

Creating criminals: a recipe for an insecure world?

Vivien Stern describes how UK society is creating an industry out of crime.

Anyone arriving from abroad at the UK's airports will realise before setting foot on British territory that this is a place where crime and punishment are a major preoccupation. On arrival at passport control notices warn travellers lining up to have their passports scanned that assaulting immigration officers will not be tolerated and anyone doing so will be prosecuted. Widely-travelled arrivals may be a little surprised. They are more used to seeing signs at airports welcoming them.

If the travellers start reading the English newspapers first impressions will be confirmed. They may read of a new law that penalises parents who have a child who has difficulties at school. If their child is excluded from school such parents are now required to keep that child at home for

it appears that some members of the public are happy that people who put feet on train seats should be prosecuted and acquire a criminal record which could disqualify them from certain professions for life.

Much of government policy-making now is, in the phrase of Jonathan Simon from the University of California, 'governing through crime' (Simon 2007). It follows therefore that a major part of UK social policy could be described as the creation of criminals. The creation of criminals has no limit. As the Norwegian criminologist Nils Christie has explained: 'Since crime does not exist as stable entity, the crime concept is well suited to all sorts of control purposes. It is like a sponge. The term can absorb a lot of acts – and people – when external circumstances make that useful' (Christie 2004).

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the first five days of the exclusion and if they fail to do so they are committing a crime and can be fined £50. If they do not pay the £50 fine within 42 days they face prosecution and a possible £1000 fine. The visitors may be quite surprised at this too. They might expect any law passed about a child being excluded from a state school would be a law requiring the relevant authorities to ensure that the child receives an alternative education as of right.

Further reading of the newspapers would reveal more surprises. Travellers might read the story of a British 15-year-old disturbed child who lost his liberty for offences of assault and theft, who died whilst being held down by force by three employees in a children's secure centre run by a private security company. Such treatment of children is quite unusual, even in the other jurisdictions of the UK, never mind abroad.

It will also become clear to the travellers that most British people seem quite used to this way of looking at the world and are only put out when it seems to go too far, as for example when a young university student is brought to court for the offence of putting her feet on a train seat and risks losing her chance to become a teacher when she qualifies because she will have a criminal record. Even then

The consequences do not seem to have a limit either. From people who put their feet on train seats, to those under 18 who carry a firework in a public place, to those who break the conditions of an anti-social behaviour order (ASBO), the criminal creation business flourishes. The consequence is a huge criminal justice business. The leading country in criminal creation is the United States. The US policy of governing through crime has given them a prison population of 750 per 100,000, with 11% of all black men between 25 and 34 incarcerated. According to the Cabinet Office, the UK spends more on public order and safety than any other OECD (Organisation for Economic Co-operation and Development) country (Cabinet Office 2007).

So how can we account for this change which is a change of a dramatic kind? In England only a decade and a half ago the story was very different. Criminal Justice Bills were rare and new crimes were introduced but sparsely. The number of people in prison in December 1992 was half the figure that it was in September 2007. If children did not go to school a welfare officer visited the family and tried to find out what was wrong. A big government-sponsored programme, the Intermediate Treatment Initiative, had substantially reduced the number of

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juveniles drawn into the criminal justice system.

What happened that propelled crime into the prime policy seat? How did we come to the point where an 82 year old Second World War veteran was sent to prison for breaching an ASBO he received over a boundary dispute, and a 60 year old partially sighted woman with long-standing psychiatric problems was jailed for swearing at people living near her sick mother? Why is it that parents cannot get their children into the special schools or mental health units they need, but will find there is no shortage of places when their children do harm to something or someone and are charged, tried and locked up?

These are not questions to be answered in a few words. Clearly, the world of 2007 is very different. The criminal justice system we have now fits the ideology of the Washington economic consensus and the world shaped by that consensus. It fits with a world of widening and gross inequalities, the removal of security of employment and pension rights, and the shrinking of the welfare safety net for the less fortunate and those with fewer talents to sell in the market society. Those who have provided answers to these questions (Garland 2001; Reiner 2007) suggest a process rather like this: growing inequality and social exclusion lead to more violence (and indeed research from many different parts of the world shows a connection between levels of inequality and levels of violence) (Stern 2006). Governments adhering to the current economic ideology are not going to reduce inequality nor spend huge sums on reducing social exclusion. So there is only one way of dealing with it. More draconian systems of control and punishment will have to be introduced. Governments might also conclude that an electorate upset about the insecurity which surrounds their daily lives might find some relief in scapegoating others. The government therefore moves into a mode of satisfying the public with a daily drama of retribution against people who are traditionally not liked: criminals, badly behaved teenagers, parents who do not bring up their children properly.

This policy might also make sense to certain types of government because in the globalised economy there are many unwanted human beings. There is no room for so many people who are not high-skilled now that manufacturing work can be done in China and even skilled work like answering calls on how to sort out a computer that is malfunctioning can be done from India. Also, it cannot have failed to occur to some of those involved in developing such ideas that creating a big penal system for large numbers of unwanted people might have an upside. It could be turned into a business. It will need some changes of course to make it easy to sell and to buy. But once it has been broken down into specific services that can be provided by contractors and then reconfigured to give economies of scale, there are good business possibilities.

However, we do not seem to make society safer or more secure with these policies. Security and low levels of crime come with a very different approach, with more social inclusion, more equality. If we want to be secure, feel secure and live in peaceful neighbourhoods we need to be more like Norway. According to the paper on the Cabinet Office website dated January 2007 (Cabinet Office 2007) Norway has persistently low crime rates relative to other European countries. It convicts relatively few people. Its imprisonment levels have not changed much since 1950 and are low. It abolished life sentences in 1981. It spends much less on policing than the UK. The number of police per head in Norway is less than half the EU average. It focuses on prevention rather than enforcement. It has a strong welfare state. There is an active Crime Prevention Council. Very high levels of social trust are correlated with low levels of fear of crime.

Let us hope Gordon Brown's advisers get to read this information about Norway before it is deleted from the Cabinet Office website because it was put there by the staff of the former incumbent.

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