



Response of Transform Justice to Home Affairs Select Committee inquiry into policing priorities

Transform Justice is a charity which conducts research and advocates for a fairer, more open, effective and humane justice system.

What a modern police service should look like and what roles should police forces prioritise?

The focus of any police service should be to prevent and resolve crime. But police cannot do this on their own and they are frequently asked to fulfil tasks which have little to do with crime. The two most time consuming non crime calls are dealing with people in mental health crisis and looking for missing children and vulnerable adults. Such individuals need help and support, but it is not a good use of resources for police officers to often be the only public sector workers meeting these needs. Police officers may be first on the scene of a medical emergency, but no police officer should be spending time waiting in an ambulance or in A&E with anyone who is not a crime suspect, or anyone who does not pose an immediate risk to the public. Statutory services do need to look for missing vulnerable people, but it is not clear that police officers and staff are the only people with the skills to look for missing people. In both cases other public and voluntary sector workers should reduce the burden on police.

Police do however need better training in dealing with people with mental health issues and/or who are neurodivergent. Transform Justice conducted research on assaults on police. Defence lawyers reported that most clients accused of this offence were in mental health crisis and/or neurodivergent. In many cases the assault appeared to be triggered by insensitive responses by police to a mentally vulnerable individual, who may or may not have been accused of a crime. Transform Justice's calls for the police to receive better training in mental vulnerability are supported by many organisations including the Police Federation.

What steps can be taken to improve national conviction rates, including via relationships with other bodies such as the Crown Prosecution Service?

We challenge the premise of this question. What matters to victims, the community and society is that crime is resolved, and reoffending is reduced. Many (if not most) victims of less serious crimes do not want their day in court. Victims want the harm done to them to be recognised and for something to be done to prevent that crime happening again. Prosecuting and convicting is only one way of resolving crime. The police can use out of court disposals such as cautions and community resolutions or divert and refer those who commit crime to relevant services. Diversion by the police is frequently more effective in reducing reoffending than court sanctions – the most recent statistics show that a significant difference in reoffending. The reoffending rate for those who have received a caution is half the reoffending rate of those who have received a fine/absolute or conditional discharge (14.5% vs 29.1%). The offences concerned are the same or directly comparable. The most used magistrates' court sanction – the fine – is not rehabilitative but resolving crime without going to court offers police the opportunity to offer rehabilitative services and programmes. Resolving crime without going to court also supports police and those who commit crime to repair the harm

done. Restorative justice can be offered and/or the person who committed the crime be required to pay compensation <https://www.transformjustice.org.uk/wp-content/uploads/2022/01/Transform-Justice-Deflect-and-divert-Updated-2022.pdf>.

Clearly diversion is only suitable for some crimes and some victims will advocate for prosecution. But if effective diversion were increased, more resources would be available to police to focus on investigating more serious crimes. More police would be available to respond to reports of burglary, fraud, serious violence and sexual offences, to identify suspects and to build solid cases for the courts. To increase conviction rates, more efforts should be spent at an early stage on triaging cases to prevent wasted work on cases which will collapse at some point. On average, even pre barristers' strike, only 40% of trials are effective in Crown and magistrates' courts. This represents much wasted time for police and CPS and reflects that many cases are not viable on the day set for trial.

Recommendations

- 1) Scope ways of transferring some duties currently assumed by police on missing persons and on supporting mental health patients to other public or voluntary sector services.
- 2) Improve training for police in mental health and neurodivergence
- 3) Support police to effectively resolve crime without going to court. Increasing effective diversion from court will reduce reoffending, resolve harm caused by minor crime and free up police resources.
- 4) Improve the triaging of criminal cases so less time is spent preparing for trials which will never be effective.