

communities, social exclusion and crime



Edited by John Grieve CBE QPM
and Roger Howard



THE SMITH INSTITUTE

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Preface

Wilf Stevenson

The Smith Institute is an independent think tank, which has been set up to undertake research and education in issues that flow from the changing relationship between social values and economic imperatives. In recent years, the institute has centred its work on the policy implications arising from the interactions of equality, enterprise and equity.

The government is striving for a society based on a radical extension of opportunity, matched by a true sense of responsibility; a society in which not just a few but everyone gets the chance to succeed.

One of the biggest barriers to achieving this vision is social exclusion, by which people and communities are denied the opportunity to prosper. One by-product of social exclusion is crime – and it is a striking feature of deprived areas that they often face higher-than-average crime rates. As a result, employers are deterred from setting up businesses, there are fewer employment opportunities and a vicious circle of neighbourhood decline ensues.

The Smith Institute, in association with Crime Concern and the Arts Council for England, is delighted to be publishing a pamphlet that will contribute to the understanding of these issues. In this pamphlet, we have gathered together contributions from experts in a number of related fields on which government policy must focus if it is to avoid compromising its overarching aims.

The Smith Institute gratefully acknowledges the support of Norwich Union towards this publication, and the associated seminar series.

Foreword

By Rt Hon David Blunkett MP, home secretary

At the heart of my political beliefs is the idea that every one of us achieves our full potential when we are active as citizens in shaping our own lives and in contributing to the community to which we belong. And one of the main reasons for pursuing civil renewal is, simply, that local communities are good at solving their own problems – and, with the right support, have the ability to make those solutions stick.

Government has a role to ensure that the rights and responsibilities of individuals and communities are balanced and maintained. The anarchic freedom for some to thrive at the expense of others is not acceptable, since basic freedom is to be able to improve our lives individually and collectively, and to live without fear. Which is why we are so determined to tackle the crime that blights lives in our local communities?

Crime has fallen by 25% since 1997; police numbers are higher than ever before, with 136,386 at August 2003; and your chance of being a victim of crime is at the lowest for a generation. Despite this, many people do not feel safe in their communities and fear of crime is still disproportionately high. That is why we are taking tough action to tackle the crime that affects people's quality of life.

The Anti-Social Behaviour Act 2003 gave police and key local agencies the power to deal with the behaviour that affects the poorest communities the most. Cutting crime is an issue of social justice. And we are breaking the cycle of crime and offending with tough action to tackle drug dependency throughout the criminal justice system and in the community.

Yet, confidence in criminal justice is still too low. In 2000-01, only 20% of crimes resulted in a perpetrator being brought to justice. Although this is improving, it is not good enough, and that is why we established the 42 local criminal justice boards – to drive up performance and to improve public confidence. And it is why we brought in last year's Criminal Justice Act and the Sex Offences Act – to rebalance the system in favour of the victim and the community, and to ensure that perpetrators are brought to justice.

Building on this, we have recently introduced the Victims & Domestic Violence Bill, the biggest overhaul of domestic violence law in 30 years, heralding tough powers for the police and the courts to protect victims and to prosecute abusers.

And we are working closely with local agencies and bodies. Some £22.5 million of criminals' cash is going directly to communities and front-line agencies, and the Home Office has established the Pathfinder Programme, which makes £6 million available to local authorities to encourage community cohesion. The first pilot community justice centre was announced in September last year; this will be a one-stop centre to tackle crime and disorder in partnership with the local community in Liverpool – a groundbreaking example of central and local partnership.

Central government's role is to support and to empower – it cannot and must not do everything. Without the understanding and engagement of citizens and local communities, we will not maximise the impact of increased investment in public services. Government is starting to think differently – and central to this is our civil renewal agenda. Active citizens make strong communities, which is why we have established the Active Citizenship Centre.

The government has a responsibility to drive forward change and to help community renewal. But we do not pretend to know all the answers – which is why I welcome this thought-provoking collection of essays to encourage new ways of thinking about crime, justice and community cohesion.

