

Duties and obligations are central to modern notions of citizenship. Citizens have the right to participate in public life and a duty to do so according to the laws of the land; the state has an obligation to protect citizens' rights. In welfare states it is additionally assumed that a citizen will be accorded some measure of protection against destitution. The homeless, however, are denied rights that are dependent upon having a permanent address.

done them, their own citizenship obligations were diminished (Carlen, 1996). Politicians hoping to win over the politically-alienated young, therefore, might do well to ponder the words of the homeless young when we asked them about the consequences of not having an address; and their views on voting.

"You feel like the community, the government, the council - whatever - have forgotten you. You're at the bottom and there's

drug dealing, more systematic and serious crime, and bouts of public drunkenness - with all the attendant violence and police intervention.

Voting intentions

We asked 85 young, homeless people: "If you could vote in a general election tomorrow, would you go along and vote?" 64% of them (54) said that they wouldn't vote - the main reasons being either that they trusted no government, or that it makes no difference which party is nominally in power. Of the 31 who said they would vote, 20 claimed they would vote Labour, 7 for the Green Party, 3 for the Liberal Democrats and 1 for the Conservatives. Overall, the dominant view, shared by both 'non-voters' and 'voters', was that politicians are not to be trusted.

"I don't care about the different parties, I don't trust none of them." (Clive, aged 18)

"I didn't vote because you hear so many lies." (Alec, aged 26)

"Not many people of our age are interested in politicians at all. Cos they're full of lies." (Bill, aged 19)

However, a strong critique of the Government was also offered:

"Who do I blame? I blame the Government. The Government has got enough money and power to build places. Why don't they?" (Dora, aged 19)

"I think it's Mr Major's fault myself. There's enough money being wasted on this and that. Everybody deserves some winnings. I would vote, yeh. But certainly not for the Conservatives. 'Back to basics'! [Laughs] It's a joke, aint it?" (Vince, aged 26)

"I'd vote Labour. There's millions unemployed, (but they're massaging the figures) and my government are constantly telling lies." (Kevin, aged 25)

And a class analysis was hinted at both by some of those who would not vote and by some of those who would:

"I would vote Labour, because I think they try to do more for people who haven't got a lot or

Homelessness, crime and citizenship

Pat Carlen has been listening to young homeless people.

Social exclusion

Between 1992 and 1994 100 young(ish) homeless people were interviewed as part of a project (ESRC No.R.000.23.3540) investigating (amongst other things) their conceptions of self and citizenship. It was found that young homeless people perceive themselves as being excluded from both citizen and welfare rights, and that they are alienated from the ideals of participatory citizenship as represented by the electoral system. Their answers to questions about their dealings with the police and courts suggested that while a majority of them had been victims of crimes whose perpetrators would never be punished, when they themselves had broken the law they had received punishments out of all proportion to their transgressions. Accordingly, there was a generalized feeling among those interviewed to the extent that the state had aban-

no way you can get out of that rut unless you've got an address." (Brian, aged 33)

"The 'Housing' reject a lot of people. You got to have an address to even put in for a place of your own." (Joe, aged 24)

"You can't get housed if you've not got any benefits. But you can't get any benefits if you're on the streets." (Peter, aged 16)

"You can't get registered with a doctor if you haven't got an address." (Barry, aged 25)

"You need an address to get access." (Bram, aged 24, explaining why he no longer saw his daughter)

"I haven't got an address, so I'm not on the electoral roll. I'd like to vote." (Bram, aged 24)

If a homeless person is in trouble with the courts or the police, being of 'no fixed abode' increases the likelihood of a custodial sentence.

"The police think that because you're homeless you're causing the trouble. He got his fixed address, so there's an innocent man." (Lance, aged 24)

It is in their attempts to survive without an address that the homeless young engage in activities such as begging, busking, prostitution, drugtaking,

"While a majority of them had been victims of crimes whose perpetrators would never be punished, when they themselves had broken the law they had received punishments out of all proportion to their transgressions."

If I had one wish...

We asked a number of the conference delegates at the LSE/Guardian conference on 16th December what would be their one wish of a new Home Secretary. Here are some of their answers.

