



NATIONAL
POLICY
FORUM
2021

Justice and
Home Affairs

MEMBERSHIP 2021

HM Opposition

Nick Thomas-Symonds MP*

Nia Griffith MP

Louise Haigh MP

Ian Murray MP

NEC

Alice Perry*

Ann Black

Nadia Jama

Gurinder Singh Josan

CLPs and Regions

Ann Cryer – Yorkshire and Humber Region

Michael Garvey – North West Region

Simon Lightwood – Yorkshire and Humber Region

Samiya Malik – Greater London Region

Mike Payne – Welsh Policy Forum

Dave Watson – Scottish Labour Party

Linda Woodings – East Midlands Region

Affiliates

Siobhan Endean - Unite

Nadine Grandison-Mills – BAME Labour

Emily Rowles - Usdaw

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The work of the Justice and Home Affairs Commission

Devolution

The Commission consulted throughout June and July 2020 on how to strengthen the devolution settlement after Coronavirus, and received hundreds of responses from CLPs, party members, and the public. The Commission also held an e-roundtable at the beginning of June, giving members the opportunity to discuss issues raised in the consultation with the then-Leader of the Scottish Labour Party, Richard Leonard MSP, the Deputy Minister and Chief Whip in the Senedd, Jane Hutt MS, the Shadow Home Secretary, Nick Thomas-Symonds MP, the Shadow Secretary of State for Wales, Nia Griffith MP, the Shadow Secretary of State for Northern Ireland, Louise Haigh MP, and Shadow Scotland Minister Chris Elmore MP. At a meeting of the Commission in May, the Deputy Leader of the Scottish Labour Party, Jackie Baillie MSP, and the Police and Crime Commissioner for Northumbria, Kim McGuinness, gave evidence on strengthening devolution both between nations and at a regional or local level.

Electoral reform

Over the last year, around a third of submissions were on issues relating to the electoral system, demonstrating a strong desire among members to consider options for reform. Therefore, it was decided to hold a dedicated session on the topic this May, with shadow Minister for Democratic Engagement, Cat Smith MP, updating the Commission on issues including voter ID, the Boundary Review, and overseas voters. The Commission then took evidence on electoral reform from Sandy Martin, Chair, Labour Campaign for Electoral Reform, and Joe Sousek, Organiser for Labour for a New Democracy.

Violence against Women and Girls

At the meeting in February 2021, the Commission held a dedicated discussion with Shadow Solicitor General, Ellie Reeves MP, and Shadow Minister Shadow Minister for Domestic Violence and Safeguarding, Jess Phillips MP, on issues around violence against women and girls, including historically poor outcomes for rape victims and the continuing inadequacy of domestic violence services. The Commission's consultation document on strategies to end violence against women and girls (VAWG) was launched on 3 June. In June, the Commission hosted a well-attended members' e-roundtable event on strategies to tackle

VAWG, which included introductory remarks from shadow Home Secretary, Nick Thomas-Symonds MP, and shadow Attorney-General, Ellie Reeves MP. Shadow Policing and Fire Minister, Sarah Jones MP, then joined in members' discussions in breakout rooms. At the meeting held in July 2021, the Commission received an update from Jess Phillips MP on the Government's recently published VAWG strategy and took evidence from the End Violence Against Women Coalition.

Access to Justice

At the meeting held in May 2021, the Commission had a dedicated discussion on problems in the justice system with Shadow Justice Minister, Karl Turner MP. He raised concerns around lack of adequate funding for legal aid, and explained to the Commission that the Conservatives stripped £1bn in real-terms from the budget, leaving the system overstretched and under-resourced. Points were also raised around the impact of court backlogs, with victims, witnesses, and defendants being left in limbo for years waiting for their case to come to court. Finally, Karl outlined the dangers around the Government's plans to stifle judicial review, describing them as a power grab by trying to stop the public challenging decision-making by the Executive.

Policing and crime

In July 2020, the Commission was pleased to receive a briefing from the Police and Crime Commissioner for Northumbria, Kim McGuinness, who emphasised how important the powers of PCCs are in being able to deliver Labour values locally. She told the Commission that the Labour Party needed to embrace it as a role as it was a good opportunity for Labour to reclaim ground from the Tories. Kim highlighted the impact of Tory policy on policing and crime over the last decade, saying this demonstrated how cynical their attempts to reframe themselves as the party of law and order are.

