trade Unionists Against the EU's Paul Embery and Remain campaigner Seb Dance MEP on what sort of immigration system our country should have post-Brexit. There was agreement that the lives of EU nationals living in the UK or British nationals living in the EU should not be used as a bargaining chip. This sentiment was reflected in the manifesto commitment to confirm the existing legal status of EU citizens living in the UK and accept the same guarantees for British citizens elsewhere in the EU. A common theme expressed both in submissions received and from expert evidence was that Government should not be let off the hook for underinvestment in public services or in housing by blaming pressures in these areas exclusively on immigration. Commission members agree that pressures on public services and a lack of affordable housing are the responsibility of the Government and migrant communities should not be scapegoated. Migrant workers play an important role in key sectors of the economy as well as in our public services. It is therefore welcome that the 2017 manifesto pledged to put jobs, growth and the economy above arbitrary immigration targets.

Submissions received highlighted a deep concern about the potential impact that leaving the EU will have on our future cooperation with other European nations on issues such as counter-terrorism and organised crime. The Commission believes that membership of the EU has given Britain valuable access to intelligence sharing databases, such as the Schengen Information System, Prum, or Passenger Name Records. Co-operation and data-sharing with other countries on intelligence is crucial in tracking suspects and preventing attacks, which is why the commitment to strengthen cross-border collaboration under a Labour Government is so important.

### Justice and Human Rights

This year the Commission received alarming evidence of the ongoing crisis at every level of our

justice system. Written submissions from experts in the field, party members and stakeholders highlighted the extent to which access to justice is being denied to those on limited means through cuts to legal aid and the prohibitive costs imposed on workers seeking to assert their rights through the employment tribunal system. The Commission welcomed the manifesto commitments to improve access to justice, including abolishing employment tribunal fees and reviewing the means test for legal aid. And we look forward to reading the final report from the Bach Commission on Access to Justice.

Submissions and expert evidence received by the Commission also made clear that the crisis in prisons continues to escalate, with growing levels of violence, drug abuse, suicide and self-harm making rehabilitation more difficult. Evidence was also presented to Commission members on the Conservatives' reckless part-privatisation of probation, which has been a costly failure with no impact on reoffending. The Commission heard that when prison and probation fails, people can get stuck in a cycle of reoffending with no hope of turning their lives around, simply causing more misery for their victims and at a cost of billions to the taxpayer. Evidence received also made clear that to reduce reoffending, prison and probation cannot be considered on their own, and that policies must also account for contributory factors such as a troubled family life, drug or alcohol dependency, or homelessness. The Commission recognises the detrimental impact of cuts to community support organisations on the rehabilitation of offenders. It was therefore encouraging to see proposals in the Labour Manifesto at the General Election to extend a multi-agency approach to youth justice in order to work with young people at risk of drifting into anti-social or criminal behaviour.

The importance of the Human Rights Act and a properly funded Equality and Human Rights Commission in allowing people to defend their rights and secure justice was also highlighted through submissions over the course of the year. This is reflected in the welcome manifesto commitment to defend the Human Rights Act and retain Britain's membership of the European Convention on Human Rights. The Commission believes it is vital that the process of leaving the EU

does not result in dilution of our human rights. The Commission believes that the manifesto pledge to introduce an EU Rights and Protections Bill will be crucial in ensuring there are no detrimental changes to workers' rights, equality law, consumer rights or environmental protections as a result of Brexit. In addition a commitment to guarantee EU Structural Funding until the end of the current funding round will give much-needed certainty to organisations and programmes that promote and protect our human rights.

### Fire Service

Since 2010, Fire and Rescue Services have faced significant and dangerous cuts, which have seen the loss of over 9,000 staff, the closure of dozens of fire stations, rising response times, and a deeply concerning fall in the number of fire safety audits. Alongside this, firefighters and emergency control staff have seen their pay, pensions, and working conditions attacked and eroded. Against this backdrop of Conservative underinvestment, the Commission notes the welcome election pledge in the Labour Manifesto to hire 3,000 new firefighters and consult on national minimum standards for the service.

