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What Price A Safe Society?

Proceedings of the 1994 Fabian New Year School

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New Year School

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Other papers were presented by:

Alun Michael M.P.

Andrew Puddephatt (Liberty)

Jo Thompson (NAPO)

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Introduction

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Alf Dubs

The Tories have failed on law and order. Yet they are becoming increasingly desperate to regain the initiative through a series of measures that are more concerned to gain cheap popularity than to provide safety and security for our citizens. We need a system that is fair, respects the rights of individuals and ensures, as far as possible, that miscarriages of justice are rare and quickly redressed. Today we have the evidence of so many miscarriages that the integrity of our system of criminal justice has been undermined.

The ill-thought-out nature of the Home Secretary's approach is evidenced by his frequent U-turns and the lack of any coherence in his thinking. Increasing the prison population is no answer. Are the British really more criminal than other countries to the point where the numbers in prison are, in relation to population, the largest in Europe?

The Fabian New Year School couldn't have been more timely, and for two days we had the opportunity of hearing experts in their field analyse and assess the Government's policies and set against them Labour's alternatives or the policies they would like Labour to adopt.

A good weekend, and an outcome that lived up to the best of Fabian traditions. In response to demand the Fabian Society has compiled a pamphlet based on the proceedings of the New Year School. Good campaigning!

BRITISH LIBRARY OF POLITICAL AND ECONOMIC SCIENCE

Alf Dubs is Director of the Refugee Council and Vice Chair of the Fabian Society.

He was Director of the New Year School, (8-9 January 1994, Ruskin College, Oxford).

1 Crime and society

Tony Blair

It is a feature of modern living that the majority enjoy a prosperity their grandparents would have thought impossible. Yet at the same time this economic well-being is increasingly threatened by social disintegration. Crime, high structural levels of unemployment, serious poverty and the collapse of family and community stability; these are the hallmarks of society today, no less than the mortgage and personal pension.

If the social fabric is torn in this way, we undermine our capacity to act and think as one country. We deprive ourselves of the necessary sense of purpose essential to any decent civilised nation.

Repairing this breach in civil society should be a fundamental priority for Labour in its economic and social policy.

Building outwards

The task is not to try to turn the clock back. The economic and social forces that shaped and reinforced community life in the early part of this century have either disappeared or been greatly reduced in influence. We live today in a more individual and varied society and will continue to do so. The task is to develop social solidarity in a modern form, based on citizenship of mutual rights and responsibilities. In other words, we avow the inseparable nature of society and individuals. But we start from the individual citizen and build outwards to society, not the other way round. We must give our young people a stake in society, but demand good conduct in return; give chances, but expect them to be taken; promote opportunity and obligation together.

Our society is increasingly divided in terms of wealth and power, and it has vast inequalities of opportunity. It has always been odd that the Left has conducted such a detailed debate over the past few decades about whether equality means equality of outcome or 'merely' equality of opportunity. The plain fact is we are nowhere near the latter, never mind the academic debate about the desirability of the former. In 1979 there were 7.74 million people on or below the Supplementary Benefit/Income Support level. In 1989 there were 11.33 million. This is an increase of 46%. Between 1979 and 1991 Supplementary Benefit levels have fallen as a proportion of full-time male earnings from 26% to 19% for a married couple and from 16% to 12% for a single person.

The top 10% of households had an average income of £31,931 in 1991; the bottom 10% had an income of £2,704. The bottom 10% of households had a real

income fall (after housing costs) of 14% between 1979 and 1991, compared to an increase of over 50% for the best off 10%.

There are 400,000 officially registered as homeless. During the 1980s the number of homeless households with children rose by 46%. An estimated 150,000 young people become homeless every year.

Less than 8% of children under the age of 5 have access to registered daycare. Between 1982 and 1991 the number of primary school children in classes of less than 20 fell from 20.4% to 11.9%. Independent schools educate only about 7% of pupils but account for over half of all pupils with at least 3 A levels.

Long term unemployed are four times less likely to find a job in the following 3 months than someone unemployed for the first time. In addition to the unemployed, 2 million men of working age are now no longer actively seeking work. There are over 1 million people under the age of 25 out of work.

There is one important additional dimension. Social deprivation should not be seen simply as a matter of money. Children that are brought up in unstable or unhappy families are deprived irrespective of the wealth of the parents, as are children who are badly educated. But lack of job prospects and economic opportunity can often contribute to the break-up of a family and certainly can lead to children growing up without any sense of responsibility to the society in which they live.

No excuses

Let us be clear where this argument leads. We should never excuse the commission of criminal offences on the grounds of social conditions. To deny individual responsibility is to deny individuality. And it is often the poorest and most vulnerable that suffer crime the most. They have the basic right of any citizen to live in peace and be protected by the law. People who commit crime must be punished according to the law: that is sensible and just.

But if we perpetuate the huge inequalities of opportunity that exist in our society today, we waste talent, we run up huge bills, and we destroy the necessary social basis for healthy citizenship.

Even the Tories

Not just the police but some Tory politicians as well recognise this:

"Without true social cohesion it will be increasingly difficult for police to respond to the growing disparity and diversity of demands being made upon them" (Sir Peter Imbert, former Metropolitan Police Commissioner).

"It is only by tackling the root causes that we can make an impact. I have repeatedly called for a government inquiry into the causes of crime. The whole issue is far too important to be left on the back burner" (David Shattock, Chief Constable of Avon and Somerset).

"It is right to comment on those problems in society that can give rise to crime" (Kenneth Clarke).

"We have to...bring young people on board and give them motivation and the will to become full paid up members of society...before they are blooded into the criminal fraternity" (David Hunt MP).

The justification, therefore, of an active society is not to diminish individual responsibility or to swallow it up in some nebulous concept of social responsibility but on the contrary to create the conditions in which individual responsibility is more likely to develop and flourish. Indeed, that is its purpose: to create responsible and fulfilled citizens.

Any serious policy to tackle crime must combine a functioning criminal justice system with a strategy to prevent crime, to defeat its root causes by promoting responsible citizenship. That is why policies on education, employment, housing, the family and giving people a pathway out of welfare are all part of the fight against crime.

The shredding of the social fabric affects us all. The cost is paid by everyone: in soaring crime bills, unemployment bills and an under-educated workforce. But it will only be repaired by a Party which believes in it.

Tony Blair MP is Shadow Home Secretary.

Crime: the facts

2

David Utting

I want to consider the way that families influence children's behaviour and the chances that they will, as they grow up, commit those anti-social acts which the law defines as "crime". My intention is to run through some of the academic research available – but I also want to consider what practical value it holds.

In drawing attention to the relationship between families, upbringing and delinquency, Ministers are in tune with popular sentiment. The British public, according to opinion polls, endorses the view that parents rather than governments are "to blame" for juvenile crime. Such attitudes are nothing new: archaeologists have discovered an ancient Mesopotamian stone tablet inscribed with a lament that society is in danger of disintegration "because children no longer obey their parents".

The recent tendency, however, has been to link rising crime with other social trends that are on the way up. A seven-fold increase in the divorce rate over the past 30 years, for example. Or the fact that 19% of families are now headed by a lone parent. It is important, however, to distinguish popular myths and unsupported claims about so-called "common sense" from reality.

The Sunday Times announced earlier this year – on the basis that two-parent families with dependent children account for only one in four households – that "the abnormal family has now become the norm". A damning indictment of our society, I dare say, unless you appreciate that over six out of ten homes are occupied by childless couples and single people. Unless older people whose children have grown-up and singles (like Mr Andrew Neil) are to be regarded as "abnormal families" such claims are absurd. In fact, seven out of ten families with children in this country are still headed by both natural parents, one in five are one-parent families and around one in twelve are step families. Families headed by a single mother who has never been married – although four times more common than 20 years ago – still account for only one family in 16.

And so (as it were) to crime.

Recorded offences

In the year ending June 1993, there were 5.7 million offences officially recorded by English and Welsh police forces – more than double the number at the start of the 1980s. However, the 1992 British Crime Survey's interviews

with a random sample of the population suggest that the "true" level of crime in England and Wales is nearer 15 million offences, the majority of which are never reported to the police.

As far as it is possible to tell from the minority of crimes that are ever solved, crime is commonly committed by young men. Around 82 % of known offenders are men and 46 % of known offenders are aged under 21. One in five are aged under 17.

The ages at which males are most likely to be convicted or cautioned are, in fact, 15 to 18, with a comparable 'peak' age of offending for females of 15. Moreover, whilst the number of young offenders officially fell by around 17 % during the 1980s, there is good reason to believe that this reflects changes in police practices rather than any genuine decline in the incidence of juvenile crime.