Introduction

By John Grieve CBE QPM, of the John Grieve Centre for Policing & Community Safety at Buckinghamshire Chilterns University College and previously deputy assistant commissioner in the Metropolitan Police, and Roger Howard, chief executive of Crime Concern

This group of essays attempts to throw light on the complex interaction of crime, justice, social exclusion and community cohesion and how they affect people's lives. The essays explore new ways to structure thinking about measures to alter those impacts. The aim is to start to answer the challenges laid down by the Smith Institute, Crime Concern, Demos and many others – for example, Jake Chapman in *System Failure* (2002) – and urge governments to think and act differently.

The arguments look like this:

- Although crime has fallen over the past few years, the public is not convinced and fear remains high. (Evidence from the recent British Crime Survey supports this.)
- Spending on, and staffing in, the criminal justice system has never been as great as it is now. Our appetite for prison and punishment seems insatiable and our sentencing responses have become stronger.
- However, for economic and other reasons – not least exclusion, lack of cohesion and failures in rehabilitation – some have argued that crime may increase again.
- Our concerns appear to be primarily with violent crime and those against individuals and property.
- The British Crime Survey illustrates that the majority of volume crimes are committed in economically marginalised neighbourhoods and against the poor.
- A relatively small group of prolific offenders tend to account for most of the problems.
- We do not seem to be concerned with all crime against the criminal law, and are not bothered about "middle class" crime, for example, fiddling expenses or taxes. Why are some "thefts" not considered to be crime, for example, the work "sicky" or misuse of computers at work, or are dealt with as largely civil offences?

- Our concerns are about volume, visibility, violence and abuse against the person or personal theft; but we are not so worried about crimes against "anonymous" institutions or systems. That means it is the visible poor, the underclass, the excluded, who remain the victims and the focus of legislation, the law and the criminal justice system.
- One thing we can be sure of is that crime is enduring – Professor Geoff Pearson's historical picture of the timeless "hooligan" is the persistent model. There is a long history of what Professor Stuart Hall calls the regular moral panics and outcries by moral entrepreneurs.

So, where are we going?

In Britain, much has been done in the past few years to progress new, long-term ways to approach crime. This includes Sure Start to give children a better and fairer chance early in life; neighbourhood renewal programmes to arrest long-term decline in local areas; Youth Justice Board programmes to promote the prevention of youth offending. There have also been pockets of success by crime and disorder reduction partnerships, drug action teams and youth inclusion panels; a rebalancing of the judicial process to give victims the rights they deserve; and a range of innovative sentencing options, such as drug testing and treatment orders, that seek to tackle the underlying factors behind some offending.

- In addition, we have a predilection for costly imprisonment; as we respond to traditional crimes, new ones, such as mobile phone theft, spring out of social activity and technical advances, and, as we deal with one group of prolific young offenders, another generation appears.

Crime Concern's own pioneering efforts have shown how, through early intervention and effective prevention programmes, levels of crime and antisocial behaviour can be reduced and confidence in the community enhanced. Tackling the myriad underpinning foundations of crime requires strong partnerships and effective leadership. The Association of Chief Executives of Voluntary Organisations' experience points the way for the wider involvement of voluntary organisations in delivering new neighbourhood-based services.

This collection of essays attempts to understand and describe the complexity of the grinding edges of the deep-lying tectonic plates of crime, social exclusion and community

cohesion; how those deep-lying tensions affect the social crust in the lives of ordinary people; and how a wider knowledge, development and use of different responses – for example, restorative and rehabilitative justice – could assist our thinking.

Barbara Roche MP highlights the complex forms that social exclusion takes and strongly argues for the regeneration agenda and the role of business as being at the heart of attempts to address crime and neighbourhood decline. She draws on experiences from the USA to illustrate how local people can take ownership of community development, economic and regeneration programmes. She points to the profusion of governmental initiatives and funding arrangements and the remoteness of bureaucracies designed to help people.

Importantly, she raises the challenge of procurement policies as an obstacle to effective community renewal and improved community cohesion.

