

Labour's criminal justice, the ten-year audit

Enver Solomon summarises the findings of an audit of Labour's performance against its key criminal justice targets.

Law and order is often considered to be one of Labour's success stories. Significant falls in the official rate of crime and record numbers of police – to highlight two of the government's more obvious legacies – have pleased many of its supporters while discomforting its opponents. But after ten years in office how has the government actually performed against the main targets it set itself for transforming the performance of the criminal justice system? Has there been a significant change in outcomes? Has the extra money spent on criminal justice made a genuine difference?

These are the questions that an independent audit of the criminal justice published by the Centre for Crime and Justice Studies in January attempted to answer (Solomon *et al*, 2007). The report argues that on the basis of the evidence presented in official government documents and statistics, success has been far less clear-cut than the government has tended to claim. In reality the government's record is mixed.

Labour and Tony Blair's ambition to overhaul the criminal justice system has certainly been very high. There has been significant extra investment across agencies – the police, prisons, probation, courts and Crown Prosecution Service. In 2007–2008 the criminal justice system will receive £22.7 billion, over a third more than ten years ago. The largest proportion, nearly two-thirds, is allocated to the police, which benefited from a 21% real terms increase in funding between 1997 and 2005. However, of all the criminal justice agencies, the Probation Service has had the largest real terms increase in spending. In cash terms, spending on probation tripled between 1998–1999 and 2004–2005, the equivalent of a real terms increase of 160%. The extra funding paid for an expansion in the probation workforce and organisational restructuring.

It is a little known fact that the UK now spends 2.5% of its national income on law and order – a larger proportion than ever before. Moreover the UK spends proportionately more on law and order than any other country in the OECD, including the United States and major European Union members such as France, Germany and Spain.

Overall it is difficult to determine whether or not the increase in spending is money well spent, not least because the effects the criminal justice agencies have on fluctuating levels and patterns of crime are very hard to determine. Furthermore, there is no official published measure of criminal justice productivity in England and Wales. However,

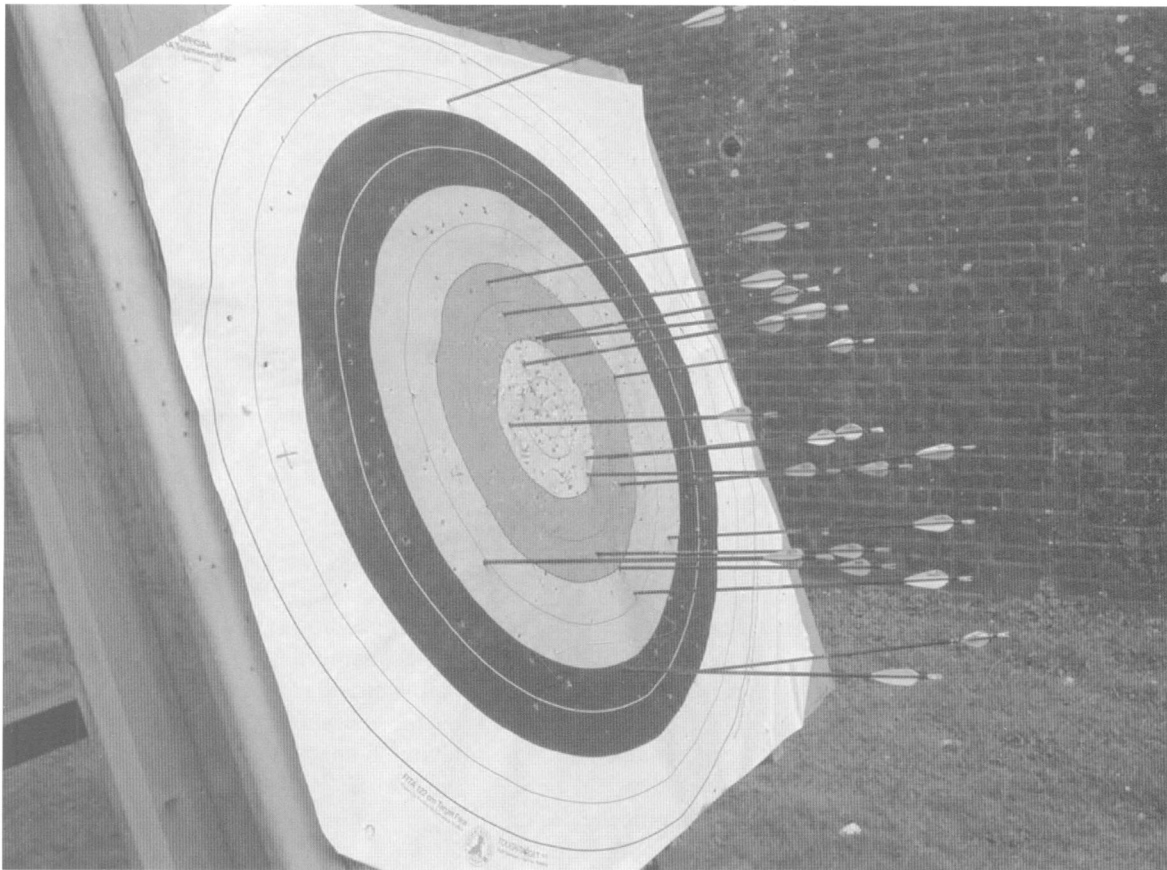
our independent assessment found that despite the record investment there has not been a significant step change in outcomes. Three themes, in particular, stood out from our analysis.