Immigration

Over the past two years the Commission has received a number of updates from the shadow Home Secretary, Nick Thomas-Symonds MP, on the Tories' callous and incompetent approach to immigration. At the July 2020 meeting, Nick updated Members on the Immigration Bill, noting that many of the health and care workers Ministers applauded on Thursdays throughout lockdown were now being branded 'unskilled'. At this meeting, the Commission also discussed the Windrush Lessons Learned Review and Compensation Scheme. Nick warned that the compensation scheme was in a chaotic state, with people facing destitution



and not being paid the compensation they deserve. In May 2021, Nick updated the Commission on the Sovereign Borders Bill, pointing out that many measures seemed designed as an attack on immigration lawyers for doing their job. With regard to the Government's new immigration plan, Nick said that the Tories speak of a broken system but they have been in power for 11 years. He added that everyone wants an asylum system that works fairly and quickly and which protects people's rights, but this Bill will increase division and be completely ineffective.

Borders

As the Covid-19 pandemic has progressed, the Commission was pleased to receive regular updates on policy at the border from the Shadow Home Secretary, Nick Thomas-Symonds MP. The Commission heard how the Government's failure to close borders earlier allowed the disease to come to the UK from places in Europe, rather than Wuhan itself. Throughout the pandemic, measures that have been put in place have been inadequate, with barely any spot-checks on whether people were self-isolating, inadequate quarantine arrangements, and a 10-month delay in implementing testing.

Bias in the criminal justice system

The ongoing biases and disproportionality against people from Black, Asian and Minority Ethnic (BAME) backgrounds was discussed frequently by the Commission in 2021. At the meeting in January, Commission members discussed discrimination against Gypsy, Roma and Traveller communities and the disproportionality that they face in the criminal justice system. Shadow Justice Secretary David Lammy MP agreed there was a problem, pointing out that during his review, outcomes for Roma and Traveller communities were among the most disproportionate. In May, Commission members asked questions of the Shadow Home Secretary, Nick Thomas-Symonds MP, around policing and relations with Black, Asian and Minority Ethnic communities in the wake of the Black Lives Matter movement. Nick said that every community in the country needs to have confidence in the police and that the Tories' erosion of community policing has hugely affected community relations. He added that there is also a need to do more on training and that the current uplift programme should be used to improve diversity in police forces. Shadow Justice Minister Karl Turner added that to tackle disproportionality in sentencing, the diversity of the judiciary needed to improve.

Security

In January 2021, the Shadow Home Secretary, Nick Thomas-Symonds MP, updated the Commission on the security and data-sharing elements of Britain's future relationship with the EU. He said it was clearly better than a no-deal scenario, but there is a serious problem around real-time data-sharing and the Home Secretary was wrong to suggest there has not been a loss of capability.

Prison and probation

The Shadow Justice Secretary, David Lammy MP, spoke to the Commission in January 2021, highlighting the impact of Covid on prisons and the wider justice system. He said cases had risen exponentially, with an alarming number of staff getting sick as well. David pointed out that prisoners are locked down for 23 hours a day, with no training or education and no work to rehabilitate people. Even access to basic services like showers has been curtailed. He said there were particular issues for women prisoners who are often vulnerable. And he noted the problem with remand prisoners – who are disproportionately from Black, Asian and Minority Ethnic backgrounds - being held in unsanitary conditions while awaiting trial. David then updated the Commission on the Government's U-turn on probation privatisation, with members raising concerns about staffing levels in probation services as they are returned to the public sector.

Fire and rescue

In February 2021, the Shadow Home Secretary, Nick Thomas-Symonds MP, gave a report on the Fire Safety Bill. He told the Commission that the Grenfell Inquiry phase 1 set out a range of measures to happen without delay, and yet two years later they still have not been implemented. He said the Tories were letting down the victims of Grenfell and people were still left in dangerous buildings. The Commission was pleased to hear about Labour's attempts to protect leaseholders so they do not have to pay for historic defects in their buildings.



Principles

2020

1. Fairness and respect
2. Cooperation and common endeavour
3. Effectiveness and efficiency
4. Empowering citizens
5. Accountability and the rule of law
6. Defending democratic norms

2021

1. A comprehensive, whole-system approach
2. Long-term, sustainable funding
3. Tackle misogyny at earliest opportunity and throughout life
4. Need for concrete action, not more reviews
5. Accountability for outcomes

Ending violence against women and girls

If our country is to be the best place in the world to grow up and grow old in, women and girls must feel secure at home, at work, online, in education, and in their communities. This year's consultation once again re-emphasised that this is simply not the case for far too many women and girls across the UK.

The endemic nature of VAWG was a theme touched upon in many submissions. Coupled with this was the idea that policy-makers had all too often failed to appreciate the true scale of the problem. This lack of understanding was demonstrated by the absence of long-term, sustainable funding for refuge and community-based services, meaning women were denied access to vital assistance that could help them get away from an abusive relationship.

