ANDREW MARR SHOW
1ST DECEMBER 2019
SHAMI CHAKRABARTI

AM: Shami Chakrabarti, an open questions, did something go wrong, and if so what?
SC: I don’t know. And in the spirit of your introduction and out of respect for Jack Merritt and, frankly, your viewers, I’m not going to pronounce on what went wrong. I think it’s a – it feels very, very sad that yet again we’re in a general election campaign and it’s been marred by a terrorist incident. And that’s why you’ve got me today rather than, you know, a colleague talking about the health service or whatever. And I feel really sad about that. So I don’t know what exactly led to what happened on Friday. I don’t know about the particular case. There will obviously have to be investigations into that. What I will say is that I think it’s very unedifying to be talking about knee-jerk legislation and throwing away keys and whatever. Legislation on the hoof, particularly after an atrocity, is rarely good legislation. And we have policies about ending austerity and the criminal justice system, but we had them before Friday.

AM: Okay. And yet a lot of people are looking at the situation, wondering how they can remain safer and will have a lot of sympathy with the prime minister’s view that dangerous terrorists should be kept in prison for a long period of time, and in some cases, forever.
SC: Absolutely. And that is the law as it is now actually. You know, life sentences are available even now for terrorist incidents. But, you know, no political party can offer you an entirely risk-free society. What we can do, I believe, is to invest more in the prison system, in the probation system, in policing and so on.

AM: So let’s look at that. You’ve been very critical of the cuts to the Ministry of Justice, which is about 40 per cent of their budget
has been cut during the coalition/Conservative years. I’ve looked that the grey book, and I’m genuinely still slightly confused, because you say there’s 1.4 billion pounds in this area, but in the list of things that the 1.4 billion pounds is for is things like the car scrappage scheme, 5,000 extra fire fighters, the peace fund and much else. Can I ask, do you know how much money it would take to reverse those cuts at the Ministry of Justice, and is that a Labour commitment?

SC: We do want to reverse the cuts. I don’t know exactly how much it is, and frankly, they’ll be whatever’s set out in the grey book. But there are also things emerging in relation to prosecution, in relation to prisons, in relation to probation. We probably won’t know exactly what the scale of the issue is until we’re in government. However, 40 per cent cuts is, you know, it’s dramatic. That’s why you pointed out the figure. And the problem is you can keep talking about putting more people in prison and putting them in prison for longer. If you don’t have the resources to engage with them when they’re in prison, prison becomes a place for radicalisation, not for rehabilitation. When people come out – even if people are in for the whole of their sentences, with no licence – if people come out they need to be supervised in the community, and that takes resources. I’m sorry, but it really does.

AM: It’s going to take money in all directions. There’s been very, very heavy criticism of the probation service and the prison service as well this morning.

SC: I don’t want to criticise any service. And I’m –

AM: People who’ve been inside the service are criticising it.

SC: Well, that’s for them to do. I just think it’s – I personally think it’s too soon for any kind of blame game. What I will say is that supervision in prison and outside prison is very resource intensive and 40 per cent cuts do not stand with the idea that we want to monitor people and supervise them better.
AM: Now, Jeremy Corbyn says the prisons are overcrowded and understaffed.
SC: They are.
AM: And he’s also said there needs to be tough supervision for people who are allowed out. Given that this guy was tagged and was being followed and monitored to a certain extent, what could tough or tougher supervision possibly mean?
SC: Well, the thing about tags is that a tag is only as good as the engagement you’re getting. You know, you can be wearing it – in the past, in my career, I’ve met people who were wearing at tag around their ankle, but they’re still in breach of their monitoring. You know, the tag is only as good as the number of people that are engaging with that person in the community and are responding to any breaches of licence.

AM: I’m wondering what more could be done. Should people be on curfew, should they be forbidden to use the internet? What else could be done?
SC: I think that people need human engagement and supervision. Technology is great, tags are great, and surveillance is fine, but it’s only as good as the human engagement. And that takes numbers of trained probation officers and police officers and so on.

AM: I mean, the problem here is Neil Basu, who’s the head of counter-terrorism at the Met, said that Khan was ‘subject to an extensive list of licence conditions. To the best of my knowledge he was complying with those conditions.’ It is possible that there are very deceitful, determined individuals who get through any system.
SC: Absolutely.
AM: And perhaps nothing needs to change.
SC: Perhaps. And that’s why, you know, I’m where I began this interview, which is I’m not prepared to say that any political party could have prevented what happened on Friday. What I’m saying
is going forward it would be a good idea to have more resources in the prison system, in the probation system.

