

Chris Daw QC, Justice Disrupted interview

SPEAKERS

Byron Vincent, Chris Daw QC

Introduction 00:00

Hello, and welcome to Justice Disrupted. Happy New Year, if you're listening in January '22. Maybe you're listening in the dim and distant future, using technology that my tiny ape brain can barely comprehend in which case, eh up, hope you've sorted all this nonsense out; sorry, we broke the planet. Before we get going, as always, we advise listener discretion for Justice Disrupted. This podcast discusses criminal and social justice and we'll touch on many areas including but not exclusive to crime, trauma, and abuse. In this episode, we broach topics such as crime, drugs, and violence. And if you find any of the content in any of our podcasts distressing to listen to, or you're affected by any of the issues we explore, then there is a list of websites on the Community Justice Scotland website, which you can use to seek support and or guidance. Thanks loads for joining us. If you enjoy the conversation then give us a like, share it on your socials: you know the drill. If you don't, don't tell anyone, it's nice to be nice innit? That's enough housekeeping waffle from me, shall we get started?

Byron Vincent 01:25

Chris Daw QC, well, let's just dive straight into it. Does prison work?

Chris Daw QC 01:29

No [laughter]. Well it does, it does work if the only thing that you're trying to get out of it is to, is to make people who are desperately damaged, often addicted and have suffered enormous trauma in their lives even worse. So if that's the plan, then it works. But if there's any other plan, like reducing crime, or making the world a safer place then it definitely doesn't work.

Byron Vincent 01:50

From my experience, the culture of brutality, of a specific kind of hyper-masculinity in prison mirrors the environment of most prisoners at home; it just sort of exacerbates, concentrates it. How do you think we address that?

Chris Daw QC 02:09

Well, the only thing for me that sort of a custodial environment, where you're restricting people's movement and liberty, is really for, is for that very small number of people who represent the direct risk to others on a daily basis. And you know, there are some, there are obviously people who are prolific kind of sex offenders or prolifically involved in other forms of violence, including domestic violence, and who, who really just are not safe to be on the streets. But they're a relatively small number out of our total prison population of about 80,000. You know, something like I think 69% of all prisoners are nonviolent, they're in for nonviolent crimes, many of them for drug crimes, which, as you will know from the book, I don't believe should be crimes in the first place. So in terms of making prison work, you've

just got to make it fit for its purpose, and its purpose should only be to protect the public, and the minute that it fails to protect the public, you're doing something wrong. And most of, I mean, you've mentioned hypermasculinity, and home environments; actually, many, many of the prisoners in our prison system were in care in the care system, and you know, so they didn't really have a home life or a family environment in any normal, or any sense of the word that we might understand it for most of us. And so, you know, all the prison system is just a continuation of the sort of trauma and abuse that they had as children. Of course, there are some that as you say, have come from sort of, you know, abusive home lives with, with parents or other relatives and so on. The problem is, we do nothing to care for them, and we, whether they're in care, or whether they're in prison, and we just send them back on the streets at the end of their sentences, you know, with nothing; nowhere to live, no, no family, no job, no money. And unsurprisingly, you know, the end result of that is just that they go back and do whatever it was they were doing that got them in there in the first place.

Byron Vincent 03:50

It's learned behaviour. And I'm not just talking about people's home lives, either. I think I'm talking about sort of ghettoization actually, I'm talking about culturally and economically isolated enclaves that are sort of out of sight and mind and have descended into chaotic environments, left without any kind of proper nurturing for generations. Are you actually talking about closing down prisons then?

Chris Daw QC 04:13

Yeah I would, I would close almost every prison.

Byron Vincent 04:15

That's an abhorrent idea to a lot of people.

Chris Daw QC 04:17

Well, it is. But I think that's because people don't necessarily think about it logically, or they don't think about it based on the evidence, they think about it from a sort of emotional sort of gut reaction, which is, you know, as we all know, politicians talk about getting tough and cracking down and all these, all these kinds of expressions. And I think most people just, you know, in society, read the headlines and they kind of listen to news radio, and they hear these opinions, and broadly speaking, they have quite a good emotional appeal to people. But I think once you know, hopefully, people who read the book, there's a whole chapter as you know, called why we should close all the prisons, you know, and I think once people read about, you know how damaging prison is to society, not just to the individuals in prison, it's very damaging to them, but more importantly to me, it's damaging to our society, you know, and if you take sort of mass incarceration to its ultimate level as they have in the United States, as I talked about in the book, you just end up with the exact kind of divided society that you've just described, you know, where you have whole swathes of society, which are alienated from sort of mainstream, from employment and education such like, and many, many of whom just go in and out of prison, and in and out of, you know, other forms of institution, in some cases, in terms of mental health and so on, and just never improve, never get better and never get to participate in the way that you know that most of us do.

Byron Vincent 05:34

I've been using this argument for years that I grew up on a socially disenfranchised area, an economically disenfranchised area, whatever. You take 10 of my mates, and most of them, 90% will have done a bit of prison time, or certainly earned some kind of a living through some element of criminal activity, right...

Chris Daw QC 05:53

...and maybe not get caught.

Byron Vincent 05:54

And maybe not get caught, yeah yeah, if they're very lucky, but it's unusual.

Chris Daw QC 05:58

It is unusual.

Byron Vincent 06:00

And my current coterie of middle class wankers that sort of populate my life at the moment, many of which had a decent education and kind of certainly grew up in a more financially stable environment; like, none of them have been to prison.

Chris Daw QC 06:16

No, even though I imagine in some cases, you know, they're quite happy to take drugs...

Byron Vincent 06:20

Oh, yeah, absolutely...

Chris Daw QC 06:21

...on a recreational basis and break the criminal law...

Byron Vincent 06:22

Absolutely.

Chris Daw QC 06:23

...regularly and routinely, but yeah, you're right [they don't get caught].

Byron Vincent 06:25

So yeah, my point is that either you believe that the people who were born into my environment, my underclass environment, are born bad, or you believe that it's environmental. And if it's environmental, then that would suggest that we are criminalising people from a certain environment, because of the circumstances that they're born into. Would you agree with that?