While improving the performance of the criminal justice system to give women greater confidence was highlighted as an immediate priority, the need to develop a comprehensive, 'whole-system' approach that looks beyond criminal justice was also emphasised. This means creating a co-ordinated, cross-government response to VAWG, similar to the 'public health' model of tackling serious violence, which would cover not just the criminal justice system but also areas such as housing, education, healthcare, the immigration system, welfare reform, the family courts and support for children.

A clear theme throughout the consultation was that prevention must be a higher priority, through challenging and changing misogynistic attitudes, as well as equipping people to better identify and support those who are victims or are at risk of becoming victims. The need to start to tackle misogyny at the earliest opportunity and for this to be a continuous process throughout life was also emphasised. In keeping with the 'whole-system' approach outlined above, submissions focused not just on the role of education, but on society as whole.

Recognising that VAWG is endemic in our society, much of the evidence received by the Commission highlighted the abundance of reviews and research that had been carried out in recent years but that very little in the way of concrete action or improved outcomes had been achieved. A common solution to this lack of action was to strengthen the mechanisms of accountability, either through new domestic legislation or by fully signing up to relevant international treaties.



Submissions to the consultation

In order to tackle a problem, we need to recognise its true scale. Throughout the year, submissions received by the Commission highlighted that VAWG is an epidemic that has been ignored for most of our history, both in our own country and across the world.

“Male violence against women and girls is historic and endemic.”

NATALIE, WEST MIDLANDS

“Violence against women and girls is a global problem that has been historically hidden, ignored, and accepted.”

LABOUR INTERNATIONAL

Beyond recognising the scale of the problem, submissions also emphasised that there are many aspects to VAWG, and that any strategy to tackle it needed to also acknowledge this complexity and nuance.

“There should also be publicity and education around the range of different groups facing layers of discrimination and abuse: LGBTQI women; BAME women; women in rural areas; women with No Recourse to Public Funds; children subjected to sexual abuse; girls charged with soliciting rather than being recognised as subject to exploitation; migrant women (including work and study visas currently excluded from Destitute Domestic Violence Concession); women with disabilities; working class women; women facing abuse due to faith based dress - niqab, hijab, sheitel; women at work - musicians, performers, freelance, self-employed, night time economy; public servants including MPs and activists; high risk during pregnancy and up to child's second birthday; women misled into relationships with undercover police.”

BRIGHTON PAVILION CLP

The consultation responses made clear that the criminal justice system is in urgent need of reform and for this to be backed up with adequate resources. At a members' roundtable event, the Commission heard that better training for those working in the criminal justice system and improved support for victims were crucial immediate steps that needed to be taken. This was also a common theme in written submissions.

“Ensure specific training for Justice and Police Services to eliminate sexism and misogyny and ensure prompt and thorough investigations into abuse, violence and rape claims.”

PHILIP, EAST

Brent North CLP said there was a need for investment in specialist police units and the and the Crown Prosecution Service (CPS) to tackle the appalling outcomes for rape and sexual assault. Other submissions called for better funding for Independent Domestic Violence Advisors and Independent Sexual Violence Advisors, who can help victims through the criminal justice process, or new ways of monitoring offenders.

“We urgently need a register of serial domestic abusers and stalkers akin to being on the sex offenders register.”

ROSSENDALE AND DARWIN CLP

However, evidence received throughout the consultation made clear that an approach focused on criminal justice alone can only act as a sticking plaster on an epidemic that is rooted in the prevalence of misogyny across our society.

“Harm to women and girls cannot be looked at out of context of the wider cultural and ingrained bias that exists throughout society.”

KATHRYN, NORTH

Many submissions called for a comprehensive ‘whole system’ approach, similar to the ‘public health’ model of tackling serious street violence. For instance, Harriet from the South East region called for a ‘multi-agency approach’, which would see public bodies such as the police, local government, the NHS, schools and social care, work in cooperation with groups such as tradespeople who enter homes, landlords, or flat associations to identify women at risk of abuse. Louise from the South West called for “a joined-up public health approach to prevention and early intervention” with “proper funding so services can engage in multi-agency working rather than just deliver their core service”.

In order for such a comprehensive approach to be effective, submissions emphasised the need for sustainable, long-term funding that meets demand.



“A funding structure needs to be developed for the full range of support services to assist women and girls experiencing all forms of violence against women.”

BRISTOL WEST WOMEN’S FORUM

“Funding which is both long-term and sustainable. This includes funding which is ringfenced for 'by and for' services.”

BAME LABOUR

The importance of securing sustainable funding for services that work with women from marginalised communities was also highlighted.

“The cuts in the funding to – and ability to fundraise of – organisations in the community and not-for-profit sector threaten the future of these organisations, particularly smaller ones that exist to advocate on behalf of, and support, communities and individuals. There is a real fear that this will disproportionately impact on organisations run by and for, women, BAME, disabled and LGBT+ people.”