Criminologist Professor Roger Graef suggests that successive governments have pandered to the more lurid debates about what can be done with crime and criminals, rather than understand the causes underpinning them. He vividly highlights the spiral of economic and social hopelessness that pervades many urban areas and the acceptance of criminal lifestyles as normal behaviour. Yet, within that pressured environment, there are beacons of innovation and hope as local *animateurs* seek to build a community through enterprise and self-help. But prevention is not accorded the political or financial priority it deserves. In the end, offenders are local citizens. Local and national public services have to reorient themselves to take preventive measures seriously.

Professor Mike Hough of the Institute for Criminal Policy Research and independent policy consultant Dr Jessica Jacobson consider the topical debate about antisocial behaviour and point to the confusion in many circles about exactly what the term means. They illustrate how successive decades of economic and social decline in many hitherto law-abiding and relatively active areas have decimated the social capital once so prevalent in many communities. Perhaps, more than ever before, "community" is made up of many competing interests.

Pointing to the fall in overall crime levels, Professor Hough and Dr Jacobson enquire whether this has been achieved at the expense of failing to tackle antisocial behaviour. However, like Professor Graef, they indicate that, while enforcement action is a necessary requisite for responding to antisocial behaviour, the danger is that this will be at

the expense of preventive and early intervention efforts to head off trouble before it takes root.

Turning to the challenges of contemporary policing, the chief constable of Leicestershire Constabulary, Matthew Baggott QPM, focuses on some of the structural challenges for the police in years ahead. Pointing to the success of community policing initiatives to address neighbourhood crime, he argues that civil renewal will emerge only when confidence in neighbourhoods has risen. Underpinning this will be new approaches to policing based on what he calls "order creation", rather than traditional constructs based on "order control". At its heart will be positive relationship building with local citizens, a type of "guardianship", and not the suppressive policing relationship that has characterised many inner-city areas in the recent past.

The Legal Action Group's Alison Hannah explores changing perceptions about the rights of victims and perpetrators of crime and anti-social behaviour. Those who are socially excluded and living in localities where community cohesion is under strain have little access to justice. Among other measures, the role of legal education can serve communities by affording the exercise of rights, something that is increasingly under challenge in the post-11 September environment. She describes the emergence of innovative ways of delivering justice, such as restorative justice, aimed at improving confidence in, and the effectiveness of, the justice system.

Tabitha Taylor-Higginson and David Hooker of Norwich Union take the discussion about rights and access to justice a step further and challenge the emergence of the compensation culture in the UK. They believe that the government's Access to Justice initiative is unwittingly encouraging individuals not to take responsibility for their own mistakes. With an annual compensation bill in the UK approaching £10 billion, they lament that the courts are now seen as the natural home for unresolved disputes. They argue that a new approach is necessary to rebuild the bond and trust among citizens and to ensure individuals take responsibility for their actions.

Sir Charles Pollard of the Youth Justice Board illustrates the creative responses that have emerged over the past few years in reaction to youth offending. At the heart of his catalogue of initiatives stimulated by the Youth Justice Board lies the need to intervene early in the life cycle of those young people at risk of offending. This response can be achieved only through local involvement, effective inter-agency work and building on preventive and restorative approaches to local problems. He sees the future as restoring

the relationships and trust between individuals committing crime or antisocial behaviour and the victims or communities that suffer the consequences. Local involvement and local solutions are his practical way forward.

Andy Hawthorne of the Message Trust describes how, in Manchester, a grass-roots voluntary organisation has sought to act as a catalyst for efforts bringing communities and, especially, young people closer together. As a faith group, his charity has stimulated regeneration programmes that have resulted in not only in less crime and antisocial behaviour, but also a solid improvement in relationships among individuals and changes in damaging individual lifestyles.

At the end of these essays, we pose some questions about the issues raised by our contributors and about finding solutions to such complex problems.

Chapter 1

How businesses and communities can break the cycle of crime and decline

By Barbara Roche, MP for Hornsey and Wood Green

Last year, I argued that the Labour Party must not be afraid to state that high levels of crime, antisocial behaviour and fear of crime are detrimental to economic regeneration. As the government continues to develop policies designed to combat the problems that cause social exclusion and deprivation, I reiterate my stance. The concept of social exclusion has been embraced fully; the idea of attacking the origins of social problems has a long history within the Labour Party.