'Stop legislating' *John Harding, Chief Probation Officer, Inner London Probation Service*

'My biggest concern is the sheer consensus between the two parties as to criminal justice policy after the election. There does need to be some critical debate and I think that's sadly absent' *Barry Loveday, IPCS, University of Portsmouth*

'I'd like to see the development of criminal justice services on a regional basis, based on local need, on the purchaser/provider model employed in the Health Service.' *Peter Carlin, Social Concern*

I'd like to see the introduction into British Law of the European Convention on Human Rights, giving the direct right to claim in our courts. *Professor Frances Heidensohn*

I am disappointed in the thin coverage of the underlying social causes of crime by both the main political parties. Both seem concerned to deal with crime via the criminal justice system, by increasing the severity of sentencing, or by cajoling parents into producing better children. 93% of crime is property crime, principally household burglary and theft of and from vehicles. Why there has been such an exponential growth in such crime since the early 80s has been left out of account by both parties. *Garry Slapper, University of Staffordshire*

A campaign for a first woman Home Secretary: top of my short-list would be Clare Short. *Nic Groombridge, St Mary's University College, Strawberry Hill*

I would like to see the £500 per person per week currently spent on keeping people in prison spent instead on investigating the



David Kidd-Hewitt

are homeless, like our class round here. Whereas the Government seem to be more for the upper class." (*Dean, aged 21*)

"Labour caters more for our kinda people. Conservatives just look after their own." (*Bram, aged 24*)

"They can't treat people like second class citizens, which they are doing. Those that want accommodation should have accommodation. It's your right as a British citizen." (*Richard, aged 23*)

"You see all those empty houses, and you see people sleeping on the street. They can't tell people they aint got no money, because you see people getting a million for this and a million for that - for doing what? It's just not fair." (*Kylie, aged 17*)

"I remember I read something about the Conservative MP who said, 'Oh, the homeless! That's the people you step over when you come out of the Opera, isn't it?' I thought, 'God! They're the people's that's ruling us.'" (*Judy, aged 21*)

Desert & citizenship

Finally, ruminating on the possible connections between homelessness, morality, crime and politics, one homeless young man resurrected the perennial questions about desert and citizenship, concepts that are all too frequently missing from contemporary debates on crime:

"There's a lot of people going fucking cold tonight because some people can't be arsed to get up and do something about it. And I just think it's such a great waste and so selfish. Everybody deserves better than that, you know. There's a lot of people going to be stealing tonight, some people selling their bodies. That's fucking demoralising. Don't they deserve something better?" (*Vince, aged 26*)

Reference

Carlen, P. (1996) *Jigsaw: A Political Criminology of Youth Homelessness*, Buckingham, Open University Press

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causes of crime. If we haven't identified the reasons why a person is offending, whilst they are in prison, we can't expect them to have changed when they come out. *Veronica Akintola, Student, Birkbeck College*

I would like to see politicians starting a dialogue with criminologists, and a policy forum integrating policy with research and practice. *Stephen Parrott, Birkbeck College*

I wish he wasn't a politician. My serious comment would be that we should regard the criminal justice system as about delivering justice and not about controlling crime. Most of the levers don't lie within the criminal justice system. *Professor P A J Waddington, Reading University*

I'd be very glad if the new Home Secretary, if she were willing, would work with the Minister of State for Education to deliver really good teaching through the national curriculum on criminal justice matters and politics, so that we do not have the next generation growing up as completely ignorant voters. *Mary Anne Macfarlane, Hampshire Probation*

Following what's been learnt about criminal careers, I think that the biggest effect you could have on the criminal justice system would be to provide universal nursery education of a very high standard, and make

sure people use it. *Barry Irving, Police Foundation*

I've worked in alcohol and drug services for the past 16 years and I'd like to see the government take a much more integrated approach to alcohol and drugs, and to acknowledge that alcohol is a drug. 80% of all crime is alcohol related. I'd like to see a more co-ordinated approach to health, social and criminal justice work. *Linda Cook, Alcohol Service, Kingston and Richmond*

A sensible and realistic policy on drugs and an obvious recognition of the connection between unemployment and crime. *John Williams, Sir Norman Chester, Centre for Football Research, Leicester University*

Stop the continued growth of the commercial prisons sector and a) make it legally impossible to run these institutions and b) introduce legislation to bring existing contracts to an end as soon as possible. *Professor Terry Morris, LSE*

"I would like to see politicians starting a dialogue with criminologists."

I would like to see more 'Caution Plus' schemes introduced. Let's do away with this insistence on punishment. The priority should be on preventing reoffending. *Carol Martin, ISTD*

Reviews

Reports on a conference and two books.