Family factors

In the recent Family Policy Studies Centre report, *Crime and the Family*, we focused our initial attention on a number of core studies that have been conducted in Britain – following the fortunes of children from an early age – to discover which became criminally involved and which succeeded in keeping out of trouble. The results from these longitudinal surveys provide a considerable measure of agreement that a number of family factors are significantly linked to children's later delinquency. There is evidence, too, that children who offend at the earliest ages and experience these factors at their most extreme are heavily over-represented in the ranks of recidivists – repeat offenders, who are known to be responsible for a disproportionate volume of total crime and to engage more readily in violent crime.

The family factors are, in summary:

- Poor parental supervision
- Harsh, neglectful or erratic discipline
- Parental discord
- Having a parent with a criminal record
- Low family income
- Social disadvantage including membership of a large family
- Low achievement in school
- Aggressive and troublesome behaviour in school

Although these are often described in the literature as "predictors", it is necessary to understand that statistical "predictors" do not predict in the

inevitable sense that polticians or journalists might understand. But they do narrow the field in terms of identifying the children or families that may be at risk – especially so when they cluster together in a child's background. In a post-war study of Newcastle families, for example, as many as 70 % of children assessed before the age of 5 as "deprived and receiving poor domestic care" were eventually convicted of a criminal offence.

Even so, my first practical message is that trying to target and stigmatise young children as "potential offenders" using statistical predictors is likely to misidentify a proportion of children who will not turn to crime, while missing many others who are equally at risk.

A causal connection?

The next point I want to underline is that an obsession with family structure – by which I mean whether children are living with one parent or two – is an unsatisfactory way of approaching social crime prevention. The connections between living in a one-parent family and delinquency are simply not as impressive or consistent as some politicians seem to believe. A recent analysis which took a statistical overview of 50 American and British studies of the links between broken homes and later delinquency suggested that children who experienced divorce were, perhaps, 10 to 15 % more likely to engage in delinquent behaviour than children from intact, two-parent homes. But the delinquent acts concerned were heavily weighted towards so-called 'status' offences like under-age smoking, drinking and truancy rather than crime in any serious sense. A 1985 Home Office study of teenagers and their mothers, meanwhile, failed to find a difference that was statistically significant between the levels of offending reported by either boys or girls from one-parent families compared with those from intact, two-parent families. The Newcastle study, likewise, found no significant difference in the levels of offending between children whose fathers were present when they were growing up and those that were absent. To this may be added the results obtained by a distinguished American criminologist, Joan McCord, who followed the criminal careers of men first observed as children in the 1940s. Offending proved to be nearly twice as common among those from intact homes where the parents were in conflict, compared with men who were raised in one-parent families by an effectionate mother. The author's conclusion was that "the quality of home life rather than the number of parents affects crime rates."

In Britain, one of the most detailed criminological investigations ever undertaken – the Cambridge Study in Delinquent Development of 400 boys born in south London in 1953 – drew a comparable conclusion. Experience of divorce before the age of 10 was associated with juvenile offending, but the authors, view was that conflict between the parents, whether it led to a broken home or not, was the significant background factor.

Parents

Where that takes us, I think, is to a view that discord between parents – whether living together or apart – should be seen as one of many stress factors that affect the ability of parents to give children the care and affection that they might otherwise wish. The idea of parents under stress is an equally appropriate way to consider two other important factors: low income and adverse living conditions. Parenting is a direct channel by which important economic and environmental factors – poverty and disadvantage – influence young children's behaviour and development. Hence, the finding from Harriet Wilson's 1980 study of disadvantaged families in the West Midlands that lax parental supervision of 10-year olds was the most significant single predictor of later offending.

The particular difficulties which lone parents face, most notably low income, may make it generally more difficult for them to apply consistent discipline or supervision. There is a small but growing body of evidence, too, which suggests that children whose lives pass through a number of family transitions – intact, two-parent family to lone parent family to step-family being the most common – are more likely, on average, to exhibit troubled behaviour than their peers living with both natural parents. I would also tend to be concerned about children born to very young, single mothers whose inexperience may be compounded by poverty, poor housing conditions and social isolation – but I am also bound to point out that there is a near-absence of criminological data on this group.

It is, however, perfectly clear that just as there are many lone parents who succeed in raising law-abiding children despite the adverse pressures, so there ae plenty of families with two, natural parents who do not. For that reason the aim of any practical policies for social crime prevention should be to support families under stress and improve the quality of parenting – whether we are talking about lone parents, two parents, step families or whatever.

What we need are multiple solutions for multiple problems. Work to improve the relations between parents and their children would be of limited value if nothing were also done to alleviate the poverty and other external pressures which diminish the quality of family life. Nor can we possibly ignore the importance of under achievement in schools.

We need to prevent children from drifting into crime and we need to stop minor offenders turning into persistent, adult criminals. A strategy for social crime prevention might be based on some key themes.

Universal services

First, there are services that should be available to every family. Among other things, this is an acknowledgement that incipient criminality is not confined to deprived inner city neighbourhoods or what remains of the working class! The options here would include:

- parent education programmes promoted through television, video and other media;
- pregnancy and post-natal care that guides new parents into networks where support and advice are available;
- courses for improving parental skills (publicly funded where necessary);
- good quality, affordable childcare for parents who choose to work;
- pre-school education of a high quality, provided in partnership with parents;
- "effectiveness" programmes in primary and secondary schools to ensure minimum reading and mathematical skills and to maintain liaison with parents;
- family planning and "preparation for family life" education provided in secondary schools, preferably as part of the national curriculum.

Neighbourhood prevention

Secondly, we suggest that if services have to be targeted, they should be targeted on high crime neighbourhoods, with concentrations of families suffering social disadvantage rather than on any stigmatising – and therefore counter-productive – attempt to single-out individual children.

We propose:

- More open-access family centres – offering services that range from parent and toddler clubs to parental skills education and family therapy;
- remedial design work and improved housing management of high crime estates;
- community policing, including preventive work with families;
- after-school clubs and holiday activities for children and young people.

Family preservation

Finally, we suggest that for some families, especially those who have already come to the attention of social services or the police, there needs to be a tier

of "intensive care" services, delivered in their own homes. These "family preservation" projects have as a major objective the prevention of children being taken into care.

Hence:

- Wider availability of family support volunteers – such as those provided by the existing Home-Start movement – helping parents and children in their own homes;

- intensive "family preservation" services to prevent breakdown when children are at imminent risk of being taken into care. (Innovative examples cited in the study include the Newpin organisation in Britain and the state-wide Families First programme in Michigan, USA.)

We make no apology, incidentally, for recommending services that concentrate their efforts on families of children before they reach adolescence. The evidence of the research we have examined and the practitioners we have talked to is that the influence of parents is at its greatest before the age of 9 or 10 when peer group pressure begins to exert increasing power.

Let us not forget that the costs of crime, in terms of human distress and wasted resources in this country, are vast. Some years ago the quantifiable costs were unofficially estimated at around £18 billion – the, then, equivalent of running all the hospitals in the National Health Service. To the measurable billions of pounds must be added the unquantifiable costs to victims and communities blighted by fear. The high proportion of these crimes ascribable to young people is an overwhelming argument against any notion they can safely be left to "grow out" of offending behaviour.

We meanwhile spend £9 billion a year on a criminal justice system – police, courts, probation and prisons which leads to the cautioning or conviction of a known offender for just 3 % of those 15 million offences I spoke of earlier. I somehow doubt whether the proverbial accountant from another planet would conclude that the British taxpayer was receiving value for money.

Measures to support families, improve parenting and create a more effective education system would make for a sensible, cost-effective policy whose multiple preventive benefits would extend far beyond the boundaries of crime. We should also continue to lock our cars and bolt our doors, reducing the opportunities for crime. But the time has surely also come for a new and innovative strand of social crime prevention, directed at the roots.

David Utting is a Research Fellow at the Family Policy Studies Centre.

Crime and punishment

3

David Faulkner

The theme of this collection involves some difficult ideas.

- *Price*: is it measured in cash terms, or in terms such as loss of liberty?
- *Safety*: how important is it, and do we now make too much of avoiding or preventing risks, of all kinds? What are we losing as a result?
- *Society*: what does this mean? Are we thinking of everybody or only of "law abiding citizens" or "people like us"?

It is easy to say that of course we must have a safer society – or that law abiding citizens must be better protected – and that we should pay whatever it costs. It is also easy to say that the way to achieve a safer society is to catch more criminals, to see that more of them are convicted and to punish them more severely. That seems to be the Government's view and it is one which the Opposition parties seem to think they have to share. But it is a superficial view, which may reflect instinctive attitudes but leads to unjust and ineffective policies. It is, sadly, one of the laws of politics that simplistic error will always drive out complex truth.

Why do we punish?

