



# MORE FOLK DEVILS

## Bail Bandits - A Persistent Minority or the Usual Suspects?

A flurry of interest surrounded the release of figures from several police forces in 1991 claiming that an alarming number of offences detected by police were being committed by people on bail. After disturbances in North Tyneside and elsewhere the antennae of the national media were sensitised and their colleagues at local level duly supplied them with examples of individuals - particularly young people apparently engaged in crime sprees. Media attention got caught up with the issue of joyriding and bail banditry and they even made a brief appearance in the general election as an issue. A methodical study of police and home office figures of offending whilst on bail carried out by Patricia Morgan and published by the Home Office this year which suggested that something rather less dramatic was going on, naturally has received less publicity. However, the whole debate about bail banditry raises three important questions:

- Is there a new problem of persistent and intractable offending?
- Are there problems with recording methods?
- Why is the debate taking place now?

### Are bail bandits new?

According to some police sources repeated offending whilst on bail is due to the police cautioning system and lenient approaches within the courts. This view received a sympathetic hearing in the press. During the summer of '92 the father of a 14 year old remanded to the care of the local authority was much quoted when he said "he'll be out of there like a ferret".

According to Patricia Morgan in 'Offending While on Bail - A Survey of Recent Studies' (Home Office 1992) the studies demonstrated a broadly similar proportion of offending while on bail. Furthermore, this situation was comparable to that in 1978 when the proportion nationally was 9%.

### Repeated break-ins

Burglary has one of the highest percentages for 'bail bandits'. Home Office figures show that 16% of those convicted of burglary committed the offences while on bail. However, this percentage only involves the 24% of recording burglaries

which were cleared up and the latest British Crime Survey suggests that only 44% of all burglaries were recorded by the police. Therefore a comparison of burglaries known to have been committed while on bail and the total of burglaries experienced by the general public gives a figure of less than 2%.

According to a detective sergeant from Rugby quoted in the Daily Telegraph in October, a small hardcore are responsible for the vast majority of burglaries. Within the context of the figures quoted above, the sergeant's views lead to conclusions more about the relationship between the police and a relatively small number of mainly young offenders than what needs to be done about burglary.

An indication of how police attention has become focused on those who do offend while on bail is provided by the analysis of one study in 'Offending While on Bail' (Northumbria). Their apparently high figures were caused by an inclusion of those cautioned and offences taken into consideration (TIC) by the courts. TICs admitted by prisoners constitute on average 16% of cleared up crime. In the sample study for Northumbria they constituted 41%. Patricia Morgan concludes:

*"It seems likely that crimes detected by police forces that make more use of prison interviews will include more crimes that were committed while the defendants were on bail".*

### Why now?

This article is not intended as an exercise in police watching. However, it is noticeable that the issue of bail bandits has provided an argument for the retention of punitive measures while allowing the police to engage in the wider social factors debate where they quite reasonably are trying to avoid carrying the can for the continuing intractability of the crime problem as a whole.

The argument for punitive measures operated by the criminal justice system appears to have been replaced by arguments for punitive measures operated by local authorities. It is recognised that local authorities will have an increasing responsibility for remands by means of secure accommodation. These have been interestingly described by the Daily Express in reporting Kenneth Clarke as plans for "a network of new style borstals to be run by local authorities". In the light of major concerns about the inappropriate use of remands in custody for juveniles it is tempting to assume that freedom-restricting facilities operated by local authorities automatically means improvement. Similar assumptions were made in changing the system of approved schools to community homes with education. Let's not repeat this mistake.

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