Law and Order at the Crossroads: Agenda for a New Government. The Guardian/LSE Conference 16 December 1996

The title of this Guardian newspaper sponsored LSE conference stated that law and order is at a crossroads. Alongside an exponential rise in crime rates since the Conservative government came to power, police clear-up rates and detection rates have decreased, as have conviction rates, while the prison population continues to increase, especially under the direction of Michael Howard. It is little wonder that the accompanying blurb suggested that, 'there has to be an honest and sombre consideration of why crime has risen as it has; what measures will exacerbate the problem; what if anything governments can do to help'.

Indeed, these are important and perplexing questions, and it was with great anticipation that the audience waited to hear what the Labour Shadow Home Secretary Jack Straw and Conservative MP Sir Ivan Lawrence had to say in the morning plenary, although for the most part all the audience got was a rendition of their respective parties' policies on law and order.

Jack Straw, operating from a position somewhere on the 'inside left' of the political spectrum, argued for the need for tough policies based on academic research. Perhaps most important for Straw was the need to develop a coherent criminal justice system with a 'proper memory' able to chart the progress and future of offenders processed through the criminal justice system. In order for this to happen, police, courts, and prosecutors should, he argued, be organised on a regional basis to make the process more able to cut crime. Sir Ivan Lawrence, in contrast, preferred to roam across



the 'new right' territory, and offered a series of rebuttals and disclaimers to critics of the current Conservative government's approach to law and order. Indeed, Straw's up beat pre-election mood contrasted sharply with Lawrence's party political broadcast – the latter which to all but the converted sounded rather tired and contrite.

The trouble with such political play-offs is that no matter how much call there is for synthesis and informed debate, discussion often falls into one or other of the 'political camps', bounded and in some ways clouded by political preference. This tendency was clearly demonstrated in workshop two of the morning session – 'the causes of crime: morality and the political economy of crime'. Melanie Phillips offered an analysis of crime and morality Sir Ivan would be proud of. The causes of crime, she argued, were the outcomes of factors related to the family and parenting. However it offered a form of analysis, as David Downes suggested, which was unable to shape the broader structural determinants which shape individual and group action. Rather for Downes, there is a need to link structure to agency and crime to economy. Surprisingly, however, Downes made no mention of post-fordism, flexible accumulation, or globalisation in his discussion of the relationship between crime and economic change.

Throughout the day there were also a number of contributions by some of Britain's leading commentators on crime and its control and prevention, focusing specifically on issues surrounding social justice, policing, criminal justice reform and sentencing.

However, it took the presentation by Will Hutton after lunch to give the conference some purpose, with an analysis of the link between crime and society which was well worth the entrance fee alone. Drawing upon his book *The State We're In*, Hutton observed how fundamental economic and social fragmentation over the recent past had affected a two thirds/one third society, of which crime was an endemic result. To deny otherwise, Hutton observed, was

futile – the link was obvious. Policy prescription must therefore focus upon macro structural factors as opposed to micro individual themes.

Overall, the conference went some way to achieving its aims. Certainly debates during the day focused upon rising crime rates and their exacerbation, as well as about the measures governments could introduce to help reverse current trends. However, in so many other ways the conference appeared somewhat dated. Anyone who expected to leave the conference with a clear idea of the way forward will have been bitterly disappointed. There were some highlights during the day and some interesting discussions, but there was little which was new or different. The conclusion of the conference is that the next four years looks like being more of the same, whoever gets into power.

Peter Francis, University of Northumbria at Newcastle.

Prisons 2000 - an international perspective on the current state and future of imprisonment Edited by Roger Matthews and Peter Francis. Macmillan (1996) pp269. £14.99 pbk. ISBN 0-333-64480-8

It could be argued, in view of the roller-coaster ride which recent prison policy has taken, that any attempt to capture the essence of the current penal zeitgeist would be a little naive, and that any attempt to predict future trends is a job best left for Mystic Meg. This being said, *Prisons 2000* does go some way to achieving, if not the latter objective, at least the former one. A collection of twelve articles this book offers invaluable insights into the present international penal scene. The strength of the book lies in the fact that, although the particular focus of any one article is quite distinct from any other, the underlying themes and trends identified by a particular author tend to resonate and illuminate much of what has been written elsewhere in the

book.