Chris Daw QC 06:49

Yeah, you know, the final chapter in the book is called, you know, why people are neither good nor evil. I don't really believe in those concepts. I think people commit acts, which the criminal law says are illegal. And of course, you know, the, the values in that regard can change over time. You know, in the

States, we've seen a sort of wave of cannabis, kind of legalisation in many states, for example, where you would have been locked up for a long time for those types of behaviour a few years ago, and now it's perfectly legal. So, so standards change. But I think the truth of it is that it's slightly more complicated than just saying that, you know, people pay for the environment they're in, they pay for the policy and the way in particular in which law enforcement works. So law enforcement massively over criminalises certain areas of our country, certain parts, particularly of our urban areas, but also some of some other parts of the country. And you just have this heavy enforcement activity, and high levels of policing, high levels of stop and search and high levels of arrests, which ends up with, particularly young black men in London, but also, you know, young men from all sorts of other communities who end up with criminal records for doing the same things that your sort of middle class youth are doing, you know, buying drugs, you know, selling drugs or sharing them amongst their friends, whether for profit or otherwise, they're doing the same thing. But the chances of your sort of white middle class boy from, you know, Cheshire or Surrey being caught for those things are almost nil. And so they will make those mistakes, if they are mistakes, and they'll get through their youth without having been in a criminal court or a youth court, without going to a young offenders institution, even though they've done the same stuff. And they'll go on to university, they'll go on to become lawyers and doctors and everything else. But the same behaviour is much more likely to be criminalised in these urban communities. And, as you say, sort of disenfranchised communities, and that's as a result of the way that we choose to police our country and the priorities we set as well, as well as, frankly, the ludicrous scenario that drug use and drug trafficking is a sort of prohibited activity, which you know, as you know, that's another my favourite subjects.

Byron Vincent 08:44

Yeah, we'll get to that, don't worry. Is it populist politics that drives how we police our country?

Chris Daw QC 08:50

Undoubtedly and, you know, we've just seen, in very recent times, you know, that Priti Patel, the Home Secretary, sort of putting pressure on the Metropolitan Police to achieve certain targets. And the minute that you set sort of targets, the minute you make it about numbers, you're gonna have outcomes that are not the ones that you really want. Because when you focus on one kind of activity, it means another kind of activity goes unpoliced. And so it's all about priorities. It's all about, you know, political incentive. But, you know, we went into the last general election in December '19. And both Priti Patel and Boris Johnson, were standing on a platform of increasing prison sentences, you know, more stop and search, more police powers over the sorts of activity that ends up with with many young people from certain communities in prison, and it's just self perpetuating. But sadly, as you know, you know, Boris Johnson won a very big majority on that platform and Priti Patel gets standing ovations at the Tory party conference and other gatherings of sort of like minded folk when she's out and about espousing this garbage and it's only when people vote, not with their feet, but with their actual votes in elections, against that kind of nonsense, that we'll see some change.

Byron Vincent 10:00

Do you think it's actually possible for a political party to argue an evidence-based agenda rather than a populist, reactionary one?

Chris Daw QC 10:08

I doubt very much whether it is anytime soon in Britain for the reasons I've just said, you know, it was only sort of less than two years ago, we had an election where that populist sort of message on Brexit and all sorts of other things proved very popular and on criminal justice. And if you look, as I always do at the United States, because it's the biggest criminal justice system on earth, and you know, the wealthiest country on earth, the most powerful country on earth. When you look at that country's politics, no politician who argues for a more nuanced and a more careful and more thoughtful approach to criminal justice is ever gonna win.

Byron Vincent 10:40

Yeah.

Chris Daw QC 10:40

And you know, that's not the case in other countries that I've travelled to, you know, particularly in Europe, you know, there are countries where there is a much more pragmatic and a much more thoughtful way of approaching criminal justice. But you know, those countries have a very different culture. And the problem with our sort of Anglo Saxon culture, which we see in Britain, and the US and Australia and other, and other sort of similarly minded countries, in terms of history, is that, you know, we all come from that kind of tradition of hard prison time and punishing wrongdoing and seeing things as sort of moral failings rather than, you know, situation or environmental issues, as you said earlier. So, I'm afraid I don't see it coming anytime soon. I didn't really write the book because I expected politicians to pick it up and make it their next manifesto. But just because I felt like someone has to say it.

Byron Vincent 11:27

I can remember hearing that rhetoric, I remember hearing Boris, you know, spouting the usual tough on crime line, and I've read a lot around this subject. And I've been involved in that system, and just through the instinct, growing up where I grew up, I understand what is good for people and what isn't, and what's damaging and what isn't, and what exacerbates things and what doesn't. And so it's disheartening for me. And I've also sat in on police meetings, monthly kind of group things that they do and they have...

Chris Daw QC 11:55

So like community briefing...

Byron Vincent 11:57

Yeah, where they get some old recidivist like me to come in, bang on for a bit, that kind of thing. But what I noticed, having done quite a few of those things, is that they are pushed and pulled, it's really disheartening for them as well.

Chris Daw QC 12:09

I have a lot of time for the police, because I think most individual police officers, and particularly those I kind of deal with at the very sort of top levels of policing, they can see that the policies that they're being given to kind of enforce, the laws that they're given to enforce, and; the priorities that are set for

them politically, are not working, you know, many, many senior police officers that I speak to say, 'We know it doesn't work; we know it, we know that, you know, stop and search; we know that drug prohibition, we know that youth criminalization; we know all of those things are harmful and damaging, but we don't get the choice as to what we do and don't do'. Some of the more senior officers, particularly chief officers, can have some influence at a local level. But you know, they are massively frustrated, as I am. So in terms of the legal kind of side of it, you know, one of the reasons I wrote the book was because at that time, I'd been in practice for well over 25 years, and I actually just was thinking to myself, what, what's the point of all this? You know, it's like, I'm doing a job that involves digging a hole and filling it back in again, every day. Nothing changes, nothing gets better. You know, the prison population has almost doubled in the time I've been a lawyer, you know, since the mid 1990s. And people now think it's all great. You got what you wanted, yeah? You've doubled the size of the prison population, you've doubled the length of sentences for many crimes, including murder. And are you're happy now? No, of course not. We're still hearing claims, we want more sentences, even longer ones, and we want to build even more prisons. And so, you know, we're heading inevitably towards that sort of 100,000 figure of the prison population, which would have been unthinkable just a generation ago. But why, you know, why are we doing it? That's what, that's the question that kind of lies behind all of the, the thinking that I've done about this, about this issue. And every page of the book is about that. It's about why are we doing this?

Byron Vincent 13:52

Yeah...

Chris Daw QC 13:53

'Cos it doesn't work.

Byron Vincent 13:53

...and kind of asking people what outcome they want; obviously, everybody says, Oh, we want less crime.

Chris Daw QC 13:59

Well I'm not sure they do.

Byron Vincent 14:00

Exactly.

Chris Daw QC 14:01

They don't, they don't say that...

Byron Vincent 14:02

They want their anger...

Chris Daw QC 14:04

Exactly.