Targets

Firstly, Labour has been adept at setting targets that are rather less significant than they initially appear. This has been particularly true of its crime reduction targets for overall crime and so called 'volume crimes'. Recorded burglary and car crime, for instance, had been falling for a number of years before 1997. Given ongoing improvements in car and home security, it was reasonable to assume that these downward trends would continue under Labour, more or less regardless of any major criminal justice innovations it introduced. It is highly likely that there are fewer burglaries and vehicle-related offences than in 1997. This is clearly a good thing. But it is far from clear that this decline has had much to do with the criminal justice policies pursued by Labour.

The official crime rate – measured by the *British Crime Survey* – had likewise been in decline prior to Labour taking office, following a record high in 1995. Once in power it has continued to substantially decline (most recent figures show a fall of 35% since 1997). What is less clear is whether Labour's record expenditure and criminal justice reforms have had much to do with this decline. During Labour's first five years the overall BCS crime rate fell by 22%. It notable that Labour's explicit target of a 15% reduction in BCS crime in the five years to 2007-08 is relatively unambitious, committing it to being less successful in tackling crime than it had been during its first term. Given that this target coincided with a dramatic increase in criminal justice expenditure, it is reasonable to ask what exactly Labour achieved for this major financial outlay.

Second, a number of Labour's targets have been confused and/or have not been a helpful basis for clear, evidence-based policy. This has been particularly true of Labour's targets on reoffending and on the perception of anti-social behaviour. Labour's use of reconvictions as a proxy measure of reoffending has resulted in confusion. As a result, the Home Office has set targets that are incoherent and lack meaning. Not surprisingly, excessive claims of success in reducing child reoffending have been made, only to be retracted (see Bottoms, 2005; Home Office, 2004). The shifting and subjective nature of Labour's concept of anti-social behaviour has bedevilled its attempts to achieve hard measures of success. This



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in turn has made a robust and evidence-based assessment of Labour's success in this area virtually impossible.

Questions remain relating to Labour's target on overall crime reduction. The rising levels of homicide under Labour call into question any simple assertion that violence has fallen since 1997. Moreover, it is impossible to say with any certainty whether crime as a whole has risen or fallen under Labour, given the many serious offences, such as childhood sexual or physical abuse, that are currently not measured by data sets used by the government.

Finally, a number of Labour's successfully hit targets are largely the result of bureaucratic changes or extra resources being made available. The rise in police numbers is a reflection of the massive injection of resources into the police service. Labour has hit its target to bring more offences to justice by introducing new sanctions, in particular the Penalty Notice for Disorder, and adjusting the basis on which offences successfully being brought to justice are measured. Early high profile youth justice targets to halve the time from arrest to sentence for young offenders and to deal with youth courts cases within specific time targets have been hit owing to the infrastructure Labour has created to manage young people who get into trouble. Most targets can be hit if the right one is set initially and the appropriate energy and resources are devoted to hitting it. Whether such targets are meaningful and whether the resultant energy and resources have been wisely spent are separate questions.

There is no disputing the fact that there has been significant extra investment in the criminal justice system. Major changes are evident. But claims of success have been overstated and at times have been misleading. Despite a decade of reform, crime and victimisation levels remain high and the proportion of crimes dealt with is extremely low. Overall, despite the drive to narrow the justice gap, there are only three convictions for

every 100 estimated crimes. The government recognises that the extra investment has not resulted in the desired change in outcomes. A recent analysis carried out by the Prime Minister's Strategy Unit concluded increases in spending on the police "appear unrelated to changes in productivity" (Prime Minister's Strategy Unit, 2006).

Questions remain about whether the government is placing too much emphasis on finding criminal justice solutions to complex social and economic problems. Should the government continue to place such heavy expectations on the criminal justice system or should it be clearer about its limitations? With major changes in the government imminent, the time is right for ministers and their advisers to take stock and to reflect on what the criminal justice agencies can realistically achieve in reducing crime and increasing public safety and on what the appropriate level of resourcing should be.

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References

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