editorial

historical perspectives

Rod Morgan puts this issue in context.

Criminal justice-related issues have dominated our domestic news agenda in recent months. The Prime Minister has put further flesh on the bones of his case for 'rebalancing' the criminal justice system. John Reid has taken over as Home Secretary. The prison population, now over 79,000, has reached a new all-time high. And there has been a welter of announcements signalling if not changes of policy direction then what appear to be major reconsiderations of flagship programmes – immigration controls, police force amalgamations, identity cards, NOMS, the shape of the Home Office. It is useful in such a fraught climate to stand back and take a longer-term look at where we've come from and where we might be heading – to take an historical look at some of the issues.

There is another good reason for taking a long view. *CJM* is published by the Centre for Crime and Justice Studies (CCJS), which came into existence as recently as 1999. But CCJS is the latest incarnation of the Institute for the Scientific Treatment of Delinquency (formed in 1951), which in turn grew out of the Association for the Scientific Treatment of Criminals established in July 1931. That is, this edition of *CJM* marks 75 years of study and effort. Having personally spent almost 40 years in this business, wearing almost every voluntary and official hat there is to wear, I increasingly take refuge in historical reflection, not least because so much contemporary discussion of crime and criminal justice is narrowly sound-bite, short-termist, promising a quick fix where a better informed collective memory would suggest that there is none to be had. Complexity cannot be allowed to foster inertia. But every time I hear that phrase beloved of some politicians – 'it's not rocket science' – I want to suggest "No it isn't, it's much more complicated, and the incidence and prevention of crime is only marginally related to criminal justice policy".

Let us identify some key themes that emerge from taking the long view on crime and criminal justice.

First, there is no sign of any abatement in the long term trend, which gained momentum in the 1970s, of the party politicisation of 'law and order' (Downes and Morgan, 2007). All three major political parties jockey now for the high, centre, electoral ground. None is able to claim, as the Conservatives used to do, that it is theirs of right. New Labour has banished what in the 2005 election they confessed to be one of their Old Labour 'demons' – crime. They've put radical civil disobedience behind them. They've demonstrated that they're tough. They've proved their 'competence' (Labour Party 2005:6). But it's a fragile ascendancy. The Liberal Democrats now favour 'tough love' and when opportunity arises the Conservatives accuse Labour of being cavalier with human rights and favouring gesture crime initiatives. No party now enjoys the confidence of an electorate unconvinced that, despite a decline in volume crime of more than 40 per cent since the mid-1990s, the citizenry is more secure. We now expect every hustings speech and every incoming government to promise that we shall have additional policing, further reform of sentencing and tighter controls over persistent and dangerous offenders. David Faulkner, Michael Howard, Geoff Pearson and Tony Kushner all provide different slants on this phenomenon. The problem, as Carol Hedderman and Mike Hough (2004) have argued, is that tighter enforcement of court orders may neither reduce re-offending nor prove sustainable which is why, in the Youth Justice Board, we are pressing for 'enabling compliance' rather than simple, potentially counter-productive enforcement.

Secondly, criminal justice and security has become a major contemporary industry, a burgeoning source of both lucrative careers and commercial profits. The law has long been a source of status and wealth. But many other avenues have opened up. In 2006-2007 total government expenditure on the criminal justice system will approach £20 billion. The police service alone now employs approaching 200,000 personnel, the prison, probation and youth justice services around another 85,000. The commercial security industry is estimated now to be significantly larger than that of the state police and with the promise of further penal services being contracted out, the voluntary sector, as well as the commercial security companies, are gearing up to bid for the provision of further policing and penal services. In different ways Judy McNight, Dexter Whitfield, Barrie Irving and Peter Raynor all have something to say about the increased diversification and marketisation of 'law and order' services.

Thirdly, the higher education institutions, already under pressure to demonstrate their commercial appeal, have not been slow to grasp the market opportunities. As Ben Bowling and James Ross point out, practically every university in the land now offers a criminology or criminal justice undergraduate or postgraduate course or degree, and more and more short or distance-learning courses are being developed for the expanding ranks of local authority-based crime and disorder or youth justice practitioners. Risk assessment and prevention is not just a political debating point, it has become a major organisational vested interest. Criminology and criminological research has, not surprisingly, fragmented in the face of these seductive opportunities.

When brought together these aspects of the contemporary scene result in curious, twin-track

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developments. There are shadowlands of rhetoric and reality. We have the espousal, in pursuit of evidence-based policy, of the allegedly methodological gold standard of randomised control trials (RCTs) while other policy initiatives flourish in what appear to be evidence and research free zones. And lurking on the sidelines are both morally restorative (see Debra Clothier) and scientifically reductivist visions, some of the latter springing from genetics and suggesting earlier and earlier pre-crime interventions. One can imagine someone suggesting the formation of a Centre for the Scientific Study of Potential Criminals, but the Centre for Crime and Justice Studies better reflects the inclusive aim of fostering policy analysis to encourage and facilitate an understanding of the complex nature of issues concerning crime.

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- Besides the money going towards the completion of research projects, there is no central government money going towards RJ at this present time. Where is the commitment?

But perhaps one of the main barriers to quality developments is where RJ has been placed internally in the Home Office. At present it is in NOMS, whose aim is to 'reduce re-offending'. The government line is at present that until the Home Office research reports back on their studies on reconviction data in 2007, they are reluctant to move further forward.

Why is RJ not in the Victims or Confidence Units as there is undisputed evidence in the benefits to victims and increasing public confidence? Should not all victims have the opportunity to take part in some way and receive those benefits?

At the end of the day though perhaps it was never going to be easy. Our Criminal Justice System is built around the ethos of crime being against the state, not against the person; and about punishment, not problem-solving. It is adversarial; it does not bring people together. For RJ to work effectively, criminal justice professionals need to give up some of their power and allow stakeholders to participate fully so that the system is not imposed on them. Looking around the world at where RJ is developing quickly, it seems to do particularly well in areas where there has been conflict or massive political change, for example in Northern Ireland and Eastern Europe. Perhaps things have to get very bad before significant changes are embraced and promoted? Let's not allow the UK to fall behind with what many other countries now know can improve the life of communities and have a positive effect on crime.

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The Consortium is the only independent, membership/umbrella organisation for all those with an interest in Restorative Justice in the UK. It promotes the use of restorative practices where conflict arises.

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