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Improving the Criminal Justice System – Police – CPS – Prisons

It is great news that the Government, under Boris, is to set up a Royal Commission to improve the Criminal Justice System. Not before time!

I would like to add my suggestions, based on personal experience and research, at least as far as the Police and CPS are concerned.

The Police: We need to go back to basics where police officers were respected because of the way they dressed, and the way they treated people and incidents. Their ability to do that has been lost over the last 30 years or so. Nobody, in whichever way of life or profession, can be respected if they do not represent themselves and the job that they do properly.

While today we have to have many forms of equality, in my view that equality has gone far too far. As a police officer it is necessary to do a proper job, to stand out from the crowd, and not become part of the crowd. Dressing and behaving like the people who need dealing with is not what is required. Dressing down in scruffy uniforms, and speaking in poor language only makes a difficult situation worse. (While writing this Paper I have been told of a former police officer, now aged 70, who has a son as a current police officer, who is appalled by the way his son dresses for work. He points out that, in his day, his boots were so shiny you could see your face in them, and his trousers always had sharp creases. I know that was the case because I was like him in the 1960s). Additionally, turning up at an incident with an aggressive manner, and speaking likewise does not help reduce assaults on Police. It only encourages assaults.

Recruitment into the Police has to improve. Where are all the fine upstanding intelligent people who I joined with in 1960? A lot of officers at that time were ex-military, who already had the basic training. Why is there not more effort put in to attracting former military personnel, who would make great officers? Almost everyday we read of officers who have committed crime while on duty, sometimes rape. Why does the recruitment process appear to be so poor? Those types of people should never be allowed near a police uniform.

I have for years been advocating the position of Chief Constable be open to people from outside the Police, namely former senior military officers at Major General rank. It has been the case for many years that the quality of a lot of Chief Constables has been poor and consequently so has the

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leadership. It is about time that situation changed, so that all officers and the Public have the benefit of better-quality Chief Constables running Forces across the Country.

The Police Service has over many years reduced itself to acting as if it were the Fire Service. Turning up when the incident has happened and not before. Policing needs to get back to policing as it was prior to 1980, when it was proactive in preventing crime, as set down by Sir Robert Peel in 1829. Today, too many people commit crime because they believe, and very often they are right, that they will not get caught as there are no Police to see them. The Police Service needs to get officers back on the streets, on foot and on bicycles, so that they can meet and talk to people who may well have useful intelligence for them. It would also bring back some respect for the Police if citizens can see and engage with them on the streets. The Public could then understand and accept why they are paying quite large sums in their taxes each year for the Police.

We also need to look again, after it was looked at in the early part of this decade, to amalgamate certain Police forces below 3,000 officers in strength. It does not make any sense to have Forces like North Yorkshire, Durham and Cleveland as three Forces, with three Chief Constables and all of their senior management in separate Forces. Dorset and Wiltshire, Warwickshire and West Mercia, Norfolk and Suffolk, Bedford and Hertfordshire, Cambridge and Lincolnshire should all be joined together to create more effective Policing. Crime and criminals have moved on. There are no barriers to crime now, as shown with 'County Lines'. The Police themselves need to catch up with the 21st Century, and become a lot more sophisticated and able to deal with crime as it now is and not as it was. The named Forces joined together could have a manpower of up to 4,000 officers, able to flood areas as required, to deal with major crime hotspots, as we did in the MPS in the 1960s. They could also, with the help of computer programmes, arrange 'beats' where they are most required to prevent crime, and have a presence which will indicate to wrongdoers the 'easy days' are over. The Police must be in charge once again as was the case in previous times. Be seen and be positive, not negative!

The CPS: Formed in 1986, and in my view has not been a success. It is far too bureaucratic, slow and staffed by some not very able lawyers. This apart, from witnessing several CPS lawyers at York Magistrates Court, is a perception only, so I would have to do more research to find the whole

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truth. However, reading the Press on a regular basis tells me that the CPS fail in many areas, by charging when not appropriate and not charging when appropriate. Taking far too long to make charging decisions.

Before 1986 it was the Station Sergeant who decided if there was enough evidence to charge. An arrested person was brought before the Station Sergeant, the evidence was related to him for him to determine whether a Charge should be brought. Every time I was the arresting officer the charge was always brought. The person was charged, after being searched, and then placed in a cell pending transport to Court.

Since 1986, the CPS are the people who determine whether there is the evidence to Charge. They take their time to do so, sometimes months, meantime the suspect is free to commit more crime. They are out on the street not being held to account, for committing the crime for which he/she was arrested. That system has to stop. The CPS need to catch up!

We need to get back to the Station Sergeant charging from the evidence he has before him, and only if there are any doubts, having the matter referred to a CPS lawyer, who is available 24/7 to provide back up. No time should be lost on the charging decision within the statutory 24-hour period of detention. The suspect should be charged within that time and taken to Court at the first available Hearing.

We need to get back to Justice being seen to be done immediately and not some weeks, months later. The offenders need to know that they will face the full effect of the Law straightaway at their inconvenience by not being able to attend work the next day, or getting straight back into their life style. Everything to do with justice has been watered down at the expense of the victims, and for the benefit of the villains. That must stop in 2020 and thereafter. We need a CJS which is fit for purpose, including better training for CPS lawyers. Insisting that they read their Papers over night so when they appear in Court, they are fully familiar with the case in hand and can fast track, with the help of the Judge, a result in the case without wasting Court time. The Courts also need to step up in 2020.

The Prisons: I have no direct knowledge of Prisons, except as a Criminal defence lawyer going to Prison to obtain statements from accused, and that was some time ago. I would therefore need to do the research on what appears, to be a confusing and detailed subject. Rory Stewart, remember him, had a go but was totally unsuccessful. Peter Clarke is an excellent Chief Inspector of Prisons but does he have the authority

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required to bring about the changes required? Is he in fact listened to by those in charge? If not, a terrible waste of ability.

It seems from the outside that in some Prisons, perhaps a lot of prisons, the prisoners are running the Prisons and not the officers. That has to change, firstly with making all mobile phones therein ineffective by technical means. It has staggered me for a very long time why mobile phones cannot be deactivated by technology inside Prison. There should be no opportunity for prisoners to have contact with and from outside, unless it is on a physical visit, which should be very tightly supervised.

We also need to change the ridiculous system of prisoners serving only half or less of their sentence. They should serve the full sentence handed down by the Court, and if they misbehave inside the sentence is extended by days, weeks, months whatever, depending on the misbehaviour. We have computer systems that can record each prisoner on a daily basis, so that the Governor is always fully aware of the prisoner's situation in his/her Prison.

Rehabilitation is something many people talk about and try to effect, but it has to be accepted that a large majority of prisoners are immune to rehabilitation. Once they are in the life of crime, they accept that that is their life and nothing will stop them committing crime, going in and out of Prison on a cyclical basis. There needs to be a new approach to them. Perhaps when they have served say 15 to 20 years in Prison, on a single or multiple sentences, when they are released they should be tagged, microchipped, so that they can be monitored for the rest of their lives. If that system was introduced the authorities would know where they were at all times, so making it easier to pick them up if they commit further crime. The idea may sound and feel draconian but their continual criminality is a crime on society and should not perpetuate itself.

I do hope that all of the above suggestions are acceptable to Government. We now need urgent action and not just words, for the benefit of the citizens of the United Kingdom.

David Cooper

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Exactly 60 years to the day I joined the Metropolitan Police aged 16 years.

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