AM: So I suppose a worried member of the public watching this interview might think Shami Chakrabarti might well be in government in two weeks’ time and taking the decisions which will keep me safe, and what she’s saying is that she needs to spend more money. But I’m not really hearing from her anything in detail as to what she’d spend the money on and how it would make me safer.

SC: Definitely on more supervision, more engagement with prisoners. Too many – I’m not saying it happened in this case but we’ve heard too many stories of people actually being radicalised in prison, and too many stories of people leaving prison without any effective supervision or housing or work and so on and so forth. So I’m not saying that that’s what led to this case but I’m saying that austerity in the criminal justice system has been a massive problem and 40 per cent cuts are going to tell.

AM: Alright. Let’s turn to why this might have happened, causation. Jeremy Corbyn is apparently saying this today, he’s saying, ‘16 years ago I warned against the invasion and occupation of Iraq. I said it would set off a spiral of conflict, hate, misery, desperation that will fuel the wars, the conflicts, the terrorism and the misery of future generations. It did, and we are still with the consequences today.’ Do you agree with that?

SC: I do.

AM: So that – the problem with that is that implies that the reason behind terrorism in Britain today is not down to the terrorists, but is down to the behaviour of previous Conservative and Labour governments.

SC: That is not the intention and I don’t believe that’s a reasonable implication. Anybody who commits murder is responsible for their actions. There’s no doubt about that. But we also have to be sensible, as I think most people are, about foreign
policy having implications at home, and about the way in which perceived injustice abroad can fuel problems at home. And I think most people understand that.

AM: Now, you say that you don’t want to blame, it’s far too early for that, and yet over the last 24 hours the Labour Party has talked relentlessly about cuts to the prison service, cuts to the probation service, and those are political decisions taken by Conservative politicians, and indeed foreign policy. Again political decisions. So in a sense, you have already as a party politicised this –

SC: Here’s the problem, Andrew. You know, those issues were already at the heart of our programme before Friday’s incident. We have a view of a multilateral, more peaceful world. We have a view about austerity. We have a view- and I’ve been talking about this before Friday – we have a view about what cuts to the criminal justice system mean. And we cannot – and here’s the thing – we can’t stop talking about those things because a terrorist has acted in the way that he has. But at the same time I do think it’s a mistake to pretend that one political party rather than another is responsible for a terrorist incident or in the future could keep people absolutely safe. We do need to not be defeated by this terrorist atrocity. We need to carry on with this general election conversation, hopefully in a reasonable, respectful way. But we do have to have these difficult conversations.

AM: Would a future Labour government build more prisons?
SC: I hope not. Because I think there are too many people in prison who are not terrorists, but who are in prison for more minor offences, including women, including people who are suffering from mental health issues and substance abuse. And I think we’ve got overstuffed prisons and when you’ve got overstuffed prisons the answer is not necessarily to build more of them.
AM: We have overcrowded and understaffed prisons certainly. But Labour’s response to that is to let out more prisoners rather than build more prisons.

SC: No, look, if we need to build more prisons we will. This isn’t an ideological position about the number of prisons.

AM: It sounds a bit like it.

SC: Well, I’m sorry. I’m sorry if it sounds – I’m not saying that there should be X number of prisons or Y number of prisons. What I’m saying is we need to think about who’s in prison and we need to think about what happens to people when they’re in prison. And if you put people in prison you’ve got a huge responsibility for their care and their rehabilitation and making sure that when they come out – as most prisoners will come out – they are not more dangerous than when they went in.

AM: And going back to this particular prisoner who came out and committed this terrible offence, he was originally sentenced under the so-called IPP regime, which is an indeterminate sentence to protect the public. In other words, the authorities decide for how long this guy is dangerous and they keep him inside the prison. Now, at Liberty, you were very, very against these IPP sentences. Are you still?

SC: I will listen to anybody who wants to have a reasonable debate about sentencing. I don’t think that now is the time, on the back of a terrorist atrocity, what two days ago? to be talking about changing the sentencing regime. But I do know that –

AM: Your colleague, Sadiq Khan, has engaged in this debate. He’s in favour of these IPPs.

SC: Look, as I say, we can have a reasonable debate about sentencing. I’m not sure that this is the best moment to do it. Life sentence is already available, of course, for terrorist matters, and I believe that the man in question had his sentence reduced on appeal. But you know, it’s a really, really dangerous game to suggest that cheap talk and even cheaper legislation is what is going to keep us safe. I don’t want get – I don’t want to – I know
that Mr Johnson will come on and say he’s going to throw away the key, but he cannot actually do that, and I think that your viewers at home will not be fooled.

AM: Shami Chakrabarti, thanks very much indeed for talking to us. (ends)