Byron Vincent 14:04

...and frustration, misdirected, often anger and frustration, they want it validated.

Chris Daw QC 14:09

You see, the most common word I hear when I'm challenged in media interviews about this subject, by sort of more sort of right wing kind of broadcasts and so on is, you know, what about punishment, Chris? You know, where's the punishment in your analysis? So my answer is, what's that thought?

Byron Vincent 14:22

Yeah.

Chris Daw QC 14:22

Why do you want this punishment? If the punishment means locking up young men, mostly, for the rest of their lives, for you know, not even violent crimes, but you know, repeat drug offences and so on, as they do in the US in massive numbers. Are you satisfied then, you know, if our prison population wasn't 80,000, but 800,000, would that be enough? When's it enough? At what point do you sit back and say, cor we're spending billions and billions on this system that fundamentally does more damage to our society than it prevents?

Byron Vincent 14:53

The big argument is often well, what about the victims? And I mean, firstly, I would say that I mean, it's not binary. Most people who commit violent crime have been victims of violent crime at some point in their life, usually in childhood. I bang on a lot about this in this podcast, but ACEs studies and things like that, and now kind of putting science behind that we've all already known, is that hurt people hurt people. It's not always the case, and I'm speaking in generalities, but prisons are full of people who've suffered a lot of trauma. So are psych wards, and the thing is, is that the process of programmes like the Violence Reduction Unit that work with prisoners, it's not easy, like confronting who you are, and the crimes that you've committed, restorative justice, where you're facing the victims and trying to make a connection, those things aren't easy, getting clean, being abstinent after decades of drug use. These things are useful and practical things. And they're not just woolly left wing ideas, they're things that actually work. So we win the argument and we get rid of the prisons, what do we replace them with?

Chris Daw QC 15:55

Well, for me, there are two sort of separate groups, as I say. There is that small group of people who do represent a real and present danger to the public, for one reason or another. It may be because they have been harmed and scarred and that's kind of taken away some of their kind of restraint and some of their kind of ability to avoid being violent, or it may be that they you know, there are there is a, you know, a small hardcore group of sort of psychopathic individuals who, who just do not see the need to avoid being violent to other people and don't necessarily have any empathy for, for those to whom they are violent. And, you know, those people still need the system to provide some assistance, they may well need to be in secure conditions, but they still need to be guided towards different thought processes through, you know, therapeutic processes and, and also, through guiding them away from the sort of lifestyle and behaviour patterns. And so I think the one guiding kind of principle for me is that you make the journey of those who find themselves in the criminal justice system, as smooth as

possible towards living a normal life like everybody else. So what are the sort of key ingredients of life? Well, obviously, having a stable and secure place to live is very important; having a secure income and an ability to pay your bills and to be able to, you know, to feed yourself and so on, and also be having sort of secure family and social relationships, whether it be directly with family, with children, with parents, and so on. So you just have to move the system away from isolating people who are in the criminal justice system, as we do in Strangeways Prison, or you know, Pentonville or any of these sort of monolithic kind of institutions, which are, you may as well be on the moon, there's no connection, people come out of these prisons, blinking in the sunlight, so to speak, and it's an alien world out there, and they've got nowhere to go and no support. So for me, the key to it is to divert as many people as possible, particularly young people, away from the criminal justice system in the first place. So I argue in the book, we should effectively decriminalise children, as they do in other countries, you know, where they say that you can't legally commit a crime until you're eighteen, until you're of the age when you're allowed to vote and participate in society in a full way. So we divert children from the criminal justice system altogether, even though it's violent ones that again, there are a very small number of children who require detention for the safety of others, and perhaps even for themselves, it's a tiny number. And you need to have caring, nurturing environments for them to live in until it's safe for them to be released. But for the great majority of under eighteens who have a brush with the law in some way, shape, or form, the much more sensible solution than the criminal justice system is just to say, we're going to divert them away from it, what's the need, why are they here? You know, are they being you know, manipulated by criminal gangs, as often happens with young people? Or are they the victims of some sort of abuse in their home life, and you have to address those issues, not punish the young people and the children as if they were adults. And it's sickening to me to see kids, literally kids, 10, 11, 12 year olds being treated in court as if they're grown up adults, you know, we don't let them drive cars, and we don't let them vote. But we let them go to youth custody. And that, to me is just, it's utterly sickening, that kind of hypocritical approach. So just divert people away from the criminal justice system as much as possible, and deal with those fundamental issues of somewhere to live, money to live on, and maintaining and retaining their social contact and their family contacts. If you address those three things, the great majority of those in our system would not continue in the system and they would, they would come through the other side, they would get jobs and they and they would just live a law abiding and happy life.

Byron Vincent 16:49

I think having a sense of purpose is a big factor as well. Certainly like you say, a support network. And, and something that I think I've seen work really well in various organisations is a positive mentor that understands. That understands the nature of their environment and has some kind of personal gravitas as well, you know.

Chris Daw QC 19:56

It's true. I think, I think one of the most common features of my clients over the years here in the criminal justice system, particularly those who are kind of in the, what you might call the sort of, you know, I guess, I guess a sort of underbelly of our society, as it's seen by many, you know, low level drug offending and that kind of thing. Low level violence and other forms of sort of robbery and that kind of stuff, is that they have almost no self-esteem. And they've been given no self-esteem, either by their family or upbringing, or by being in care or, or just by the way they've been treated in the criminal

justice system. And people don't get self-esteem by being punished. And so many of those who are, you know, who do commit, you know, quite serious crimes, and, and who can sometimes be violent, are actually inside desperately lacking in any sort of confidence and self esteem. And it's just behaviour that's intended to mask that. So you know, you have to accept... I mean I've seen, you know, grown men cry, literally, you know, like these, you know, very large kind of physically well-built men who have, you know, who've committed armed robbery and so on, and they're empty inside completely empty of any kind of, you know, real self-esteem, real pride in life or real achievement. And unsurprisingly, you know, that causes them to just keep committing the same kind of act. So, you know, everybody's entitled to be treated with respect, and unfortunately, I just don't believe that our system currently treats people with respect. And when you disrespect people, they will have their revenge on you somehow, and they may not want to, you know, it may be a sort of just desperate acts. But that's the reality. You know, people need to be treated with respect whatever they may have done in the past.

Byron Vincent 21:25

You've had decades of experience. Talking here, it all sounds pretty grim. But does anything work? Are we doing anything right?

