

A patchwork of policies

Alan Travis reflects on the Conservative's approach to crime and justice.

Tory law and order policies just ain't what they used to be. It was not that long ago that the Conservative party annual conference used to enjoy a post-lunch ritual of baiting successive Conservative home secretaries over their opposition to capital punishment. For added measure Edwina Currie would thrill the Tory representatives, and the political sketchwriters, by waving a pair of handcuffs in the air.

That doesn't happen very much these days. While Labour conference delegates spend their debates boasting about how many Asbos their local council has issued, Conservative representatives tend to make speeches detailing the local voluntary enterprises and character-building self-help schemes they are involved in to divert vulnerable youngsters away from crime.

The trend first became apparent back in 2000 when Ann Widdicombe acting as the shadow home secretary found that her proposal for a zero tolerance approach of £100 fines for cannabis possession was immediately mocked by seven of her shadow cabinet colleagues who all admitted smoking dope in their youth.

It was a moment when the social liberals within the Conservative party eclipsed their more authoritarian colleagues in a crucial aspect of the party's approach to criminal justice policy.

Since then the party has seen a steady march away from the tough law-and-order rhetoric which lay behind Michael Howard's infamous 27-point crackdown on crime in 1993 to David Cameron's insistence on a new approach to mend "Britain's broken society" that both Labour and the Liberal Democrats have sought to ridicule as "hug-a-

hoodie". That speech two years ago to the Centre for Social Justice is still attacked by some Thatcherite commentators as a 'disastrous' example of his timidity. But it was a remarkable speech for a politician to make that did more to re-engineer the Conservative's image than almost any other initiative they have since taken.

David Cameron's essential theme was to criticise short-term solutions such as anti-social behaviour orders and curfews in tackling youth crime and suggesting that voluntary action and social enterprise may do a better job than the state in providing the love that such children were missing: "The hoodie is a response to a problem, not a problem in itself. We — the people in suits — often see hoodies as aggressive, the uniform of a rebel army of young gangsters. But hoodies are more defensive than offensive. They're a way to stay invisible in the street. In a dangerous environment the best thing to do is keep your head down, blend in. For some the hoodie represents all that's wrong about youth culture in Britain today. For me, adult society's response to the hoodie shows how far we are from finding the long-term answers to put things right" (Cameron, 2006). The problem was that beyond promising some kind of voluntary national service scheme, this did not lead to any specific policy proposals that could form the basis of a programme for a parliament under a Conservative government.

It was not necessarily a bolt out of the blue. When Cameron was a member of the Commons home affairs select committee, his approach to many criminal justice questions is remembered as being particularly thoughtful and unpartisan — focusing less on the

party advantage to be gained than on possible solutions to complex situations. This may be surprising to some who know that Cameron was Michael Howard's special adviser in the Home Office when he promised his 27-point crime crackdown, but it may be that he actually learned something from that experience.

Indeed it is impossible at this level to discuss a party's policies without talking a little about the personalities that have shaped them. So it is important to realise that David Davis as shadow home secretary has always taken, shall we say, a more traditional Conservative approach to law and order than Cameron. Yet once Davis made a respectable showing against him in the 2005 Tory leadership contest, he felt the need to keep him on as shadow home secretary — a job he has now held for five years.

The result has been something of a patchwork of criminal justice policies. If you ask the Conservative Party, they will give you a list of 17 existing policies in this area that start with making crime figures independent from the government and cutting police red tape and move on to scrapping the prisons early release scheme and building more prison places. As far as tackling the causes of crime, the list includes re-classifying cannabis, reviewing the laws on 24-hour drinking and cheap alcohol promotions and a new approach to drug rehabilitation. The latter is a legacy from the Oliver Letwin days as home secretary as his attempt to tackle what he called the 'conveyor belt to crime' and is a less-than realistic abstinence-based approach that offers offenders a straight choice between a residential drug treatment programme or prison.