There is confusion about what punishment is for. The classical arguments about retribution, deterrence and rehabilitation, and the balance between them, are nowadays thought of as rather boring or dismissed as theoretical arguments suitable only for academics and the chattering classes. There is confusion about what form punishment should take and whether only imprisonment counts, or whether a person can still be "punished" by a community sentence even though he or she may "walk free from the court". Parliament attempted to resolve this confusion in the Criminal Justice Act 1991, which established proportionality to the seriousness of the offence as the main principle of sentencing and community sentences as punishments in their own right. But belief in deterrence and incapacitation and the primacy of custody have now come back at least into the language of politics. There seems to be an assumption that punishment serves an instrumental purpose in controlling the general level of crime.

That assumption is doubtful and potentially dangerous. The prospect of detection and punishment may certainly have some influence on some crime.

Examples include driving under the influence of alcohol (though this may be a matter of changing culture as well as the fear of being caught and sentenced); matters of health and safety; and some organised crime (although it may affect the choice of target as much as the decision to commit crimes of some sort). But it does not have much influence on the majority of offences of burglary, theft, car crime, or domestic and other forms of violence which make up most of the criminal statistics and cause greatest public concern. Most of these offences are thoughtless and spontaneous or opportunistic – they are taken without thought for the consequences or in the belief that the offender will not be detected. Given that among many of the offences only about 3 % will result in a caution or a conviction, this belief may often be realistic. Deterrence is only likely to work where the crime is calculated, the prospective offender has something to lose and there is a reasonably systematic apparatus of preventive enforcement.

With what effect?

It follows that certainty of detection and severity of punishment are not likely to have a major effect in creating a safer society. Punishment may even, in some instances, have the effect of making them more dangerous – for example through the criminalising effect of custody, especially on young people. This is not to say that a safe or stable society does not need a fair and effective criminal justice process, in which punishment has a part to play. It is to say that safety and stability depend more on the integrity of that process as a whole, on the standards of those who operate it and perhaps on a sense of social justice more generally, than they do on punishment as such.

Safety from crime, like other forms of safety, is in the end more a matter of consideration and respect for others than it is of criminal law and criminal sanctions. A serious programme for a safer society would necessitate:

- respect for other people's property, feelings and dignity, starting with teaching in nursery schools;
- guidance and support for those responsible for difficult and disruptive children and young people, especially parents and teachers, sometimes put not very helpfully as helping to teach them right from wrong;
- something for young people to look forward to which will give them satisfaction, personal dignity and the respect of others (best of all a job).

David Faulkner is a Fellow of St. John's College, Oxford and Senior Research Associate at the Oxford Centre for Criminological Research.

He was previously a Deputy Secretary at the Home Office.

Crime and the market society

4

Ian Taylor

Some four years ago, one of the foremost critics of conservative penal policies in the United States, Professor Elliott Currie, warned a British audience, at a conference on Crime and Policing, of the continuing rapid acceleration of crime rates that was to be expected in this country, particularly if government attitudes and policies did not change with respect to the "freeing of market forces". The United States was itself a laboratory, he argued, in which there could be identified, in 1990, a series of unmitigated disasters that would follow, in respect of rising poverty and homelessness, increases in preventable diseases, "galloping" inner-city drug use, and rapid increases in crimes of violence and crimes against property, if the forces of the free market being unleashed in Britain were not quickly harnessed in the social interest. In the last years of the Bush administration the United States had been transformed into what Currie wanted to call "a market society" In such a society: "...all other principles of social or institutional organization become eroded or subordinated to the overarching one of private gain. Alternative sources of livelihood, of social support, and of cultural value – even of personal identity – become increasingly obliterated, so that individuals, families and communities are more and more dependent on what we sometimes misleadingly call the 'free market' to provide for their human needs – not only material needs but cultural, symbolic and psychic ones as well."

Market society

The warnings were there for Britain to see.

First, "market society" was promoting crime by producing a significant increase in inequality, in the process generating quite destructive concentrations of pronounced economic deprivation.

Secondly, "market society" was eroding the capacity of local communities to provide support for people on an informal basis, through municipal and civic provision – a key element in the inability of local communities to provide for young people, now hanging around suburban parking lots or downtown street corners threatening trouble and raising local fear and anxiety.

Thirdly, the advance of "market society" was a key element in the stresses and strains being imposed on "the family unit", in terms of its effects on the labour market and on childcare provision.

Fourth, the advance of the "market society" in the United States (for example, in the pressure to privatise social services in different American cities) was resulting in the withdrawal of any kind of public or state provision for those who had lost jobs as a result of the advance of market forces.

Fifthly, "market society" in the United States was in the process of institutionalising in that country what Currie called a "culture of Darwinian competition" for status and resources, in particular by its constant encouragement of a level of consumption that the market economy was incapable of providing for all citizens, at least through legitimate channels.

Professor Currie and I distinguish between on the one hand, a Governmental approach to the new economic order, which recognises the need for a national strategy of modernisation and change, and also takes responsibility for it (in terms of re-training of the workforce, underwriting the development of research and development, and providing a basic level of public infrastructure in terms of transport, schooling, housing etc) and, on the other, the alternative approach which throws all these matters to "the market".

The job crisis

In Britain, the representation of the 'true unemployment' picture has become a matter of political contention, after a series of twenty-nine changes to the official definitions. In 1992, the unofficial Unemployment Unit calculated that the real figure for unemployment in Britain in September 1992 was in the order of 4 million people, some 13-14 % of the labour force.

Real unemployment, United Kingdom
(September 1992)

16 and 17 year olds	100,000
Single Parents and Disabled	210,000
Older Men	150,000
Married Women	435,000
Disqualified/not claiming	250,000
"Uncounted" Total	1,145,000
plus	
Official Unemployment	2,843,000
giving	-------------
Unofficial Unemployment	3,988,000

Without in any way wanting to suggest a simple and direct relationship here, it is worth remembering that the total unemployment figure in Britain in 1979 (1,271,000 people) amounted to only 2.4 % of the "economically-active" labour force. It is also important to note how this loss of paid employment – enormous though it was in terms of national figures – has been even more catastrophic in some areas than others, most notably in the areas which were dependent on heavy manufacturing industry.

Throughout the 1980s, at least in Britain, a key Governmental refrain identified unemployment as a temporary problem, which would in principle be resoluble either through individual initiative ("On Yer Bike"), through the cumulative effects of enterprise activity in general (through a kind of "trickle-down" effect of new jobs created through such enterprise) or, finally, from the long-awaited "end to the recession" (the "green shoots of recovery"). As the faltering "recovery" of 1993-4 has gathered strength, however (more weakly in Britain than in North America), the fears are ever more widely being expressed that such recovery as there is may not be sufficient to create any serious new employment. According to the latest economic wisdoms in Britain, a rate of 3 % growth in 1994 will create very few extra jobs at all; and economists and social commentators in the United States, where the recovery is stronger, are starting to speak of a new phenomenon for our times of "jobless growth" – referring to the capacity of certain high-tech and service industries to create and also satisfy demand, without significant additions to their labour force.

State benefits and social security

Robert Reich, now the Secretary for Labor in President Clinton's administration, spent the late 1980s arguing that these fundamental changes in the character of the labour market, and in global economic activity, confronted Governments with a moral (as well as a strategic) challenge. Either they could be "activist" Governments, attempting to lead a population through the rapid social and economic changes of the time or – irresponsibly in his view – they could let their electors, the citizens, fend for themselves in the market, blaming them for any "market failures" or for disruptions in social order itself. In practice, however, the 1980s/1990s have witnessed spokespeople for free market policies and free market governments in North America and Europe inventing a vast range of social scapegoats (from "lager louts and "welfare scroungers" to "single mothers") and also targeting the cultural and personal failings of people outside the Enterprise Culture ("state dependency"), as essential elements in their accounts of disorder, poverty and economic failure. All such accounts have in common, of course, their exoneration of the operation of the free market forces themselves. In Britain, there is a continuing attack on a wide variety of the financial benefits provided to different needy segments of the population by the State, from Disability and Housing Benefit though to

legal aid entitlement, which curiously has yet has not been connected up in the public mind to the sense of anxiety and fear which are so widely reported for all citizens in their use of public streets and public facilities. It is intriguing, for our argument here, to notice the coincidence, with very little time lag, between the Government's withdrawal of Income Support eligibility for 16-18 year olds in 1988 and a sudden acceleration in the number of criminal offenses committed by that age group. We will return to this issue later.

The continuing calls of free market politicians for individual initiative in respect of wealth and job-creation may truly be believed by those who utter them. But – in the meantime – all the available evidence about the ability of life in many parts of Britain suggests that the withdrawal of state benefits across a range of areas – so far from creating the conditions for a new entrepreneurialism – is generating considerable physical and psychological dis-ease and anxiety amongst individuals and a level of pessimism or despair across whole communities or neighbourhoods on a level unknown since before the Second World War. We have become accustomed to read in our newspapers about the return of diseases and illness which we previously associated with the squalor, overcrowding and poverty of the "dosshouses" of the 1930s or the "rookeries" of Victorian Britain. There are now 3,800 cases of scabies every year in Britain; the rate of decline in the occurrence of TB has slowed and there is some fear amongst specialists that we may be about to witness a return of polio strains beyond the immune systems of one third of the population. Suicide rates are significantly up, particularly amongst young men, and the pressures on the NHS dealing with physical or psychological problems resulting from the stresses of joblessness and deprivation are rising nearly everywhere.