Chris Daw QC 21:33

There are isolated pockets of good practice, you know, there are good, there are good probation officers, there are good prison officers, there are good programmes, educational programmes and other sorts of welfare and support programmes in prisons. They are like oases in the desert. That's the problem, you know, that if you think of the prison system as a desert, you've got these little pockets of good practice. You mentioned the Violence Reduction Unit sort of process, which I, I know well, because I filmed for my BBC series about that up in Glasgow and spent some time with the lads who come out of custody, you know, one of them told me about his experience of; there was an intervention, he'd been stabbed, I think, for the sixth time or something. And at the hospital, you know, the Violence Reduction Unit team were there to kind of intervene and say, well, how come you've got a stab wound, what's happened, what's going on with you. And he'd been in and out of prison and eventually found his way to the Violence Reduction Unit. And that's an amazing programme, but it's tiny, and it only benefits, you know, 0.1% of the total prison population. So we have these great models of things that work, it's just that we don't spread them out anywhere. I mean, another thing we're just on the verge of trying is heroin assisted treatment, which as you know, from the book, I visited the centres out in Switzerland, where they've had this kind of treatment for many, many years. And the impact, the positive impact on heroin users is unbelievable. So these things exist, and they're being trialled in very small numbers, but we just need to get on with it. And we just need to provide for the, you know, there are all sorts of things that work in our criminal justice system, it's just that the great majority of the prison population never get access to them. And most people in prison are just warehoused until they're released, and that's the real tragedy of it. We have this opportunity, where you know, when people are in custody, you have the opportunity to do whatever you like with them, because they're locked up 24 hours a day, you can choose what programmes to have for them, what conditions they live in, and we choose conditions and circumstances, which make them more criminally minded, and more likely to reoffend when they get released. That's our fault. That's not theirs.

Byron Vincent 23:28

We're a social species, and we mirror our environments. You're talking about the travesty of young offenders institutions, and this is especially impactful formatively, I think. If the stakes are high, we will match that. If there's a threat of violence, we will mirror that. We tend to just mirror the culture that we're immersed in, and with children in that system; I mean, you've spoken about the young offenders institutions that you visited in your book, and they sound pretty horrific. If young people are living with that level of aggression whilst they're formulating who they are as human beings, what hope is there? Could you tell us a little bit about your experiences and some of the stories you heard in..?

Chris Daw QC 24:08

Yeah, well, you know, I've been going in and out of young offenders institutions since the, you know, since I became a barrister in 1993-94. So it's almost 30 years now. And they're one of the most soul destroying places I've ever visited. I mean, I've been to soul destroying prisons, you know, and I describe those adult prisons, but actually young offenders institutions are worse because you've got children who are being locked up and treated exactly the same as adult criminals. There's no significant difference between a young offenders institution and an adult prison, you know, the, the layout's the same, the cells, the wings, the bars, everything's the same and I see just how hardened these young people become. And I'm talking about young people who over the years who weren't necessarily in for anything that serious but they just kept getting arrested for burglary. I mean, I'm not, I don't want to undermine the impact of burglary on people and of course, it's a terrible thing, but the truth of it is that they weren't young people who were sort of hardened and violent and nasty when they went in. But by the time they've been there a few months, I've seen them, you see the sort of grimace and the look on the faces and the sort of, you know, that kind of, you know, a mixture of sort of overt kind of violence and threat comes from them, but also obvious fear at the same time. And I just find that soul destroying that we do that to children, because they are children. When you put a child in that environment, you may as well tattoo the word criminal across their forehead, that's the reality of their life from that point onwards, is no one's going to give them a job, or they're not going to feel that they can ever get a proper job, or that it's even worth trying. And as I say, you know, if we're gonna, if we're going to brand children as criminals, and I use that word deliberately, once again, they will wreak their vengeance upon us as a society, not necessarily as part of some deliberate plan. But as an inevitable consequence of being treated that way. Young offenders institutions to me and the way that we treat and imprison young people is probably one of the biggest disgraces to our society. And there is a UN Convention on the Rights of the Child. And I make the point in the book that you know, we just ignore it, you know, we sign up to it, and we ignore it, because no civilised society would treat children the way that they're treated in our young offenders institutions.

Byron Vincent 26:12

You mentioned there a crime like burglary, for example. And I know there's a broad cultural listenership of this podcast. So a lot of people are going to be going well, if you don't lock them up, especially if they're repeat offenders, how are you going to stop 'em from burgling houses?

Chris Daw QC 26:26

So I think in terms of how you address burglary, and these sort of crimes, you have to look at it as to, once again, what works, what does work? And when most people who go to the prison system are arrested, or rather into a police station for a burglary, for example, will be drug tested nowadays. And,

you know, many, many of them, the majority of them come back positive for either heroin or a cocaine based drug. But what we don't do is immediately divert them into treatment and rehab, you know, as they do, as I say, in Switzerland, heroin assisted treatment, where they're given the heroin for free, so they don't have to go and commit burglaries. And that works. It's had an enormously positive impact on street crime and minor acquisitive crime in Switzerland over the last 20 years. And the interesting thing about the Swiss experiment, and the ongoing kind of use of heroin assisted treatment is that it wasn't driven by sort of, you know, lefty, kind of soft, liberal opinion. It was actually driven by people who had, you know, drug users in the railway stations and drug dealers on their porch who said, We don't want this anymore. So can you just build some nice clean clinics and these people can go there instead? And we won't get burgled, we won't have needles in the park. And that's what's happened. It was actually driven by the sort of respectable, so to speak, you know, members of the community...

Byron Vincent 27:09

Conservative pragmatism, really...

Chris Daw QC 27:44

Yeah. And Switzerland is an interesting country, because it's a country built on referenda. So every time they introduce a policy like that the people get the vote, they get to choose whether they want heroin assisted treatment in their town, they get to choose as they did in a national referendum, whether to make it a national policy, and you know, this, the Swiss population have moved in that direction as a result of you know, their streets becoming safer. And as a result of a reduction in drug related crime over the years. And we could do exactly the same here thing here. If people were prepared to listen to the evidence that actually, then wait and see; people complain, understandably, of exactly the same things that they complain about in Switzerland, the impact of drug dealing and drug use on many communities is terrible. And it does have a huge impact on people's safety. And of course, large numbers of overdoses and so on. But if you bring in policies that reduce all of those harms, you know, I think people will will say, Okay, that's a good thing in the end, because I think people are less morally judgmental nowadays about drugs than they perhaps were, as you know, from from the book, I mean, I my argument is that drug prohibition lies behind, you know, a very large swathe of sort of, you know, the criminal activity in inverted commas and drug related crime, which you can get rid of, if you stop the ridiculous obsession with prohibition.