A sustained effort was made before the last Conservative party conference to produce a costed criminal justice reform programme that did not bust Labour's existing spending limits. The backbone of the plan is to scrap the national identity card scheme which the Conservatives believe could save £255.4 million in the first three years. This figure was strongly disputed by the government, but the Tories nevertheless went on to redistribute it to fund their

criminal justice programme. David Davis said the first priority was to use £162 million of this money to build an extra 1,200 prison places enabling them to scrap the early release scheme under which some prisoners finish their sentence 18 days early. This promise remains in addition to Labour's own massively expensive plans for three 2,500 place 'Titan' prisons.

Cameron recognized the need for much more detailed work in this area by setting up four penal reform policy groups in autumn 2007 looking at everything from building new prisons to resettlement programmes for ex-prisoners. When the resulting green paper, 'Prisons with a Purpose', appeared it was less impressive in scope than its 113 pages suggested. The central pledge raised that

earlier promise of an extra 1,200 prison places to a further 5,000 over and above whatever Labour's prison building programme delivers. This would put the prison system on course for a

population of at least 105,000 by 2016 despite all the evidence that it is impossible to build your way out of a prisons crisis. An imaginative and respectable series of proposals to improve rehabilitation rates and make community sentences more effective was unfortunately undermined by a curious system of payment-by-results for prison governors and new rehabilitation trusts. A Hazel Blears- style urge to put those on community penalties into uniform didn't help either.

Money saved on the ID cards is also supposed to fund the promised single border police force to stem the flow of guns and drugs into Britain. The introduction of the residential drug rehabilitation and treatment orders at a cost of £26,000 a year per head is justified by an estimate of the

amount that could be saved in the annual £111 million a year bill for methadone prescriptions. But by any measure this must be a highly optimistic assessment of potential results of a 'drug-free programme' for those who have had a lengthy history as problem drug users.

Yet the debate has already moved on from when these detailed commitments were made in the autumn of 2007. Labour have since promised a "border-force lite" and the debate over violent crime moved into a familiar auction over police stop-and-search powers and escalating promises to scrap different form-filling requirements.

Some of the policy commitments accumulated during the Iain Duncan-Smith and Michael Howard years of party leadership remain. The

party is still officially in favour of 'locally accountable police commissioners' — although this does not quite sound the full monty compared to the directly elected sheriffs that were once

espoused — although police chiefs are notoriously wary about any dilution of their local discretion. The Tories also want to give the courts the power to delay a young offender getting a driving licence when they are 17 but this is small beer.

Boris Johnson's crime manifesto for the London mayoral elections may have run to 31 pages but Cameron tried to move the debate back on to more interesting territory with his 2007 series of "Broken Britain" speeches with his 'socially responsible' blend of combining tough on crime with pledges to strengthen the family, support parenting and recognition of the obligations imposed by neighbourhood and community. His speeches continued on this theme this year but it was only when he

combined his "Broken Britain" branding with a pledge to toughen up stop-and-search powers that he was rewarded with a strong endorsement from the Sun newspaper with its memorable, "Police, Cameron, Action" headline. The paper was running its own "Broken Britain" campaign. He has even gone as far as accusing Tony Blair of betraying his own policy of being "tough on crime, tough on the causes of crime" claiming that the former Prime Minister 'gave up on one half of his slogan': "I think what we got was an ever more hysterical announcement of rules and regulations and that was only part of the picture," he said.

But Cameron knows the second half of the equation is the much more difficult part to tackle and it cannot be done by the promise of a fresh criminal justice bill or another crackdown. It is not a programme for a parliament that the Home Office or the Justice Ministry can draft into a series of bills. Instead it is largely about changing attitudes in society — a much more difficult task. In the past Blair turned to communitarian sociologists such as Amitai Etzioni for inspiration. Cameron is said to be interested in the work of the American social psychologist, Robert B Cialdini, who has pioneered work on how to positively influence social norms through persuasion and marketing. Etzioni is credited with creating the communitarian movement while Cialdini's best selling work is entitled, 'Influence: The Psychology of Persuasion' (Cialdini, 2007). Who said Cameron was only a marketing man. ■

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References

- Cameron, D (2006), 'Thugs beyond redemption?' *Speech to the Centre for Social Justice*, 10 July 2007.
- Cialdini, R (2007), *Influence: The Psychology of Persuasion*, Collins: New York.

Indeed many of the Conservatives' initiatives on criminal justice are small-scale and don't really trouble the scorers.