Homelessness

Another everyday feature of life in free market societies in general, but Britain in particular, which has taken on a taken-for-granted or natural quality astonishing to many visitors coming into Britain from abroad, is the level of homelessness in what purports, in all kinds of other self-descriptions, to be modern, dynamic, and progressive, society. The truth about homelessness in this free market society is most visible in the amount of public begging which now takes place, routinely and on a daily basis, on the streets of our major cities. The fact of homelessness and the struggle for shelter is also a matter of considerable conflict, of course, in inner city lodging houses and on our public housing estates, in the demeaning and desperate struggle for space and for shelter which takes place amongst runaways, de-institutionalised mental patients, youngsters in trouble with the law, "problem families", new immigrant groups sponsored by local authorities, and many other desperately marginalised and impoverished groups. Shelter estimates that there are now nearly two million homeless people in Britain. It is important for us to register

the point not only that "living rough" is a certain cause of ill-health and, indeed, early death (the average life expectancy of the homeless on one survey is now 49), but also that the homeless are disproportionately likely to be the victims of street crime, including violence and, indeed, of murder.

Poverty and the underclass

All political and academic commentary on Britain agrees that the country is embarked on a voyage of ever increasing social inequality. The debate – if such it can be called – is about whether this renewal of inequality might have beneficial consequences (in respect of enterprise and quality of life for "the winners") or whether it might eventually produce a social disaster.

Amongst the new poor, the under-25s are currently entitled to a benefit of £44.45 per week, but in December 1993 the Government announced that the new "Jobseeker's Allowance", which is to replace unemployment benefit in 1996, will cut entitlement by 20 % to a maximum of £36.15. The espoused intention of this move is "to price young people into work", but the evidence to predict this being the likely outcome is slight indeed. A mass of survey work and interview research with young people on existing levels of benefit suggests that a much more likely consequence will be to encourage more and more young people into crime (as what free market economists might call "the rational choice") especially in areas where the alternative or illegitimate economies around the drug trade offer a much heavier level of return for one's labour. There are now whole estates on the fringes of many cities where the only significant economic activity in the neighbourhood is in the drug trade.

One important aspect about this poverty, of course, is that it has emerged in the aftermath of some fifty years of political and cultural rhetoric about Affluence and the Leisure Society, and in a context in which everyday consumption is everywhere assumed to be a defining feature of social existence as well as a key resource in the construction of personal identity. It may be that adults and young children can sustain a life of considerable and unremitting material deprivation and poverty for some years, though it must surely involve a sense of resignation and a loss of self-worth: in 1993, certainly, there were some 1.5 million families (including 2,970,000 children) who were living on Income Support in Britain, compared with only 293,000 children in receipt of Supplementary Benefit in 1979. Levels of poverty like this may be morally unforgivable in an "advanced society" but they are not necessarily socially explosive. Absolute poverty may grind a person down, without necessarily causing angry resistance or recruiting the sufferers into a life of crime.

Crime and the young

Where the Government's drive against state benefits really hits home, in the 1990s, is with the 16-25 year old age group who are assumed in Government rhetoric to be living in the parental home, and to have fewer living expenses than adults over 25. But it is precisely this generation of young people, of course, who are most heavily involved with the culture of individual and group consumption – on which, ironically enough, the whole 'enterprise culture' of the 1990s so heavily depends. Absolutely all available evidence suggest that the material poverty and the relative social deprivation involved in being youthful and on state benefit, taken together, are socially explosive. It is clear that some kind of income is absolutely essential to a meaningful existence as an adolescent in the society of consumption, but – a more subtle but possibly more more important point – it is also clear that the systematic and continuing exclusion of young people from challenging and useful education, as well as from the amenities of a civilised existence that are routinely available to young people in other advanced societies (sophisticated leisure facilities, travel) may be a vital limitation on the horizons and imagination of British youth, and a telling constraint on their ability to deal with a society of consumption and the range of pleasures offered out as 'popular culture' in 1993 in a critical and reflexive fashion. There is no question, for example, but that the limited horizons of education for youth in Britain are a major ingredient in respect of the shallow jingoism and sexism of young British working class males, and there is no escaping the "long riot" of crime that has been engaged in by young working class males, particularly in areas of high long term unemployment. Empirically speaking, it seems clear that the escalation of burglary, car theft and street crime has coincided, historically, with the removal of state benefits from young people in the social security changes of 1988 but, from a cultural point of view, it is important to understand that this riot of crime has been engaged in by young people whose limited aspirations in life have been unchallenged and unaided by a system of education and socialisation of working-class men that is traceable in its origins to the early years of the nineteenth century.

The troubled British household

The twists and turns of Government rhetoric around 'law and order' leading up to the infamous Blackpool conference and the 'back to basics' speeches of September 1993 resulted in the identification of the "single mother" as the newest "folk devil" – on could be laid the various sins of commission which "explained" the continuing problems of crime and delinquency in British streets. It was always the most tortured and misogynist of arguments, borrowed, in its most recent form, from the work of Charles Murray, sworn enemy of the Welfare State but, in truth, was very rarely spelt out in its simplest

form. The argument, at its most essential, was that young women in Britain were intentionally getting pregnant, in order to "jump the queue" for council housing. Once they had been provided with such public housing, these inadequate young women were proving, more often than not, to be poor mothers and, given the absence of fathers as alternative role-models, the consequence was the production of cohorts of literally "uncivilised" boys and young men, beyond the control of their mothers and also the rest of civil society. In Britain, the political thrust for these arguments seems to have been informed, in no small measure, by a quite unmistakable increase in lone motherhood in this country throughout the 1980s, far in excess of other European member-states, with the significant extra burden this was imposing on the Exchequer. In 1991, there were 236,000 births outside marriage in Britain (30% of all live births), as against only 91,000 in 1981 (12.5 %); and the "welfare bill" for the 1.3 million one-parent families (and the 2.1 million children living in them) was put at £6 billion, compared to £2.4 billion 10 years ago.

The official debate about single parenthood in Britain in the early 1990s has been quite fantastically coded. The problem which was identified by Government spokesmen, and then by Norman Dennis and George Erdos in their extraordinary little polemic *Families without Fatherhood*, focussed on families headed by single, unmarried women as being inherently problematic and dysfunctional. These families lacked the stability and the guidance – the "reality principle" – that can only be provided by a father, which Dennis and Erdos believe to have been a widespread feature of parenting by working-class fathers in Northern England throughout the first half of this century. It is certainly possible to accept some of the commonsense argument that a child does well when both parents in a nuclear family arrangement provide consistent affection and attention but it does not follow that all forms of nuclear family were very good at it or, by extension, that only nuclear families, of the kind which neither the Government nor Dennis and Erdos could conceivably now re-invent (working class families existing on a single "family wage") can provide such consistent and reliable support for children. Nor either does it follow that single parenthood – meaning, single mothers – is the one key explanatory variable which explains crime in the 1990s – more powerfully, indeed, than unemployment itself. No one except, perhaps, some good-hearted anti-monetarist economists, arguing that "unemployment" causes "crime" in some determinate, inevitabilist sense. The point about current rhetoric about crime and the family is the extraordinarily limited vision and perverse kind of casual accounting which is displayed with respect to the fundamental structural changes that are taking place in what used to be called modern, mass manufacturing society and the deep consequences which these changes are undoubtedly having on private lives, families and households.

It is not only that there is high and long-term unemployment, on a comparable scale, in some senses, with the 1930s. It is also that the context

in the 1990s is absolutely dominated by ideological pressures and assumptions of "competitive and possessive individualism"; that everyday life is highly-privatised and built around the immediate and fleeting pleasures of individual consumption; that the idea of neighbourhood life in most of our cities is extremely fragile and there is a crushing sense of loneliness and isolation in most people's lives, and that, when problems of living do arise, there is an almost total absence of publicly-provided community support. Where intact nuclear families do exist, depending on the position of these families in the housing and labour market, they are either poor or, in two-career families, 'over-accelerated' and exhausted. These are the given, dominant and influential features of 'market society', with the rise of the single-parent family as one of many potentially disruptive consequences of these changes in the domestic sphere. So also, it must be said, are a range of other human problems arising out of the pressures on private households in "market societies": child care professionals in Britain now routinely speak of a "parenting crisis" that expresses itself in rising numbers of reported cases of child abuse (44,000 on the register in 1990); in about 98,000 children running away from home every year; in 10,000 telephone calls a day to Childline; in rising rates of teenage suicide, depression and anorexia; and in steep rises of drug abuse, especially among 17-20 year olds and among girls. A high proportion of adults in Britain's prisons (some 57 % in one study) have, indeed, spent some time 'in care'. It requires a particularly narrow misogynist or specifically fiscal purpose to single out the issue of the single mother as being either the secret and significant cause of all these problems or, indeed, as being the most single serious issue for public discussion. What is clear is that the family – and indeed any other kind of household arrangement – faces a set of pressures and problems in a market society that did not so frequently emerge in this form in societies almost exclusively organised around the family wage, the male breadwinner and female housewife and mother.