Byron Vincent 29:02

It's an insane obsession, when you sort of deconstruct it. Were you aware, when you were sort of called to the bar of how we sort of do just hand an industry over to organised crime?

Chris Daw QC 29:13

Not when I was called to the bar, but it didn't take long. So many, many of my early clients were addicts. And then as I as my career progressed, I started to deal with low level drug dealers. And then eventually, you know, very, very high level international drug dealers who were bringing in tons of, you know, either cannabis or cocaine or heroin at a time. And so, you know, I've seen it all, and I've never seen anything good come from prohibition, nothing. I've never seen a single positive example, whereby prohibition has helped to make society a better place. And it's all the other way.

Byron Vincent 29:47

If you were writing policy, then, what changes would you like to see? What would the structure of it look like?

Chris Daw QC 29:53

You mean in relation to drug policy?

Chris Daw QC 29:54

So so so this is interesting. So, many people, I think, when they hear about my views that drug prohibition is wrong, they assume that I want to decriminalise drugs in the way that for example they have in Portugal to some extent and other countries. They have decriminalised cannabis to some extent in various states in the US. But the problem with the decriminalisation model is that it still leaves organised crime in charge of the supply chain. And that's the problem. We don't leave alcohol supply in the hands of organised criminals. So my view of what a brave new world of drug policy would look like, is that you would have a combination of different practices. One would be that you would introduce widespread access to heroin assisted treatment, other forms of rehabilitation for those people who are problem users, and they want to, who want help. But those who want to just take drugs, either because maybe they do have an addiction or some other kind of problem, or in many cases, for recreational purposes in inverted commas should just be able to secure the supply of drugs safely in the sense that they know what's in it, they know the purity as you do with a bottle of whiskey. Under no circumstances would you allow anyone to profit from it. So what that means in my view, is that you would have dispensaries; they'd be licenced dispensaries, and they'd be run on a not for profit model. They may even be directly state run, but you can go in there and you can get ecstasy or amphetamine or cocaine or whatever it might be in a package, and at a price that would be completely uncompetitive for the criminal market to compete with. Of course, what I think most people probably don't understand about drugs is that drugs are actually incredibly cheap. If you go out to Colombia and you want to buy a kilo of pure cocaine, it will only cost a couple of thousand dollars. Whereas on the streets of Miami or New York or London, you're talking about \$100,000, so the margin is all made from the supply chain. So it's the sale of that two thousand dollar kilo to someone else, they sell it on, break it up and sell it for four thousand and so on and so on; it goes on until it's, you know, whatever it costs a gram, and it adds up to 50 times more than it started with. But of course, the government doesn't need to do all of those intermediate steps, because the government can legally, because it's the government, can go and either licence production or can purchase from licenced sources. Most drugs are available in some form licenced pharmaceutical kind of product, but if not, the government has the power to make it so. And so you can imagine if the government's producing drugs at a tiny fraction of the cost that the criminals have to pay for it, and without the margin and the markup, the government can control the price exactly to the point where there is no commercial market outside of the licenced supply chain. And that's how I would do it so that you, so that people can buy drugs without it costing so much that they have to commit crime to fund a habit, and in circumstances in, for me equally importantly, where the drugs they're buying, they know exactly what they're getting. Whereas at the moment, some people buy a wrap of cocaine, they have no idea if it's 40, 50% pure, or it might contain almost no cocaine at all, they have no idea. And so people are placed at enormous risk more so with heroin, because heroin is so potentially deadly if it's taken at high purity. So you know, the idea that still people who are desperately addicted to heroin, have to go and buy drugs on the street and take the risk every single time that they

might die; it's just abhorrent. So that's my model. My sort of Brave New World is a licenced dispensary network with complete control of the supply chain by the government. And it's absolutely not to decriminalise it, make it a free for all, because if you did that it would actually make the problem worse.

Byron Vincent 29:54

Yeah.

Byron Vincent 30:43

I guess the benefit of that as well is that any revenue could be funnelled back into rehabilitation and prevention.

Chris Daw QC 33:33

Yeah, exactly. So it depends on where the cost point is, the price point is, that meets that balance between the need to not make drugs so cheap that people take so many of them because they are very, very cheap to obtain. But they're not so expensive that criminals can come in and undercut the government supply chain, and I'm sure it'd be a dynamic price point and it would change over time. If you get that structure right and you're prepared to adapt over time, then undoubtedly, you're going to address some of these sort of very serious systemic problems that we have in the drug supply chain. But every country that has introduced some degree of a more tolerant approach to drug policy has seen very significant positive impacts in one way, shape, or form. And those countries which take the most draconian approach to drug prohibition, the US being the obvious example, have seen just a massive wave of criminality, violence, drug related violence and drug related deaths on a scale that is almost unimaginable.

Byron Vincent 34:29

We know prohibition is the cause of a lot of problems. We know the prison system is the cause of a lot of problems. Where are people getting the information from that makes them believe otherwise? What is going on culturally that makes people believe that the opposite of these things is true?

Chris Daw QC 34:45

Well, a good point. So I described in the book, the history of criminal justice, but it's a sort of a canter through the whole history of the human approach to crime and punishment. And you know, much of that kind of mindset that you've just described is ingrained. It's culturally ingrained, and has been ingrained, particularly in Anglo Saxon cultures for thousands of years. I think that vitriolic punishment-based, revenge-based approach is something that we have developed over a long period of time, and people are very attached to it. And so, so when I go on talk radio or on television and talk about these subjects, you know, inevitably the presenter, whether they believe it or don't, but they will take upon themselves the responsibility of communicating what they see as the broad public opinion, which is against my position, and in favour of tougher and tougher approaches to crime, as I say, tougher in inverted commas. So I just feel that people when they read the newspapers, and when they listen to politicians, you know, you just don't get the sort of pragmatic, evidence based approach. You just get the vitriol because it's so much easier a sell. It's much easier to sell toughness than it is nuanced and wise approaches that actually work.

Byron Vincent 35:55

I really enjoyed those chapters. I learned what decimation was, and what are essentially performative, Roman punishments, and they are theatrical. And I think that's the thing, isn't it? People want theatre they don't want science.

