

Government Strategy: increasing community safety or courting the 'decent' majority?

Sean Roberts reviews the latest Home Office criminal justice plans produced in the run-up to the general election.

The 19th of July saw the publication of two Government documents – *Confident Communities in a Secure Britain: The Home Office Strategic Plan 2004-8* ('CCSB') and *Cutting Crime, Delivering Justice: A Strategic Plan for Criminal Justice 2004-08* ('CCDJ' – published jointly by the Home Office, the Department of Constitutional Affairs and the Crown Prosecution Service). As David Blunkett claims in his introduction to CCSB, "the Home Office has responsibility in Government for some of the most fundamental social issues and challenges of our time" – so these papers provide an intriguing insight into Labour's vision for UK society in the years following the next General Election.

And a pretty dispiriting vision it is too. True enough, from the perspective of a progressive approach to crime and safety, founded on principles of social justice, it is possible to identify a few encouraging sentiments. In relation to victims, for example, the numerous positive references to restorative justice are particularly encouraging.

It is also true that the documents contain several 'mom and apple pie' proposals that, on the face of it at least, seem straightforwardly welcome: provision of treatment for offenders who misuse alcohol and drugs; and measures to "improve community and voluntary engagement, especially among those at risk of social exclusion", for example.

Punitive populism

Sadly, however, the underlying message within these papers is the confirmation of the extent to which the Government has embraced the 'punitive populism' agenda. This can be seen in the rationale that underpins their approach, the language in which that approach is articulated, and the specific policies that are proposed.

The thrust of the Government's strategy is established at the outset. In their introductions, both the Prime Minister and the Home Secretary stress that this is about "putting the law-abiding citizen first", and the first section of CCSB sets out a series of "our commitments to law-abiding citizens". Elsewhere, the intended beneficiaries of criminal justice policy are referred to as "the decent majority".

These commitments will be delivered by "getting tougher with the hard core of criminals and trouble-

makers", the "prolific offenders" who are responsible for inflicting misery on the law-abiding majority. This approach is premised on the Government's belief that "a large proportion of crime is committed by a small number of people"; that, for example, "just 5,000 people commit about 9 per cent of all crimes". This focus on a small group of prolific offenders has become something of an article of faith for the Home Office in recent times – but it is in fact highly questionable. The theory around 'persistent offenders' is derived from the Offenders Index, which is a database of all individuals convicted of standard list offences in England and Wales since 1963. As Home Office researchers recognise, estimates based on the Offenders Index "relate to the subset of known offenders who have been convicted of at least one 'standard list' offence. They give only a general indication of offending patterns since we do not know how representative this subset of offenders is of all offenders" (Prime, *et al* 2001). Apart from various reservations about the statistics themselves, the key fact is that – as is generally recognised – we have very little idea of how much crime is actually committed, so can hardly make confident assertions about who is responsible for what proportion of it.

(A quick further word about victims here. In addition to the points about restorative justice, the Government proposes a number of measures to improve victims' and witness' experiences of the criminal justice system. Many of these will be relatively uncontentious: some perhaps less so – in that they may make life more difficult for people who, for good reason, are reluctant to come give evidence. Either way, though, why is it deemed necessary to couch them in the emotive, but arguably meaningless vocabulary of "rebalancing the entire criminal justice system in favour of victims"?)

One of the most depressing things about this approach is the sense of resignation. Despite the various references to 'resettlement', 'rehabilitation', etc – including, again, some genuinely welcome measures to address aspects of 'the causes of crime' – the general impression is that "bad people are a fact of life – the best we can hope to do is control them, punish them, protect ourselves from them". Or, as the Prime Minister said recently,

"You cannot change a person into something else – let's be realistic – but what has to happen is that the

penalty they are paying for being a nuisance becomes more of a hassle to them than to stop being like that.”

So what will this mean in practice? Several of the measures outlined in the strategies are already in place – such as the provisions within the Criminal Justice Act 2003 to reverse the presumption in favour of bail unless the court is satisfied that there is no significant risk of re-offending while on bail, and which extend to all imprisonable offences the right of the prosecution to appeal against a decision to grant bail. And the recent proposal by Home Office Minister Hazel Blears, regarding targeting of children whose parents have committed a criminal offence, provides a stark practical indication of what “the overall approach to reducing crime” might be about.

Measures relating to monitoring and surveillance are prominent – again, reflected in the recent launch of satellite tracking pilots that according to the Home Secretary will “be at the cutting edge of technology in the drive to make our communities safer”. In the same spirit, CCDJ promises that “to help track offenders down... police enforcement teams will have access to information held by other departments, such as the databases of the Department of Work and Pensions and credit reference agencies”.

Confidence in the system

This necessarily brief and selective overview is intended to provide a flavour of the rationale that appears to be driving the Government’s criminal justice strategy, and of the implications of that rationale for our society. The last aspect of the strategy that I want to touch upon is the level of importance that it attaches to increasing public confidence in the criminal justice system.

This is not just another way of saying that the system will be working better – public confidence in the system is a distinct objective. To achieve this objective, it will for example be part of the role of “those working in criminal justice” to get “balanced” information about criminal justice into the media, especially the local media. Interestingly, the Government will be undertaking research to develop their understanding of what impacts on confidence and what they can do to influence it at both a national and local level.

Reference is made, in this context, to the fact that people are more satisfied with the way crime is dealt with locally than they are with the response nationally. In an attempt to strike an optimistic note, it is to be hoped that the proposed research will convince ministers that the punitive rhetoric that they have chosen to adopt is proving to be counter productive – on the grounds that the relative dissatisfaction that people have with the *national* response to crime will be largely explained by what they see on TV and read in the paper: policy makers and journalists collaborating in presenting a picture

of a society driven by crime and anti-social behaviour.

If the Government could be persuaded that a more measured and objective representation of the situation could enable them to achieve some of their own objectives, then perhaps that could be the first step towards addressing the ‘punitive populism’ that currently precludes both rational debate and progressive policy. This does, however, bring us to a pretty fundamental question about what the Government is trying to do: develop a rational, evidence-based approach to reducing crime and increasing safety; or cultivate disproportionate levels of fear of crime which they can then exploit to their electoral advantage by proposing ever-more draconian responses?

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References

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