Making sense of crime

I want to suggest that many of the developments in the patterns and overall levels of crime in England and Wales in the mid-1990s correspond to the picture painted of the United States in 1990 by Elliott Currie.

There can be no mistaking the continuing acceleration in the overall number of crimes being reported. There is little doubt, in fact, that England and Wales were experiencing one of the fastest rates of increase in reported crime of any late industrial society during this period. The speed of this increase, along with all the widely-reported increases in popular fear and anxiety with respect to personal safety and the security of one's home, is itself a measure of the rapid subversion that was taking place, of the Welfare State and the whole Keynesian post-war settlement. What has been affirmed – after the fact – is the importance of that Welfare State, in its provision of a minimal

level of personal security ('from the cradle to the grave'), on the one hand, and 'full-employment' Keynesian economic policies, on the other, in delivering a reasonable sense of order in everyday lives of the majority of the population. In countries where national, governmental responses to the 'crisis of mass manufacturing' and the emergence of a new global economic order have not involved the wholesale demolition of post-war welfare provision (the Scandinavian and Benelux countries and France in Germany, and Canada, on the other side of the Atlantic) there is currently no debilitating national problem of crime, at least in the specific form that exists in England and Wales. By far the largest increases in reported crime in England and Wales have been in property crime – that area of activity in which young people, in particular, and other unemployed people, try to supplement whatever state benefits they are accorded with access to goods and commodities 'their money' would never allow them to buy, or alternatively to the monies which they can realise through the resale of such stolen property.

The increase in property crime, England and Wales (1979-1991)

	Burglary	Theft/Handling of Stolen Goods	Robberies
1979	549,100	1,416,100	12,500
1991	1,219,500	2,761,100	45,300
Increase	122 %	95 %	262 %

(Source: Criminal Statistics, England and Wales, 1991.)

Figures of this kind must surely be understood, at least in part, as evidence of the real difficulties which are now placed in front of people (especially the young or the unemployed) in England at the end of the twentieth century in a 'free market society' which has increasingly been transformed into what Joseph Schumpeter called a 'workfare state' in the attempts they make to obtain the basic level of income or material security which were taken-for-granted by earlier generations. There is no escaping the massive impact of this new poverty on the young and on the unemployed, and no obvious reason for denying that this poverty is one major element in the rapid increases in property crime in England, especially burglary.

Conservative critics always respond to declarations of this kind, especially in their unqualified form, by pointing out that the poor do not always steal. The familiar refrain points to the 1920s and the 1930s, when high rates of unemployment (of male 'breadwinners') did not result in anything like the rates of crime currently being reported for England and Wales. But, for the

United Kingdom, as a whole, in the 1920s and 1930s was a well-established industrial society, with the mass population earning its living from the profits of mass manufacturing, and a 'Grand Compromise' of power between Capital and Labour more or less universally accepted as a fact of life. Workers derived some sense of compensation for their lack of material wealth from the sociability and neighbourliness of 'working-class community'. In the 1990s, by contrast, if not actually a victim of a corrupt 'casino capitalism', Britain is a society in thrall to a particularly radical experiment in social re-organisation, in which very little care or concern is evident for those who lose out from such a reorganisation, and in which a culture of possessive individualism is inescapable. Television programmes and magazines alike (for example, *Hello!*, the quintessential product of our time) seem obsessed by the life-styles of individuals who have been successful in business or in the media; great interest is shown in the material goods that have been acquired by the successful (from items of clothing to cars) and in the various pleasures of personal consumption in which they indulge. In contrast to the nineteenth century, the heyday of Victorian capitalism, the successful businesspeople of the 1990s seem to feel no pressure to make any display of social concern or charitable endeavour. The image is of individual self-indulgence, as a reward for one's business success or clever market initiative. It surely is no mystery, in such a social climate, to note how two of the other areas of increase in reported crime in England and Wales in the late 1980s and early 1990s have been of 'car crime', on the one hand, and drug-related crime, on the other.

Car crime and drug-related crime evince public anxiety for perfectly under-

Car Crime, England and Wales (1979-1992)

	Thefts of Motor Vehicles	Thefts from Motor Vehicles	Total
1979	309,245	278,349	587,594
1991	572,196	931,287	1,503,483
Increase	85 %	234 %	156 %

Source: Labour Party, Putting the Brakes on Car Crime (December 1992)

standable commonsense reasons. Car theft can involve a disabling loss of transport provision for whole households and families. Car theft also provokes popular anxiety in respect of the real dangers that are involved in the

'joy-riding' activities of young car-thieves, especially in heavily-populated urban areas. Drug crime evokes a fear of the addict, desperately searching for the money for the next 'fix' and willing to 'stop at nothing' to get it. The most recent fear, of course, is that an escalating drug trade in the inner-cities is now generating a major problem in respect of armed robberies and the use of firearms generally.

Car crime and drug crime also have in common that they involve the possession and ownership – however momentarily – of a consumer product (a car) or a sensation (individual consumer pleasure) – the instantaneous high – that has become ever more valorised in English "market society" in the mid-1990's. Car ownership is no longer, if ever it was, simply a matter of having access to a means of transport other than the train or bus: it is unambiguously an item which, through its 'Make' or 'Model', speaks loudly to the status of its owner. Particular models of car are encoded in television advertising as a measure of the owner's elective identity. The attractions of the drug 'high' are complex. But the pleasure of drug use is a pleasure that is understood and shared, at one level, by the successful practitioner of life in the Market Society and also the inner-city cocaine user. There is in principle no limitation in free market theory on the exercise of consumer choice or free will ('only the market decides').

Back to basics?

Calls for the resoration of a unitary or traditional set of 'basic' values – or, for that matter, for the restoration of the lost power of the head of the working-class household – really do not connect very closely to the lived realities of a society which has been undergoing such fundamental transformation as has Britain over recent years. In particular, we would argue, they do not register the transformation of Britain (England, in particular) from a rather sleepy, friendly but essentially un-dynamic, unprofessional and inefficient mixed-economy Welfare State, into a harsh, enervated and over-accelerated, society, belatedly trying to deliver professional quality in terms of goods and services, but cripplingly divided across lines of class, gender, ethnicity, 'position in the housing market' and age. We are hectored nearly every day by ministers blaming one fragment or other of this social configuration for the ills of the society as a whole; it is always someone else's fault. But what may now be urgently required in Britain is a moral rhetoric that can pull these different fragments together in a shared sense of community, a shared destiny, rather than consigning more and more fragments to an outer wilderness, of the non-citizens for whom, by implication, we should not be concerned. We need a sense of moral order that could work across the whole of a society composed of quite different fragments, some of whom are now struggling for survival in a competitive market society. Such a moral ethic would clearly need to take into account and tackle the rank inequalities of economic resources and social

power that besmirch this society (most notably across divisions of class, gender and race), but whilst also enshrining a powerful sense of universal citizenship within this society. It should comprise not only a universalistic script in respect of rights – the traditional pre-occupation of Left and libertarian thinkers – but also an outline of universal obligations; and this agenda should not only be part of the private language of academic public lawyers, but a part of the public vision of social democratic politicians, particularly when speaking of issues of law and order, and moral order, in a legally and ethically regulated market economy.

We are a long way from that now. Indeed, the logic of contemporary development still presses in the other direction. It is vitally important that social democratic commentary in the late 1990s should be critical of the continuing privatisation of Government responsibilities in respect of 'the preservation of the peace' at local level (policing, crime prevention, and provision of neighbourhood leisure and social provision generally) – nearly all of which are currently being subjected to a narrow cost-benefit evaluation in the name of free market principles.

What would you do, then?