Chris Daw QC 36:07

No, it's very interesting that you that you mentioned the theatrical element, because you're right that back in the Roman times and Greek justice, it was very public. And it was a very dramatic affair. But we carry that through into our society, because you know, one of the things that I think I might have mentioned in the book, but the Old Bailey back in the Victorian period, they sold tickets for the big murder trials, and people wanted to see, you know, the judge put on the black thing and say, you know, I sentence you to be hanged by the neck until you are dead, and all of that stuff, and it is incredibly dramatic, the court process, and of course, being arrested and sitting in police cells, the whole thing is kind of, they're almost these sort of cultural, almost like memes around it, which have, which have persisted for such a long time. And we just assume that's kind of okay, you know, it's okay that we have these sorts of traumatic processes, which they are much less addicted to in most of continental Europe, for example, where their processes are not so adversarial, where their policies are not so focused on just one objective, which is to to be seen to be tough, and crack down on certain groups and certain forms of crime. But I think, isn't that true of most things, that, you know, European cultures, on average, are more pragmatic and nuanced than say, Anglo Saxon cultures, on average, are not?

Byron Vincent 37:24

We have a sort of binary idea of good and evil, and it seems to be tied into a narrative that we understand very, very well. And I wonder if that's attached to, to religious ideology, whereas I guess in Scandinavia, there's a more complex relationship with their gods and stuff. I think there's something in that!

Chris Daw QC 37:41

You know, that is very true. I think, I think that I certainly think there's sort of cultural attachment to, to this concept of good and evil is something that, you know, it definitely is a enormous influence on policy. I think one of the other things is, I think there's an element by which those who perhaps haven't been embroiled in the criminal justice system and haven't been arrested and haven't been through it. You know, there's a feeling I think, almost a bit of smugness about it. It's other people, it's other types of people that do these things, when the truth of it is that there but for the grace of God, I mean, I'm not a religious person, but as you say, you know, the same sort of smug people who managed to get through their youth despite drugs and never got caught for any of it. Of course, we had that bizarre episode, if you remember, I think it was just before the last election where all these cabinet ministers were coming out and admitting taking drugs in their youth; you know, one after the other: Michael Gove, somewhat improbably but, but there were others, but you know, they're all Yeah, well, we did it, but that doesn't make it right. I mean, we still got to crack down on anyone else who sells them or does it. So that kind of, as I say, that hypocrisy of saying, you know, we, you know, it's all right for us to have done it because we're the right kind of drug users and, and the drug dealers we had were good middle class drug dealers, you know, but you know, sort of, you know, people who take heroin on the streets of Bolton or wherever, you know, they're a different and lower form of life, and they need to be really kind

of punished and cracked down on. That I find utterly just soul destroying, that hypocrisy about political affairs. And worse than the hypocrisy is the fact that, that criminal justice is used as just, just a sort of advertising pitch by politicians to try to get votes regardless, they just don't care whether the things that come out of their mouth, will ever actually do any good. So long as enough people believe it and vote for it. Now, I appreciate that's, maybe that's what politics is all about. But, it's sad to me that really we don't have any sort of mainstream politicians, who have any chance of being elected, who have either the courage or the wherewithal to communicate an alternative message in a way that the public can engage with.

Byron Vincent 39:41

We've addressed prisons and we've addressed drugs. What about something close to home? What about the courts? Do they need reform?

Chris Daw QC 39:48

Yeah, I mean, they need reform in the sense that we need to have many fewer cases, going through the courts, you know, many cases that are prosecuted are just not really suitable for the criminal process and there's no positive ending from it. So I've already talked about the need to, to have a sort of an approach that, that makes the use of the court system the absolute last resort rather than often the first resort, particularly for young people. But the more that people see the reality of criminal justice, I think the better. So I would absolutely open it all up, I would make everything very transparent. Because at the moment, we have this disconnect between what actually happens in court, and what's reported in the media, particularly sort of, you know, the mainstream radio, television and kind of newspaper coverage is extremely skewed towards whatever the narrative is that that particular publication or that particular writer or broadcaster wants to convey. You know, it's a bit like economics, how do you, how do you make things better, you give people more information, and the more information that people have about reality of the criminal justice system, I suspect, the more that we'll finally see some sort of public understanding of where the flaws in the system are, and that it isn't that binary analysis; ultimately, that's what it all comes down to, is that the assumption is that those in the criminal justice process as defendants are bad people that we need to get rid of and get off the streets. When if people listened to case after case after case, as I've done over the years, they'd realise that the true picture is incredibly diverse in terms of why people are in the criminal justice system, and that the explanations are really nuanced. And in the end, what they would hear is judges saying, well, you've got 412 previous convictions for this, so I'm going to send you to prison for a bit longer, not hold on a minute, you've got 412 prison convictions, and you've been to prison 27 times, maybe we'll try something different this time, because it might actually work. And I think people would find themselves listening to many of the things that go on in courts and say, this doesn't make sense, but not because the sentence is too light as the media would have us believe. But because the sentence doesn't doesn't achieve anything or worse, actually makes the the person more likely to commit more crime in the future. So I think open it all up and information is king, you know, if when Boris Johnson or Priti Patel or whoever makes some of these wild claims about how they're going to crack down on stuff, and it's going to make all the difference, then let people see themselves that it's bullshit.

Byron Vincent 42:05

I think information is key, and it's also possibly how that story is told, because it can be very emotive. The story that that information hangs off is the key to people's hearts and minds, isn't it really?

Chris Daw QC 42:16

Well, it's true and I, when I was filming for the BBC, a couple of years ago, I was sat down in the living room with a family who'd lost their son to knife crime; he was 17 when he, when he was stabbed. And I spoke to them, and they could sort of understand the background of the other offender a bit. But I spoke to another family, who were clamouring for the death penalty for a 25 year old who'd stabbed their son to death outside a pub. And, you know, they were saying, you know, look, he only did four years on his previous sentence. And I said, well, you know, it's a very sensitive subject. But I said to them, just think about this, maybe if he hadn't done the four years, maybe if they'd actually done something slightly more practical with him, it might have actually changed his thought processes. If he'd done six years instead of four, or eight instead of four, does it really add up that he would not have stabbed your son? And the truth is even they were prepared to say, you know, even in the midst of their anger and grief, which I completely understand, they were prepared to say, you know what, maybe there were other things that could have been done with him when he was getting in trouble when he was 16, 17 that might have diverted him from this path, and that's all I can sort of argue for is that, you know, divert children from that path and they're less likely to become adult murderers.

Byron Vincent 43:26

You know, these ideas are anomalous in wider society. How are you seen amongst your colleagues then? Are you like a heretic, or is everybody kind of more practical?