Social exclusion as a theoretical approach to deprivation originated in the European Commission programmes to address long-term unemployment during the 1970s and 1980s. French researchers, especially, have recognised that exclusion is not just about poverty – it is also about barriers to social participation.

They recognised that people who were unemployed for a long period also frequently suffered from other disadvantages, such as poverty, few skills and poor health. Consequently, attempts were made to tackle these multiple problems using a combination of education, training, and social schemes – such as the establishment of the European Social Fund – with the underpinning aim of helping people into the labour market.

Social exclusion is not a narrowly defined term. There has been much academic analysis and debate about the different drivers of social exclusion. These range from the Marxist notion of social exclusion as an inherent feature of capitalism, to comparisons with the US concept of an "underclass". My view is that prescriptive models of social exclusion, often loaded with ideological baggage, fail to detect the multifaceted forms in which social exclusion can appear.

Forms of social exclusion are intertwined. The third of the population that do not own their home is more likely to have little pension provision and exist on a persistently low income. As Janet Foster of Cambridge University has identified, one in four of the British population, approximately 14 million people, live in households that have an income below half of the national average. While most areas have benefitted from rising living standards, the poorest neighbourhoods have tended to become more run down, more prone to crime and more cut off from the labour market.

Crime creates decline

David Blunkett has said: "Social order and security are fundamental to the creation of a civil society; prosperity and individual liberty can only flourish in stable, orderly and strong communities." I agree. High crime rates are not merely a symptom of local decline, but a

root cause of it. Therefore, combating crime has to be a key component of any social exclusion policy.

By the mid-1990s, Britain had more children growing up in unemployed households than anywhere else in Europe, and the highest teenage pregnancy rate. Child poverty had trebled between 1979 and 1995 and the number of notified drug addicts quadrupled in the decade to 1996.

It is sobering to note that 70% of all people from ethnic minorities live in the 88 most deprived areas. Taken as a whole, ethnic minority groups are more likely than the rest of the population to live in deprived areas, be unemployed, have low incomes, live in substandard housing, have poor health and be the victims of crime. The Strategy Unit's *Report on Ethnic Minorities and the Labour Market*, which I sponsored as a government minister, found that Pakistanis, Bangladeshis and black Caribbeans experience, on average, significantly higher unemployment and lower earnings than their white counterparts.

Labour policies in the mid-1990s show a clear recognition of the need to address head-on the links between different areas of deprivation and disadvantage. In identifying links between issues such as unemployment, poverty, low skills and poor health, the government has argued that these are causes of crime and so must be tackled in their own right. This approach was coupled with an acceptance that crime itself had to be dealt with head on.

Pragmatic policies adopted

In government, pragmatic policies that cut through the various academic debates were adopted; the term "social exclusion" was used in a way that would be practical and easily understood.

The prime minister described social exclusion as:

A shorthand label for what can happen when individuals, or areas, suffer from a combination of linked problems, such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown.

Labour's first annual report on poverty and social exclusion, *Opportunity for All*, said:

Social exclusion occurs when different factors combine to trap individuals and areas in spirals of disadvantage. Confronting these combinations of negative factors requires an integrated and radical policy response.

The creation of the Social Exclusion Unit in 1997 signalled this new approach to complex social problems. It was the first time that the term "social exclusion" had been used in mainstream British policy making. The SEU's remit is to report on how to "develop integrated and sustainable approaches to the problems of the worst housing estates, including crime, drugs, unemployment, community breakdown and bad schools".

It was recognised that in order to make serious inroads into these problems, joined-up solutions and policies that transcended departmental boundaries would be required. The SEU's strength is that it is staffed by officials from different departments in Whitehall, with secondments from local government, the voluntary sector and other statutory bodies, including the police.