It is vital for social democrats to have available not only an alternative vision for society and some sense of the policy decisions and strategies that might help move society in that direction; but it is also important to focus on practical examples of good practice, against which the worthy visionary thoughts can be tested. Some good work has been done, along these lines, by the left-realist school of criminology in Britain, particularly in respect of its work on the priorities and community accountability of local policing, especially in relation to crime-victims. But social democratic criminologists should never speak as if the problems of crime are in principle resoluble simply through the action of police or even through 'multi-agency collaboration' in crime-prevention. It should also, self-evidently, be part of a social democratic responsibility to lay bare the shallow short-termism of the Tory argument about penal discipline – now summed up in Mr Howard's refrain that 'prison works' (with a prison population now climbing to 47,423 in February 1994 (and rising by 350 a week). It is not only that the increase in prison population serves mainly to increase the overall proportion of state investment being diverted from other useful areas into the newly privatised punishment industries. It is also that all the historical evidence, to which our free market government seems so oblivious, is that crime-rates really do not decline in periods of job-creation (the 1860s, the early 1920s).Social democrats in the late twentieth-century must also deal with 'the big issues' – the realities of market society in all its social and cultural effects; the worklessness; the homelessness and poverty and deprivation at the heart of civil society; the massive subversion of institutions (especially, local authorities but also the whole apparatus of welfare state

provision in respect of health, income support etc) that until the late 1970s were working, however imperfectly, in the 'public interest'. It is not necessarily a matter of wanting to re-invent any of these institutions in their earlier, post-war form. It almost certainly is a matter of wanting to re-invent the lost sense of community, public civility, and/or sense of a shared citizenship, that characterised English life before the free market experiment.

Improving public life

In this abstract but essential endeavour we English may have to turn, however unwillingly, to France. One of the major debates in the serious press in France at the end of 1993 focussed around the detailed, strategic analyses of the European labour market which have been undertaken by the labour economist Pierre Larroutrou, taking into account all available knowledge about the continuing impact of technological change on job losses. Larroutrou is now arguing that the only way in which there could be a significant increase in jobs in the European Community in the near future is via an EC-wide move towards a four-day working week. Adoption of this policy would create 2 million new jobs across Europe, with a 5 % loss of earnings across the existing labour force, and a massive increase of leisure. Present indications are that the Larroutrou plan stands no chance of adoption, not least because of the British Government's unrelenting opposition, through its representatives in Brussels and Strasbourg, to any form of labour market regulation.

The importance of this struggle over 'labour market futures' for our thinking about issues of crime and law and order, of course, is that there would appear to be no way that this debate is about to break open in such a way as to give hope to hundreds of thousands of young people and unemployed people across Europe. Social democrats must be involved in this debate, out of our recognition of the role of paid work in constructing a full sense of citizenship in 'advanced' industrial and even post-industrial society.

But social democrats must also be attentive to projects that improve public life and the daily lives of citizens in a more immediate fashion, short of a revolution in labour market policy or other trans-national economic policies. A telling instance of this kind of good practice, in the very recent period, is the capaign conducted by the management of the Paris public transport authority (the RATP) to 'reclaim the territory' of the Paris underground, the Metro, which in the early 1980s had become prey to all the problems of neglect and inefficiency that bedevilled such public transport systems at this moment in their post-war history. An extensive policy of cleaning the network of graffiti, the regular removal of litter and the repair of vandalised property was initiated in 1986, with whole stations being re-decorated, repaired and re-designed with a view to passenger safety and well-being. The Metro is now regularly patrolled by a single security service, which has responsibility for the policing of ticket fraud as well as for more serious incidents. The conse-

quences have been remarkable, and are the subject of widespread commentary in the French press. The initial investment in the Strategy of Reclamation (the 'seed money') has now been earned back in significantly increased usership of the system; and, as a result, there has also been a significant increase in employment on the Metro. Assaults on passengers declined by 27 per cent between July 1989 and December 1991, and on staff by 9 %. Pickpocketing is down 35 % over the same period. It is hard to point to similar success stories on crime in public space in Britain, precisely because the political culture, we would argue, is so resistent to expenditure on any kind of public provision.

It is not just a question of returning a social democratic government; it is not just a question of investing more effectively in crime-prevention rather than penal discipline; and it is certainly not a question of returning to moral fundamentalism. It is a question of thinking about the good old questions – the big issues – of what makes for a good society, and, indeed, the greatest sense of security, well-being, and happiness of the greatest number. On these issues, as on crime, the 'free market society' has clearly failed.

Ian Taylor is Professor of Sociology at Salford University.

The free market and community safety

5

Sir John Smith

As I understand it, the free market is based on the idea that an economy should be left to run itself according to market forces, with little or no state interference. Decisions are left to individual consumers and suppliers and are made on a largely commercial basis. Inherent in this thinking is the assumption that public ownership breeds inefficiency. Privatisation, it is said, can help to improve any public sector activity. My professional concern is the effect this may be having on the police.

In recent years the police service has, say its critics, been largely spared any reform of its state monopoly position. The Adam Smith Institute said: "the police operates as a monopolistic uncompetitive structure where there is no yardstick for comparison with alternatives". It suggests the introduction of new structures which allow for greater service evaluation, improved efficiency and a more flexible response to the increasing market demands for choice. Howard Davies, when he was with the Social Market Foundation, said much the same. Both agencies have called for increased privatisation of police activities. By bringing police activities into the market place, they say, market forces will encourage innovation and change through competition.

Efficiency

In fact, the police service has already made great changes to its mode of operation and strategies and is continuing to do so. In this way, some of the elements of a market philosophy have been adopted by the police. No one, including myself, would deny that the police should be anything other than effective, efficient and well managed, thereby excellent value for money.

The police have already adopted many current good business practices to improve the service it provides. We are tailoring our local services to meet the community's needs as expressed by them. Many forces are in the process of restructuring so as to devolve responsibility and power from the centre and remove unnecessary levels in the chain of command. We have adopted flexible working practices to provide the most officers when and where they are most needed. A process of civilianisation has been undertaken to free up police officers from support work for operational duties.

The Home Office has also now outlined its first set of key objectives for the police for the year 1994/95 and alongside these, has laid down performance indicators to measure success in these identified areas. The police themselves have been working independently on both of these initiatives for some time.

So market forces are already at work in picking out some areas of police activity and putting a value on them above others. We guardedly welcome these changes and the benefits they will bring, although we are extremely concerned that, in this way, central government could pursue its own rather than local community interests.

What are we here for?

However, before free market thinking brings further change, the role of the police in society and in the community must be defined. For how can we allow the privatisation of any police activity before we have fully debated and agreed upon what we actually want from our publicly provided law enforcement agency?

Just to look at the range of services now undertaken by the police, and expected of them by the public, shows how much the demand on police resources has increased.

Only 30% of police time is now spent dealing directly with crime. In the last ten years or so, reported crime increased by 82% and demands on the police went up by 60%. Over the same period the number of police officers increased by just 3.5%, or 8% if you include civil staff.

I am realistic and ready to face facts. The demand for police services will continue to grow, and public funds will not be able to meet it.

Government policy seems to be looking for ways to reduce spending on the police – even though ministers acknowledge our increased workload. Additionally they are looking for measurable success in limited areas of policing.

Performance indicators, policing charters and defined objectives will help to fine down the police's role. The measurement of success and publication of results will cause chief constables to concentrate their activities on the more potentially successful areas. Ultimately some police tasks would have to be shed or taken over by other agencies. Market forces would certainly be operating in this scenario.

But what happens to those so called "peripheral" activities that are jettisoned? I am talking – without wishing to cause alarm – of what could be called the less "cost effective" activities, those that do not have an easily measured outcome. Many are the duties that the public has come to expect of the police: community affairs, schools involvement or summer holiday activities which prevent many youngsters getting involved in crime; resources currently devoted to the investigation and prevention of domestic violence, and child abuse, all these would certainly need to be re-assessed. Success in these areas cannot often be demonstrated on the balance sheet.

Where next?

They are significant priorities at the moment, but what of the future? For they have not always been considered to be 'proper' police work. The removal of these functions could take away from the police service a lot of the work which makes it more human and humane.

There is room for a great deal of research and debate in defining the role we want for our police and the Home Office would be a major player in this. Now is not the moment to take a non-interventionist stance. There is too much at stake. Some independent research is currently being undertaken by the Policy Studies Institute in co-operation with the Police Foundation. They will be reviewing the roles and responsibilities of the police, as well as looking into the boundaries of public and private policing.

Thus, with help from Government, the future role of the publicly funded, publicly accountable police can be defined. There are core activities that must be carried out by the public police and these should be recognised in the course of a healthy public debate.

Privatisation

All that I have discussed so far leads inevitably towards the conclusion that certain current police functions will be privatised. We cannot expect expansion in this public service, therefore any voids must be filled either by the voluntary or private sectors. There is – as yet – no talk of the wholesale privatisation of the public police service, but there already exist recommendations from organisations close to Government that some police activities be either contracted out to private companies or handed over to the private sector. Certain support functions such as vehicle management and scientific support are mentioned, as are communications, court security, and indeed some motorway traffic duties. Core activities, they advise, would remain untouched, but nowhere are these defined.

As crime has grown over recent years so has the private security industry. Its market size has increased from just over £807 million in 1987 to almost £2.1 billion in 1992. There are few reliable figures on employees but estimates put the number of people now working for private security companies at between 100,000 and 250,000. It is said that there are now more security guards operating in this country than police officers! In the U.S. there are approximately three times as many private security personnel as public police.

