

Chris Eades reviews recent developments in criminal justice.

Serious Crime Bill

In January the government published the *Serious Crime Bill* – “tough new powers to crack down on serious and organised crime” intended to give teeth to the Serious Organised Crime Agency (SOCA). The proposals within the Bill include:

- New ‘Serious Crime Prevention Orders’ which were quickly dubbed ‘Super ASBOs’ in the press. These civil orders allow the High Court and Crown Court to issue restrictions, prohibitions or requirements on those “involved with serious crime”, whether as individuals or as companies or other legal entities. Such orders may operate for five years and breach is punishable by up to five years imprisonment.
- The creation of a new offence of “encouraging or assisting crime”, extending the murky legal realm of inchoate offences. A person commits such an offence if he does an act “capable” of encouraging or assisting the commission of an offence and he intends to encourage or assist its commission.
- Improving data-sharing both within the public sector and between the private and public sector. Already civil liberties groups have warned that this will allow electronic ‘fishing expeditions’ not based on suspicion or intelligence that will breach confidentiality.
- The abolition of the failing Assets Recovery Agency and the redistribution of its functions, primarily to SOCA.

Offending, Crime and Justice Survey 2005

In December of last year the Home Office released *Young People and Crime: Findings from the 2005 Offending, Crime and Justice Survey* which focuses on trends in youth offending, anti-social behaviour and victimisation among young people aged from 10 to 25 living in the general household population in England and Wales. Of matters of particular interest, the survey found:

- Three-quarters of young people had not offended in the last 12 months. Of the 25% that had committed at least one offence in the last 12 months, many had offended only occasionally or committed relatively trivial offences.

- For males the prevalence of offending peaked among 16 to 19 year-olds, whilst for females the prevalence peaked earlier at age 14 to 15.
- Overall, 4% of young people had carried a knife in the last 12 months. Males were significantly more likely than females to have carried a knife (5% versus 2%). Of the 4% that had carried a knife, over eight in ten (85%) said the reason for doing so was for protection and 9% said it was in case they got into a fight.
- Just over a quarter (27%) of young people had been the victim of personal crime in the last 12 months. The most common forms of victimisation were assault without injury (11%) and other personal thefts (9%).
- For 10 to 15 year-olds the factors most strongly independently associated with being a victim of personal crime were: committing an offence, being male and identifying one or more disorder problems in their area. For 16 to 25 year-olds committing an offence, having a negative attitude towards their local area and not trusting the police were the most strongly associated factors.

Gun crime

Also at the end of 2006, the Home Office released research into the market and use of illegal firearms (*Gun Crime: the market and use of illegal firearms*). This research follows the doubling in crimes involving the use of firearms since the mid to late-1990s; such crimes now comprise around 0.4% of all recorded offences in England and Wales. The research attempts to address the perceived gaps in knowledge about criminal attitudes towards and the market in illegal firearms and the relationship, if any, between gun crime, illegal drug selling, gangs and a supposed ‘gun culture’. The report presents evidence from interviews with 80 imprisoned male *Firearms Act* offenders aged 18 to 30. This research found:

- Illegal drug markets underpin the criminal economy and represent the most important theme in relation to the illegal use of firearms. Firearms possession was reported in relation to robberies of drug dealers, territorial disputes, personal protection and sanctioning of drug market participants.
- Conflict formed part of the social relations of many offenders, notably including disputes related to status and respect. Even trivial disputes may result in shootings as guns elevate threat levels and a ‘shoot or be shot’ scenario precipitates pre-emptive violence.
- The illegal use of firearms is a complex problem. There are some clear recommendations, such as greater efforts to tackle the availability and conversion of highly realistic imitation firearms.

The report concludes, however, that ‘most problems are more challenging and require social and economic rather than technical solutions’. This is particularly pertinent in light of the recent shootings in London and Manchester.