Chris Daw QC 43:36

No. If you take criminal justice professionals as a whole, so lawyers obviously are one group, but you also have police officers, probation officers, judges, you know, prison officers, the whole range of professionals that have some direct knowledge of, and involvement in the criminal justice system. I think the great majority would, broadly speaking, agree with some of the principles that I set out in the book and that I believe in. And again, why is that? Because they have information, because they know what really happened. When I was in Alabama on a research trip for the book, and I went to the county jail down there, which I described, you know, the conditions in the mental health wing, and I remember sitting down with the governor or the warden of that jail, and I kind of expected him to be really kind of like typical southern you know: white, kind of bit racist and maybe a bit, just generally kind of lock 'em up and don't even give them any food kind of thing. But he was an amazingly sensitive and, and thoughtful kind of guy who, you know, you have these 15 or 1600 inmates in a jail built for 800, crammed in like sardines. And I remember him saying to me, look, you know, they closed down all the mental health institutions in Alabama, however many years ago, and now I've got 25-30% of my inmates, who've got serious psychiatric problems. That sort of information about the reality of who's in prison is really important because there's an assumption that everyone in jail is just a sort of terrible, bad, vile and nasty person, when information about the truth of the prison population would, I think would change people's minds. All of us who work in the system, whether they're prison wardens in Alabama, or probation officers in South London, you know, we as professionals know the truth because we see it every day. And I just wish there was some way other than interviews and stuff like this, would be some way we can open all of that up so the public could see what's being done in their name, by

politicians in policy terms in lack of proper funding for things that would make a difference. And this sort of ritual abuse of children in the criminal justice and care systems, you know, I just wish that the public could see all of that. And when it comes to election time, they could hold those who are responsible to account.

Byron Vincent 45:42

There are very dangerous people in the world. I mean, they're few and far between; people who aren't likely to respond to anything.

Chris Daw QC 45:50

Not many, there's really not many.

Byron Vincent 45:51

Not many; they're in a vast minority, right? I mean, I've grown up around those characters. The problem with them is that they sort of dictate the culture of that environment, because it's a culture where the currency is extreme behaviour, your respect. And if there's no money, or anything else floating around, all you've got is respect, it's based on what you're prepared to do. And obviously, if you're a true psychopath, then you're prepared to do pretty much anything. And then that, that is the thing that is respected. Unfortunately, because of the nature of that environment where there's nothing else, there's no other form of currency. And this has always been problematic for me when thinking about reform and stuff. It was touched upon, but what do you think we do with people like that? You know, in prison, it's not that there's weight classes. I mean, you get some six stone, heroin addict, in with some six foot nine. It's just not fair. It's just not fair. And that culture of being such a physical culture, I mean like the the council estate culture, the kind of culture that I grew up in. It's brutal in that sense. And this is why I would put myself in this category, I'm not an innately violent person; I've committed violent acts. I would argue that I've committed those violent acts because I had to raise my game, because I was frightened, I was frightened of people twice my size, and I had to prove to those people or demonstrate to those people, that it'd be more trouble than it's worth to mess with me.

Chris Daw QC 47:17

One of the kind of, I guess, issues with the analysis, is that, is that you're kind of assuming that we're trying to reform people within the system we currently have whereas of course, I'm arguing that we shouldn't have those kind of soul, soulless prisons where, as you say, sort of, you know, might is right, and, you know, whoever's got the power and the strength, either in numbers or physically in their own right, you know, it controls everything. I actually, as I said before, I've acted for many people who, on the face of it, look like they must be psychopaths, because they've committed acts of enormous, you know, violence in the furtherance of either drug empires or other forms of criminal kind of behaviour, blackmail, or robbery, or what have you. But most of them are still just damaged people that you just have, you have to show them by example, you have to treat them still with respect, because, you know, there are only 60-odd prisoners in our prison system who are serving whole life terms, life without parole. We had the police officer sentenced recently, as you know, for that murder to a whole life tariff, for Sarah Everard. But there are only a few dozen in that category, even the hundreds of murderers that are in prison, almost all of them are going to come out. And likewise, you know, almost everyone who's committed any other crime is going to come out at some stage. So if you accept that the focus of

the system shouldn't be on what we do with them while they're in there, but how do we prepare them for the day they come out, then you completely change the mindset around the use of prison, and the use of criminal justice. It's not about what you do to people, it's not about processes, not about punishment, it's about outcomes for me. What we need to do when it comes to that sort of small hardcore of psychopathically, or sociopathically, violent individuals, is that you have to look at best practice for dealing with those individuals. And certainly one thing you can't do, as happens so often in the youth justice and the youth offender, young offender system, is you can't put the vulnerable and the weak in with, you know; it's like throwing, you know, a puppy into, into a cage with a Rottweiler.

Byron Vincent 49:19

Happens all the time though...

Chris Daw QC 49:19

Right now it does, but it shouldn't, and it's wrong. And it, and it's actually not... it's not only morally wrong, but it's plainly, in my view, a breach of basic human rights. And, you know, we're supposed to have signed up for, the Human Rights Act exists, we're supposed to have signed up for all of these basic rights, Charters of the UN and so on. And yet, once again, we just do nothing about it. And the reality is that our criminal justice system is one of the best examples of, you know, the abuse of human rights that you could imagine in our society, if not, you know, between the care system and the prison system. They're the two sets of institutions which are, have caused the most damage to the most number of people in our society for a very long time.

Byron Vincent 49:58

You've been at this for a long time, since the early 90s. What has changed over the years?

Chris Daw QC 50:02

I think what's changed is that we have become more and more obsessed with prison and the length of prison sentences. Judges have had discretion taken away by politicians, because of the introduction of sentencing guidelines, which means that judges have much less ability to look at an individual case and to take a chance on someone, you know, because not only will they be likely to find themselves in breach of some sentencing guideline, but also the prosecution can appeal. If the prosecution think the sentence is too light, which didn't really happen when I started out. So nowadays, I just feel that the system has become more like a computer that just processes people, or a production line is probably more accurate, that just processes people from, you know, arrest to prison for a particular period of time. We've had so many cuts in the funding for defence services, and prosecution actually, but for criminal defence, it's so much less likely that someone will get a really good quality criminal defence if they don't have any money. And the opposite is true, if they do have money, they'll get amazing criminal defence. So I think it's become a much more divided system, it's become a much more rich and poor kind of system in the sense that, you know, there's rich man's justice and there's poor man's justice. I remember going to the States and spoke to some lawyer friends in the States back in the mid 90s, when I was just starting out. And they were asking me about how the system worked; the criminal justice system. And I said, do you know what, if a homeless person gets arrested in England for murder, and charged with murder, they will get a really good defence, they'll get a top QC to represent them, their solicitors will be paid well, kind of a really good legal defence. And that's 25, 26 years ago.