Several assumptions underpin much of what has been written. There is a strong support for the belief that what we are witnessing in prison systems around the world is the unrelenting move toward the 'punishment paradigm', whereby more people find themselves in prisons, and in which the regimes are becoming increasingly punitive and austere. Francis Cullen, and his colleagues, attempt to account for the 'crisis' in American prisons, where the rate of imprisonment continues to spiral. In a similar vein Alexander Mikhlin and Roy King examine the situation in Russia, and argue that the penal reforms that initially resulted from Perestroika are under great pressure as a result of an ever increasing prison population, which in itself is a consequence of massive social upheaval and an explosion in crime. Insights into the British experience are offered by Stephen Tumim, Richard Sparks, and Pat Carlen and Chris Tchaikovsky (each with their own particular focus and point of departure).

This move towards the 'punishment paradigm' is understood by the various authors as impacting upon different groups in different ways. The experience of ethnic minorities within British prisons is discussed by Marian Fitzgerald and Peter Marshall, whilst the issue of foreigners in prison is tackled by Calliope Spinellis and her colleagues (using the example of foreign detainees in Greek prisons). Future prospects for female prisoners are discussed by Margaret Shaw, and Carlen and Tchaikovsky. Richard Sparks's excellent piece, considering the possibility of a return to the doctrine of less eligibility, is consistent with the rest of the book in that it recognises a relationship between socio-economic factors and penal policies.

If much of this book is concerned with describing 'what is', we also need to be aware that large sections of it are also concerned with 'what can be'. Many of the authors hold the position that the march towards punitive justice can be countered. What is needed, it is suggested, is a fuller understanding of

developments, and a more open mind toward the possibility of realising progressive reforms. The call then, is for a sense of 'realism'. The belief is, that it is only from this 'utopian-realist' position (Carlen and Tchaikovsky) that any meaningful inroads can be made into the current direction of penal policy.

In considering the title of the collection, it seems somewhat prophetic that once again penologists are suggested that the dawning of a new century is likely to coincide with radical changes in the purpose and functions of the prison. Foucault and Ignatieff (and many others) have described the emergence of the prison in the nineteenth century as the primary mode of punishment. David Garland (*Punishment and Welfare*) relates how in the twentieth century there is a major shift in penality, a consequence, he believes, of more social democratic forms of government. Once again, as the millennium approaches, we must be aware of the possibility that many of the patterns and trends that are partially revealed in this book, may indicate that we are beginning to witness the next major shift in penal relations. Whether or not you are sympathetic to the approach adopted by the authors of this book, if you are truly concerned with penal matters, you would be foolhardy to ignore the contributions made within it.

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Jay S Albanese: Organised Crime in America, Third Edition, Anderson Publishing Co., Cincinnati, Ohio, 1996, xii + 265pp, £25.00 (pb). ISBN 0-87084-028-2.

Jay Albanese's Third Edition of *Organized Crime in America*, is a book whose value is not limited to academics and students who have an interest in the phenomenon of organised crime in the United States. Albanese's analysis of the characteristics, causes, legal definitions, explanatory

paradigms, typologies and historical development of American organised crime, and the criminal justice system's response to it, has relevance to the experience of many other jurisdictions. Similarly, although the book is intended as a teaching text in criminological and criminal justice courses upon organised crime, it will have interest and utility for a wide range of professionals, (both within and outside the criminal justice system), and the general reader.

The first four chapters examine the nature of organised crime, attempts at its definition and typologies of organised crime. The analysis emphasises the US experience, but it can be applied to organised crime in almost any country, and this capacity for generalisation is one of the most important aspects of the book. In Chapter One for example, Albanese's working definition perceives organised crime as part of a "...continuum of organisational or white collar crime... (and a)... continuing criminal enterprise that exists to profit primarily from crime." (p.4). This definition is pertinent for most jurisdictions, as is Albanese's categorisation of organised crime into the three broad bands of: 1) provision of illicit services (e.g. loansharking, prostitution, gambling); 2) provision of illicit goods (e.g. drugs, 'fencing' stolen property); 3) infiltration of legitimate business (e.g. labour racketeering).

Albanese challenges, (correctly in my view), the commonly-held assumption that ethnicity is a reliable indicator of organised crime. He is right to emphasise that: "organised crime groups evolve around specific illicit activities, rather than the opposite.". Chapter Two seeks to consolidate the classification process, by first considering legal definitions of organised crime, and then using case studies to highlight how specific characteristics of different organised crimes can facilitate categorisation.