This has happened against a backdrop of rising private property ownership and the increased relative affluence of some sections of society. Coupled with the fear of crime, there has been an upsurge in the use of private security, most recently in the local patrolling of streets. Where the public sector has not been able to provide for the needs of the market, customers have turned to the private sector. Market forces at work again.

Security guards

As I have said before, I am a realist. I have no quarrel with the private security industry. Neither do I dispute the right of individuals to employ whatever means they see fit, within certain moral and legal limitations, to protect their property. In fact I would encourage people to feel some sense of personal responsibility for their safety and security. We are all familiar with the use of security guards on business premises, in shops and banks, in cash transit and to protect sensitive government installations. But we are now seeing the use of private security patrols in local communities. I see this as the start of a creeping privatisation of traditional police functions. If this is to happen, and it may well do, then it must be managed carefully and not be allowed to happen in an unstructured and unchecked way.

Let me outline some of the problems arising from the use of private neighbourhood patrols. At a purely practical level, there is no guarantee that a security company will be a reliable one. At the moment, anyone can set up a private security company. There is no registration system and no mechanism for the vetting of staff to check for previous criminal activity. There are no laid down minimum standards for the training of staff and equipment used. Anyone equipped with a mobile phone, a van and a dog can become the new protector of a neighbourhood. This is not an acceptable situation.

Whilst patrolling, if there is any trouble, the private security guard can do little about it – their powers are no greater than any other citizen. If anything happens – they will call on the police to deal with it. And that brings me to a major problem that is occurring already – the skewing of police resources away from areas of high priority.

A chief constable only has limited number of police officers at his disposal and he must decide how best to deploy them. Most police patrolling is concentrated in those areas where it is needed most, while private security patrols will be employed by more affluent local residents. Police are constantly being called away from high priority neighbourhoods to deal with calls from security guards patrolling those more affluent areas – calls which must be answered, naturally. Not only is this skewing of priority activity a worry to the police – who have ascertained through research and experience where their services are needed most – but it is socially divisive. It could undermine the cohesiveness of a community which may already be polarised by social factors. Extra protection is being purchased by those who can afford it when they already have their fair share of protection from the public police, while the neighbourhood that may have greater need of extra resources ends up with less. After all, choice – in this case, to buy extra protection – can only be exercised by those who have the capacity to pay. Ultimately, this sort of trend could result in a two-tiered system of policing.

Control

The commercialisation of certain police functions also changes the nature of the relationship between police and public. By allowing the private security industry to take over a part of the traditional, unconfrontational role of the police in the community, people will lose the close and familiar contact with their local police. If police lose the opportunity for such contact with the public they lose their community involvement, and the foundation upon which "policing by consent" is based will be undermined. Even the Adam Smith Institute admits that "the presence of a uniformed bobby on the beat has an intangible significance that cannot be overstated".

Undoubtedly, people's fear of crime is eased by the employment of private patrols. They also feel that they are tackling the problem of crime themselves in some way. In some cases the schemes have even encouraged a greater community spirit. Many police have found the system to be helpful, especially the extra eyes and ears that the private guards provide. These are successful elements of the initiatives and I welcome them. These schemes can be helpful, but only in partnership with local police and as an ancillary activity. They can never, ever be allowed to replace the public police.

But how can we ensure that the firms that get the contracts are of a high quality and reputable? Only through regulation. At the moment there is no statutory regulation of private security in Britain. All our EC colleagues (excluding Eire) have legislation in force or in preparation, as do Scandinavia, New Zealand and the majority of American states. The Council of Europe has strongly advocated regulation.

Regulation

There is no doubt that private sector involvement in crime control is here to stay but our concern has to be that neither market forces nor self regulation are strong enough mechanisms to ensure high standards. Self-regulation seems often to be a protection mechanism for the industry itself, rather than the public. We must therefore have a system that ensures that contracts are awarded on quality as well as cost considerations. We need to make sure that all companies operate to minimum acceptable standards for staff. We need guidelines to be drawn up on how companies should operate. And we need, most importantly for all, an effective system of accountability.

Only a system of statutory regulation can enhance standards and accountability. The United States has gone much further down the road of privatised crime control than we have and Fort Worth has operating in it one of the largest and most successful private security systems in the country. As a Police Chief there has stated: "The implementation of any privatisation program without the installation of systems of accountability and checks and balances for the protection of the citizen would be foolhardy at best and dangerous, if

not deadly, at worst."

We must never lose sight of the fact that the police service is a public service, indeed a social service in the widest sense. It operates with the consent of the community it serves and can never be run or evaluated on purely commercial lines. There are qualitative aspects to public policing that can only be assessed subjectively and not by productivity measures alone. Its fate must never be left to be decided solely by market forces.

Perhaps we should allow total freedom of choice to the public. My colleagues in Avon and Somerset, where many private security patrols operate, asked their customers if they would be prepared to pay slightly more council tax to provide extra police officers for street patrols, instead of the private companies they have already turned to. The response was 'yes', they would. To employ 200 extra officers, each person would pay an extra £5 to £10 per year, instead of the £1 or so a week some residents are now paying to the private sector. It seems that the public would rather have local police patrolling – but they are not being given the choice. In whose favour, I ask, are market forces operating?

Sir John Smith is Deputy Commissioner of the Metropolitan Police and President of the Association of Chief Police Officers.

The victims

Helen Reeves

6

The concept of the victim as the true consumer of criminal justice has been well rehearsed over the last decade and it is now, I believe, broadly accepted that victims are amongst the major stake holders in the systems which deal with crime. They undoubtedly suffer the direct effects of crime, be it the fear, anger and sheer inconvenience caused by burglary or street crime, or the serious, life changing consequences of violence, sexual crime or murder. They carry most of the responsibility for informing the police of crimes which have occurred and the often distressing burden of helping with enquiries, identifying offenders and sometimes giving evidence, all of which are duties which most of us would prefer to avoid.

Victims have a right to expect that they will be treated with sensitivity, understanding and respect, both for the effects of the crime and also in respect of the additional burdens which the processes of the law impose upon them. Yet all too often in the past the criminal justice system has failed in its responsibilities to victims of crime.

Professional training and professional codes of conduct ignored the importance of understanding the effects of crime and the extent to which these effects could be exacerbated by insensitive comments or neglectful behaviour. The lack of understanding or respect for victims has been evident in the lack of priority given to making sure that victims are aware of developments in their cases or the reasons for any decisions made.

Information

Victim Support has received hundreds of complaints from people who have been left to learn from the local press that their offender has been arrested, or what sentence he has received, or who have met their offender in the street after they have been granted bail or temporary release from prison without the victim having been informed. The insensitivity of various comments from the bench have frequently been reported in the press, particularly in relation to sexual crimes, all involving serious detrimental effects in the recovery of victims which could have been avoided with better training and more forethought.

The law has come to be understood as representing the people, or more properly the Crown, rather than the individual citizen. By intervening in a criminal act committed by one person against another, the state has assumed

responsibility to deal with the offender in the interests of a just society, but has completely neglected any complementary responsibility to assist the offended party in coming to terms with the effects of the crime. People have been left to sort out the practical and emotional problems on their own. Even worse, they have sometimes felt that the insensitive treatment they have received has been insulting and has caused more harm than the original crime itself. The family who arrived for the trial of their daughter's murderer but who were refused admission because the public gallery was full will not forget the deep wound inflicted upon them by insensitive officials.

Insensitivity

The Criminal Injuries Compensation Board has been set up to acknowledge the harm which has been done to victims of violent crime. It demonstrates on behalf of society as a whole solidarity against criminal acts by making a financial award from public funds. But criminal injuries compensation is available to only a tiny minority of victims: those who have suffered the most serious violent crimes. Anyone whose injuries are deemed to be 'worth' less than £1,000 receive no such recognition and no victims of property crime are eligible to apply.

A more comprehensive service is offered by Victim Support, which now has branches throughout the country. It is a voluntary organisation supported by public funds, and is probably the most developed victim service in the world. But Victim Support does not have sufficient resources to provide a service to everyone. Currently, only one in four victims of crime are actually seen by its trained volunteers, and where more complicated problems are found there is little availability of professional help such as professional legal advice or referral for psychiatric help.

All the evidence from research shows that victims appreciate the support they are offered by Victim Support, and those who are seen do appear to make a better recovery from the crimes which have beset them. All the good work which has been done can, however, be lost if victims continue to experience insensitivity from the formal authorities, and it is clear that reforms in the systems of justice must be made if the confidence of victims is to be retained.

During the past ten years there has been a marked improvement in the awareness of victims and their feelings about justice, and more improvements have been made. A multi-disciplinary steering committee on victims has been meeting at the Home Office since 1986, and in 1990 the *Victim's Charter* was published by the government, setting out for the first time 'The Rights of Victims of Crime'.