Nowadays, it's the opposite. If someone with no money is in the criminal justice system, their lawyers will be paid so little, there'll be something... there was some figures recently, I think, the average criminal barrister after three years, he's making 12 grand a year, which is, you know, more or less than minimum wage, basically. And they've been through five years of education, they've been through and they spent tens and tens of thousands, or borrowed tens of thousands to get there.

Byron Vincent 51:59

What, how, what has happened? What, how?

Chris Daw QC 52:01

Well, the government has just pulled the plug on all the funding. So in around about 2010, 2009-10 after the financial crisis, the justice system was cut more than any other part of government, and they preserved funding for the health service, and you know, there's a significant preservation of funding for education and these very big number kind of departments, but the justice system was cut by 40%, in financial terms. So if you cut something by 40%, then the outcome is that you're losing, you're always going to end up with worse outcomes. And yeah, you know, thousands of lawyers have left criminal law and criminal defence. Thousands of young people coming into the law have decided not to do it. And really bright and able ones, so in other generations would have done criminal law are going off and doing commercial law or some other form of much better paid legal work. And so the quality of the people in the system is going down, on average. There's some really good people in the system, but even the really good people, in fact particularly the really good people, who are doing legal aid and criminal legal aid and defence work. Instead of them having sort of maybe 10 to 12 cases a year, have got 20 or 30. So they're doing twice as many cases, they're just rushing around, there's just not as much time. So to stand still financially, you need to do twice as much work. And so the consequence of that is things get missed. And many, many defendants are coming to trial, and they only meet their lawyer on the day, and nothing's been done, no witnesses have been spoken to, no investigation work's been done. Whereas when I started out, there, there was a considerable budget for the defence to do its own investigations, to get experts if needed. They've cut the funding for expert witnesses, so that you know, very few really high quality experts will do criminal legal aid defence work, or even prosecution work. And so the quality of every input into the system has gone down and down and down. When you reduce the quality of the inputs, you're going to reduce the quality of the output. And you're, and you're going to have higher levels of injustice, higher levels of unfairness, and that's what we're seeing.

Byron Vincent 53:55

I'm sure judges understand this. And so they're seeing the sort of poorer quality of representation, but it's, are they responding to that? How would they respond?

Chris Daw QC 54:04

Well, you know, judges are between a rock and a hard place because they're in a similar position, that instead of them being able to spend an hour dealing with a case carefully reading the paperwork, maybe if they've got a really sensitive or difficult sentencing exercise, you know, taking half a day out of court to read all the reports properly, you know, they turn up and they've got a stack of files, not literally because it's all on computers, but they got the equivalent of a stack of files that's two or three times as

high as it would have been 25 years ago. So judges are in exactly the same boat. Many of them are very kind of conscientious and hardworking and want to do the best that they can. But if you combine the effects of massive overwork, so huge excess levels of casework, particularly exacerbated by the COVID backlog, which some people say will take 10 years to clear that, but there's this massive backlog of cases that's built up and there already was before the COVID kind of delays happen. So when you combine, you know, that issue with a lack of resourcing for sort of programmes of drug rehabilitation, all the other things and sentencing guidelines, which I mentioned earlier, where judges are basically given a table, it's this much drugs and these basic set of boxes are ticked, then you got to give them seven years, or you got to give them 12 years or 20 years, or whatever it is. When I started, the judge would look you in the eye, when you, when I was mitigating for clients; and I always took a very kind of sincere approach to these things. I believe in the power of advocacy, I believe in the power of persuasion, if you have a good and sound argument, you should prevail, regardless of what the law says almost, you know, if there's justice, a merit in your argument. Now back when I started to say, judges will look at you carefully, they would think, they would nod, and they would often say, you know, well, I you know, I really was thinking about giving him five years. But do you know what, you've persuaded me that really, he's been in for a year, that's probably enough. And we can put all these other things in place. And maybe he should come out and doesn't need to be in prison for any longer. Nowadays, a judge would say, but how are you going to, how'd you get around the guidelines, it says seven years? And you go well, you know, because the guideline is only a guideline. I know, but if I don't follow it, the prosecution are going to appeal, and they'll probably win. So, and the judge is required largely to follow the guidelines. So I think judges are in such an impossible position, you know? Heavy caseloads, lack of funding generally, and guidelines means that judges have each become part of this production line, in the way that lawyers have, in the way that defendants, sadly, are the things, the people that will pass through it. Police officers have too many cases, probation officers have too many clients, or too many, too many people to look after. And so when everybody's overworked and overstressed, and we're not, no element of the system is properly funded. You know, we're just heading very rapidly towards what they have in the States. It's a massive criminal justice system. When you look at it on a case by case basis, nothing is properly funded, and nothing is done properly. Unless you're rich.

Byron Vincent 56:35

We're very nearly out of time. Can we finish on something optimistic? Is there a [laughter] Is there a glimmer of hope? Is there anything you're optimistic about?

Chris Daw QC 56:59

I think the only thing I can say that I'm vaguely optimistic about in the criminal justice system, is this occasional experimentation that we're seeing and have seen over recent years with alternatives to the way that people are treated who are addicted to drugs. So heroin assisted treatment, I mean, is so important, and we are seeing small trials in Glasgow and various other places in Lancashire and elsewhere, Blackpool I think. And senior police officers are supporting heroin assisted treatment. And many, many, if not most, senior police officers are on board with the idea that we need to do something about drugs. And so if there is a glimmer of hope, it's that we are potentially going to see a change of attitude to heroin criminalization, in particular, because heroin is, you know, the drug that tends to cause the most drug related crime in most societies. And I think we're seeing an appetite amongst

certain politicians driven by senior police officers who are, you know, who have realised over many generations that prohibition is failing. If there is optimism, it's, it's in that area, but we know we're moving too little, too late, too slowly. But anything is better than nothing. But as far as the prison system is concerned, it's growing still, you know, the government, it plans to build more prisons and more prison places, sentences have been increased since the last election across a range of areas, more crackdowns on young people, more likely to be sent to custody than they were five or 10 years ago. So sadly, a lot of the sort of drivers for some of the worst impacts of the criminal justice system are actually getting worse and worse and worse. But if we do something about drugs, even on a small scale, it really would start to make a big difference to increasing positive outcomes from the criminal justice system rather than just it being a revolving door. Which sadly, it has been now for far too long.

Byron Vincent 58:54

Well, Chris, it's been absolutely fascinating and enlightening talking to you. And I strongly recommend people read the book, Justice On Trial, Chris Daw QC. It was, it was fascinating and I was absolutely gripped. So thanks for talking to me.

Chris Daw QC 59:08

No problem. Thanks for having me.