Chapter Three discusses the causes of organised crime through four distinct explanatory models of criminal behaviour: positivist; classical; structural and ethical. Each model has some utility for explaining organised crime and they are

integrated into Albanese's synthesising approach that is a feature of the book as a whole. Chapter Four analyses the strengths and weaknesses of the three major paradigms for explaining organised crime: 1) hierarchical; 2) ethnic/cultural; and 3) enterprise. Traditionally, law enforcement officials have tended to be more interested in the hierarchical and ethical models which look at how groups are organised; and academics have favoured the enterprise model which focuses on how activities are organised. A combination of all three models offers a strong explanatory paradigm, but sensibly, Albanese stresses that dominant because it is the only one of the three models which characterises all organised criminal activity.

Most chapters contain 'critical thinking exercises' which take the form of legal problems, are often based on fact situations, and which pose specific questions based on issues and material raised in that chapter. This format can be a useful teaching aid in any course on organised crime.

In the remaining chapters Albanese's objective is to provide a critique of American organised crime that is oriented towards practice, and in particular, towards the efforts of successive American governments and law enforcement agencies to combat organised crime in the United States. What is particularly impressive is the consolidation of empirical data that is achieved through the general narrative and a series of tables on a wide range of areas including: major organised crime trials and outcomes; a comparison of the findings and recommendations of the 1967 and 1987 presidential investigations into organised crime; electronic surveillance of organised crime; investigation, prosecution and conviction outcomes of organised crime cases; sentences, offences and backgrounds of convicted organised crime offenders; a typology and predictor matrix of infiltration of organised crime into legitimate business.

I would have liked to see more international writing on organised crime integrated into

the text. The book is obviously about *American* organised crime, but given the increasing internationalisation of organised crime within the context of a global economy, there is obviously a growing imperative to consider different national and international approaches, even when examining a national situation. Continuing this theme, I would also have liked to see increased analysis of organised crime infiltration of national and international financial and other trading markets. In a late-modern society such markets are

likely to increase exponentially in their strategic importance and it is vital that criminologists seek to raise public awareness of organised crime activity in this area. However, these criticisms should not deflect anyone from obtaining a copy of *Organised Crime in America*, because it is a welcome addition to the criminological literature on this subject.

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Misspent youth

Young people and crime

A · U · D · I · T
COMMISSION

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Crime committed by young people is a major problem, particularly in some neighbourhoods...

- 26 per cent of known offenders are under 18
- youth crime costs public services £1 billion
- 40 per cent of crime is committed in 10 per cent of areas

... and resources could be used better.

- the youth court process takes four months, on average, from arrest to sentence
- the process costs around £2,500 for each young person sentenced
- half the proceedings against young people are discontinued, dismissed or end in a discharge
- the many different agencies involved do not always agree on the main objectives
- monitoring of re-offending after different sentences is rare

In the short term, the process could be improved...

- the court process could be speeded up and the time from arrest to sentence monitored
- persistent offenders on community sentences could be more intensively supervised
- 'caution plus' programmes compensating victims and addressing offending behaviour are an alternative to the court process
- the impact on re-offending of different interventions should be monitored regularly

...but prevention is better than cure and offending by young people at greatest risk could be reduced by targeting, piloting and evaluating:

- assistance with parenting skills
- structured under-5s education

- support for teachers dealing with badly behaved pupils
 - positive leisure opportunities
- All the agencies involved should work together better...**

- all services for children and young people should share information and target areas at greatest risk
- local residents in those areas should be consulted

... and central government could help.

- local authorities should be given a duty to lead in developing multi-agency work
- resources released from court process could fund local services that reduce offending
- all agencies should contribute to monitoring and evaluating preventive programmes

If you want to know more

The full national report, *Misspent Youth*, looks at all these issues in more detail and includes background information, case studies and specific guidance.

Audit Commission, *Misspent Youth: Young People and Crime* (National Report) ISBN 1 86240 007 5 Price £20.00

A summary version, containing the main findings of the national report, is also available.

Audit Commission, *Misspent Youth: Young People and Crime* (Summary) ISBN 1 86240 006 7 Price £8.00

Copies of both the national report and the summary are available from: Audit Commission Publications, Bookpoint Ltd, 39 Milton Park, Abingdon, OX14 4TD. Freephone: 0800 502030.