Knowledge

As recently as November 1993, the Crown Prosecution Service published its own service standards for victims of crime. This provides for victims' interests to be taken into account in decisions to prosecute and for victim concerns to be communicated to the court when bail is being considered. Families who have been bereaved through crime should be offered an interview to explain decisions to discontinue cases against the alleged offender or decisions to reduce the charge. Similar interviews are not, however, offered to victims of other crimes. Victims who are called to court to give evidence should from now on be seen by a representative of the Crown Prosecution Service when they arrive in court. Considering that they are there as witnesses for the prosecution, it is remarkable that this was not the case previously!

Similarly, a circular has recently been issued to Chief Clerks by the Lord Chancellor's Department requesting that, wherever possible, victims and other witnesses are offered an opportunity to visit the court for an explanation of roles and procedures prior to their own case being heard. Special seating is requested for victims and their families in the most sensitive cases.

Such developments are to be welcomed, although the changes so far are relatively simple and can be achieved with negligible expense. Some more difficult problems are still to be resolved, particularly those which involve more difficult questions of justice.

Evidence

One issue which may be regarded as controversial is the way in which evidence is given. Children, for example, may now give their evidence from behind a screen. They may also give their evidence in a separate room, relayed into the courtroom through a linked video system. But this protection is solely at the discretion of the judge and recent research suggests that it is not used as often as it could be. There are also strict rules about the support which can be offered to a child. In one recent case reported to Victim Support, a mother who was sitting with her young daughter in a video room put her arm around her daughter when she became distressed and said "don't worry, you're doing well". The evidence was stopped on the grounds that the mother was encouraging a particular line of evidence.

I would be amongst the first to acknowledge that the issues involved in both 'rights' and 'justice' are far from simple. What I do believe, however, is that they must be tackled if victims are to survive the current processes of the criminal law believing that justice has in fact been done.

Helen Reeves is Director of Victim Support.

7 Punishment and reparation

Andrew Coyle

Let me begin by inviting you to come with me on my daily round of Brixton prison. Brixton is the oldest prison in London. It was built in 1819 as the Surrey House of Correction. By the middle of the nineteenth century the prison authorities decided that Brixton was past its sell-by date and Wandsworth Prison, a few miles to the west, was built to replace it. In 1991 Belmarsh Prison, at Woolwich in south east London, was opened. It had originally been planned as replacement for Brixton prison. Brixton prison is still very much open for business. And that is the first important lesson.

Sir Alexander Paterson was a very influential Prison Commissioner in the early years of the twentieth century. He was a man of many aphorisms. One of them was: "Wherever prisons are built, courts will make use of them". The first major prison building programme in this country took place in the middle of the nineteenth century with the construction of the great London prisons and the other Victorian piles in Birmingham, Manchester, Liverpool, Wakefield and so on. Over the last twenty or so years there has been another extensive programme of prison building. All the signs are that this will continue for the immediate future. Just as with Brixton, it was intended that many of the new prisons would replace the older ones. This has rarely happened. New prisons tend to be additions to the prison stock, not replacements.

Welcome

The first call on my daily round is to the reception block. This is the area to which men are taken when they first come into the prison and from which they leave when they are released. During a ninety minute period each morning anything up to 100 men pass through this area. Some are being released on completion of their sentences. The majority of them are on their way to court. The procedure is reversed during a similar period of time each evening. For many men this is their first experience of custody. They come in, having heard a judge announce that they are to be deprived of their liberty. They step into an alien world where very few of the normal rules of society apply.

Prison is a place of great symbolism. This is demonstrated immediately in reception. The prisoner is stripped of his own clothes. He is required to take a shower or a bath and he is given prison clothing. He is also given a number

which will go with him wherever he goes in the prison system and which will be more important than his name.

The atmosphere in the reception area is businesslike. It has to be if the staff are to get through the work of the day. They will deal properly with all the men who pass through but they have little time for niceties or for dealing with individual problems.

Remand

I then move on to the wing which holds 200 unconvicted prisoners. These are men who are on remand from a magistrates' court or who have been remitted for trial at a crown court. Many of them will subsequently be acquitted of the charge which they are facing. The majority of them will not receive a custodial sentence. In all events, in the eyes of the law they are all innocent men. Notwithstanding this fact, the conditions in which they are held are, if anything, more restrictive than those of convicted prisoners. They are likely to be locked in their cells for the majority of the day. For them the reality of prison is sheer, crashing boredom. Over 20% of the men and women in prison fall into this category.

Criminals

I then move on to the main wing which holds convicted prisoners; another 200 or more of them. In most prisons these prisoners will go to a prison workshed for anything between 20 and 30 hours each week. In respect of prison work little has changed since Alexander McHardy, Chairman of the Scottish Prison Commissioners, reported in 1900 that: "there is no unproductive labour (in prisons), but there is a lot of it not very productive". In Brixton even that option is not available since there are no workshops. One has to use a great deal of lateral thinking to find constructive activity for prisoners in such a setting. Even so, there are some advantages for a convicted prisoner who is in Brixton. On the assumption that he is a Londoner, for example, his partner and children will not face a round journey of several hundred miles to visit him once or twice a month.

My round continues with a visit to the unit which holds men who have to be kept apart from other prisoners for their own safety. Prisoners are very often quite judgemental. They have a well-defined hiearchy. Sex offenders are at the bottom of this pecking order. Along with prisoners who have fallen into debt in prison or who have given evidence for the prosecution, these men have to be protected from others. For some reason this moralistic attitude is particularly pronounced in prisons in the United Kingdom.

I then go on to the other end of the spectrum, to the unit which holds those prisoners who require the highest level of security. If any of them were to escape they would present a serious threat to the public. For that reason they

are hold in a prison within a prison. Staff in this unit have to be especially vigilant when they go about their daily duties.

My next call is to the Health Care Centre where there are 65 prisoners who require some form of medical supervision. Many of themn are mentally unstable and have been remanded for some form of psychiatric assessment. They are inadequate individuals, unable to cope with the pressures of modern life. They may well require supervision and care. It is a sad reflection on our society that this can only be provided in a prison setting.

As in any large institution, the kitchen is a key area of operation. A small number of prison officer cooks, assisted by a group of prisoners, produce 700 meals, three times a day. They produce half a dozen and more menus to cope with the various religious and cultural needs of the prison community: halal, kosher, vegetarian, vegan and medical diets.

Justice

Another of my daily duties is to administer justice. Any prisoner who is accused of a breach of prison discipline is brought before me. There is a well-defined set of procedures to ensure that he is aware of the offence with which he is charged, that he hears the evidence against him and that he has an opportunity to make his defence. It is fundamental in a prison that justice is done and is seen to be done.

The is just a taste of the reality of a prison such as Brixton. It is a world which is of quite modern construction. Prisons as places of direct punishment of the court have only been with us for about 250 years. They are firmly based on the Christian notions of guilt, punishment, expiation and redemption. When prisons such as Brixton were built it was intended that the prisoner would spend almost all of his day in his cell, visited only by the chaplain and the governor. He was given a bible for company. He was expected to contemplate the wrong which he had done and to make a firm purpose of amendment.

These notions sit very uneasily with the principle of reparation. Yet somehow a link must be made. The prison remains a potent symbol in today's society. It is the ultimate mark of society's disapproval of the behaviour of any of its members. Like any symbol it can be devalued by over-use.

Balance

The main purpose of any criminal justice system, is to restore the balance between the offender and the victim, a balance which has been destroyed as a result of the commission of a crime. In our society the state has to a large extent taken over the place of the victim – has come to represent the victim. This has happened to such a degree that the victim has been marginalised. In recent years there has been a move to restore the victim to his or her rightful place in this equation. This is generally described in terms of moving the focus

from the offender to the victim. It seems to me that what is really needed is to move the focus from the state and to concentrate instead on restoring the balance between the offender and the victim. Only then can we talk in any meaningful way about reparation.

What else?

I referred earlier to Alexander Paterson's aphorism about the courts making use of prisons wherever they are provided. The end of that aphorism is: "If no prison is handy, some other way of dealing with the offender will possibly be discovered". That is the real challenge which faces us today. It is the challenge of recognising that some of our fellow citizens do break the laws of our society. To exile them from our community for period of time may on occasion be necessary. But this should be the last option rather than the first. The really difficult option, but the only one which will succeed in the long term, is to find a more positive way of dealing with this challenge.

This was the conclusion which was reached by Vaclav Havel when himself a prisoner. Writing to his wife, he commented: "It's interesting, though, that I never feel sorry for myself, as one might expect, but only for the other prisoners and altogether, for the fact that prisons must exist and that they are as they are, and that mankind has not so far invented a better way of coming to terms with certain things".

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