### Crime and policing

The Commission notes with concern the warnings from a growing number of senior figures in policing about the impact continued funding reductions are having on the service. Over the last seven years, the police have seen their funding cut by over a quarter, with the loss of tens of thousands of officers and staff. We have received submissions on how this has meant some police forces find it difficult to place sufficient resources into measures which prevent crime or protect the public as part of neighbourhood policing. The Commission took evidence on signs that some of the most serious and violent offences are on the rise again. New threats to public safety are also emerging, such as cyber crime, online child sexual exploitation, and radicalisation. In addition, we have heard how officers tackle previously hidden crimes like human trafficking, forced marriage, or female genital mutilation. And improvements in police practice and recording techniques have shown that violence against women and girls, sexual offences, and stalking and harassment are all much more widespread than previously thought. These



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offences, which are labour-intensive and costly to investigate, make up an increasing proportion of overall police workload. In their role supporting communities, the police are also experiencing growing non-crime demands on forces, frequently linked to issues of vulnerability, public protection and safeguarding. The Commission is clear that much more must be done to tackle violence against women and girls. However, the current funding crisis facing Women's Aid refuges results in women being turned away from shelters every day due to a lack of space and forced to return to their abuser. The Commission thinks the manifesto commitment to establish a National Refuge Fund will help to ensure financial stability for the sector and break this cycle of violence and abuse.

The recent terrorist attacks have once again shown how our brave officers do not hesitate to go above and beyond the call of duty to protect the people of this country and our way of life in emergency situations. However, neighbourhood policing has also been identified as a key tool in combating the terror threat the country faces as local officers are often best-placed to gain vital intelligence because they have earned the trust and confidence of communities they serve. That is why the Commission feels Labour's flagship election pledge to hire 10,000 new officers in community policing roles is so important to maintaining and enhancing public safety.

### **Cyber security**

Cyber attacks at home and abroad over recent months, including against the NHS and Parliament, have once again demonstrated the threats we all face as our lives increasingly migrate online. The Commission was pleased to see that concerns raised via submissions were reflected in the manifesto commitment to ensuring contractors to the Ministry of Defence sign up to a cyber security charter and the pledge of a full review of cyber security capabilities as part of a Strategic Defence and Security Review by an incoming Labour government.

### **Northern Ireland**

The Good Friday Agreement was one of the greatest achievements of the last Labour Government. Both through submissions from party members and in stakeholder engagement meetings during the manifesto development

process, it has been stressed that the continuation of power-sharing arrangements in a devolved administration is the best way to ensure peace and stability for the people of Northern Ireland. The Commission believes that all parties must now come together in the interest of maintaining the integrity of the devolved institutions and facing up to the challenges ahead for Northern Ireland.

### **Youth voter engagement**

The Commission welcomes the increased engagement by young people in the democratic process witnessed during the 2017 General Election. Over the past year, members have considered many submissions on how to encourage more young people to vote and to participate in our democracy, from extending the franchise to 16 and 17 year olds to measures designed to make it easier for students to register to vote. We are pleased to see that these proposals formed part of the policy offer to young people in Labour's 2017 manifesto.

## Submissions

- Abolition of employment tribunal fees
- Amnesty for illegal immigrants
- British Bill of Human Rights
- Charitable status for religious organisations
- Community-based policing
- Compulsory voting
- Codifying the Constitution
- Constituency boundaries review
- Devolved or regional immigration controls
- Decriminalisation of recreational drug use
- Diversity in police, justice system, and government departments
- DNA database reform
- Domestic and gender-based violence
- Elected upper chamber
- Electoral reform
- Firearms licencing and use
- Freedom of movement rules
- Health-centred approach to drug and alcohol abuse
- Immigration and social housing
- Immigration and the NHS
- Impact of recordable police cautions
- Journalist licencing body
- Legal aid reform
- Local Authority and Parliamentary Ombudsman
- Membership of European crime-fighting agencies and schemes
- MPs' second jobs
- Parliamentary reform
- Police funding formula reform
- Political neutrality of Police and Crime Commissioners
- Party political funding reform
- Proportional representation
- Prostitution
- Protections for child grooming victims in court
- Public ownership of prisons
- Reform of citizenship requirements
- Reform of House of Lords
- Rehabilitation of offenders
- Review of surveillance practice
- Rural policing numbers
- Sanctions for repeat offenders
- Sentencing guidelines for low-level offending
- Social media trolling
- Specialist police department for mental health and learning disabilities
- Spousal visa restrictions
- Strategies for tackling drug abuse
- Tougher sentencing guidelines for serious crimes
- Violence against women and girls
- Young offenders