UNITE THE UNION

A key theme running through submissions was the need to tackle the misogynistic attitudes which drive VAWG and which are pervasive in our society. At a members’ roundtable event in June, several breakout groups raised the importance of education in countering the development of misogynistic attitudes at an early age.

Another common theme during the roundtable event was the need to tackle the normalisation of extreme violent sexual images through pornography and social media. Submissions also highlighted how online VAWG has become a serious issue and that there is a need for tech and social media companies to treat the issue with the seriousness it deserves.

“The pandemic has seen that technology has been used as a tool for abuse. Smart locks, webcams, or revenge porn has been used to harass victims.”

RISING GIRL

“While claiming that they are platforms rather than publishers, tech and social media companies have tried to absolve themselves from the responsibility of tackling online abuse and online VAWG.”

ASLEF

The Commission heard how challenging misogynistic attitudes and the culture which reinforces those attitudes has to require mass engagement of men and boys on an ongoing basis. This was seen as part of a process of shifting the focus of responsibility onto those who perpetrate VAWG, rather than the victims.

"We cannot claim to care about this issue, without caring about the upbringing of our sons, grandsons, nephews and brothers. So many have said that they wish they had educated their sons further. It is time to stop telling girls to protect themselves, and instead start telling boys not to be rapists, and properly educating them so they understand the full depth of responsibility to make society a safer place for their sisters, and family members."

ALICE, NORTH

White Ribbon UK told us that involvement through the education system is "essential but is not sufficient", adding:

"Such work needs reinforcing throughout adult life. Additionally working through schools means no adult men are involved. This is why White Ribbon has worked with its accreditation programme, which requires, encourages and supports the mass involvement of men and boys by setting standards for communities, sports clubs, music venues, faith groups, workplaces, housing providers and local authorities. This reinforces the message that men must speak out to their friends, relatives and colleagues to challenge men's violence against women and girls."

WHITE RIBBON UK

Two key criminal justice proposals that were identified in many submissions were making public sexual harassment a specific crime and making misogyny a hate crime.

"Introduction of new offences-street sexual harassment and misogyny."

BRENT NORTH CLP

Evidence gathered during the consultation acknowledged that issues relating to VAWG have received more attention in recent years, and have been the subject of a number of reviews, but what is needed now is real concrete action.



“Abundance of reviews and consultations but a lack of action – pandemic shows that when the government treats something as an emergency can act quickly – do not treat VAWG with the seriousness they should.”

POLICY COMMISSION ROUNDTABLE EVENT

“The enormous amount of information, initiatives, policies and reviews within the literature but these have not been actioned.”

LABOUR INTERNATIONAL

Submissions received emphasised that effective action requires true accountability for policy-makers and employers. In the workplace, UNISON called for a “new statutory duty to prevent sexual harassment”, with “dual enforcement of this duty by the EHRC and individuals.” In their submission, Unite explained that the workplace may be a key place of safety for someone experiencing domestic violence. While Usdaw told the Commission:

“We need to ensure that robust workplace policies can help to identify and provide support in a dignified manner to those experiencing domestic violence.”

USDAW

In terms of holding the Government to account, ratifying the Istanbul Convention - which sets out minimum standards for the Government to achieve in tackling VAWG - was highlighted by many.

“An important policy which must be a headline in any of Labour’s work on this theme is to fully ratify the Istanbul Convention and bring it in to law. The UK signed up to the convention in 2012 but, nine years later, has still not passed the necessary legislation.”

ASLEF

As was incorporating the Convention on the Elimination of Discrimination Against Women into domestic law.

“Press for the incorporation of the Convention on the Elimination of Discrimination Against Women into UK, Scottish and Welsh law.”

SUTTON AND CHEAM CLP

Submissions also called on the Labour Party to set out legislative proposals at the earliest opportunity.

“Labour should bring forward a Violence Against Women and Girls Bill at the earliest opportunity in opposition or government.”

BRISTOL WEST WOMEN'S FORUM, SOUTH WEST

A number of submissions also called for the party at Westminster to emulate the Welsh Violence against Women, Domestic Abuse and Sexual Violence Act 2015, which set out ten national indicators of progress by which the Government can be held to account.

“Introduce a Bill similar to the Welsh bill of 2015.”

BRENT NORTH CLP

As this consultation has made clear, ending VAWG will require action across the whole of society. However, the Government has a crucial role to play in galvanising that national effort by driving forward a co-ordinated, cross-government response. The Commission was therefore pleased to see that Labour's Ending VAWG green paper set out many of these proposals.