Since 1997, the SEU can claim to have had a significant effect on social policy. Its reports have led to action that has achieved a 71% reduction in the number of people sleeping rough between 1998 and 2001, a 25% drop in the number of school exclusions between 1996-97 and 2001 and a 9% reduction in the under-18 conception rate between 1998 and 2001.

In September 1998, the SEU published a national strategy for neighbourhood renewal. The government's vision for the future is that within 10 to 20 years, no one should be seriously disadvantaged because of where they live. This is a significant undertaking and one that cannot be achieved without a thorough understanding of the links between social exclusion, neighbourhood regeneration and tackling crime.

The Youth Justice Board's latest general education audit of those juveniles going into custody reveals that at least 71% had left school without any significant literacy or numeracy qualifications. Leon Feinstein's study, *Quantitative Estimates of the Social Benefits of Learning*, concludes that a 10% rise in the average pay of those on low pay in an area reduces the overall area's property crime rate by between 0.7 and 1 percentage points. Research also shows that most criminals commit their offences within 1.8 miles of their front door.

Given this, it is important to reject the argument from some on the Left that being tough

on crime is merely pandering to the authoritarian Right. Strenuous efforts to reduce the level of crime in disadvantaged areas and, simultaneously, to resolve the problems that can lead to crime in the first place are needed. When a lone 18-year-old woman with a child is over five times more likely than the average person to be the victim of crime, it is impossible to overestimate the problems that high levels of crime can cause to the social cohesion of a neighbourhood.

A business development approach

In addition, the level of antisocial behaviour experienced across the country is unacceptable. According to the Home Office, 66,107 reports of antisocial behaviour were recorded in a recent day-count. It calculates that this is equal to one report of antisocial behaviour every two seconds, at a cost of about £3.4 billion a year to public services. This is detrimental to any attempt to regenerate because it creates an environment in which crime can take hold, which, in turn, leads to a spiral of decline.

If neighbourhoods decline, then businesses, both large and small, suffer. Business is vital to the regeneration of deprived neighbourhoods. It provides jobs and wealth as well as much-needed goods and services to vulnerable areas. Business start-ups are nearly twice as high in Bristol as they are in Newcastle and Liverpool and almost three times higher than in South Tyneside and Easington. The result of this is that in the 10% most deprived wards, 25% of adults remain out of work.

The connection between crime, businesses leaving an area and regeneration is not new, nor is it confined to the UK. Bedford Stuyvesant in New York was one of the first areas to pioneer a business development approach to regeneration when it was designated the USA's first Community Development Corporation in 1967. An African-American neighbourhood with inadequate public and economic services, the area retained "a strong base of neighbourhood and block associations, churches, and other civic organisations that were dedicated to stemming the tide of decline".

Robert Kennedy, a New York senator, used Bed-Sty as a testing ground for a new, federally supported model of community development. This led to the formation of two organisations: the Bedford Stuyvesant Restoration Corporation, whose role was to set policy and carry out community development programmes, and the Development & Services Corporation, whose role was to offer technical and fundraising assistance.

The Development & Services Corporation was managed by representatives of the mainly

white banking and corporate world, while the Bedford Stuyvesant Restoration Corporation comprised mostly African-American residents of the community. Understandably, this structure often caused conflict between the two organisations but, ultimately, the ability of local residents to have input into how their homes were regenerated was beneficial. The Bed-Sty model was used in a number of other US cities and, despite its early limitations, illustrated the need for business renewal in poor neighbourhoods.

In Harlem, Bill Boler, a vice-president of Business for Social Responsibility, was given the task of persuading businesses that there were opportunities in areas suffering from high unemployment and crime. Harlem was made an empowerment zone by the Clinton administration and was given a \$300 million budget from public funds. The aim was to attract, with the help of grants and tax inducements, \$1.25 billion in private investment over a 10-year period.

In 1998, Gap, Magic Johnson Movie Theatres, HMV and other companies invested heavily in a shopping mall on 125th Street in Harlem. Since then, retailing has grown by 50% in the area. Similarly, empowerment zone subsidies have helped developers restore or rebuild tens of thousands of flats and homes. As Gordon Brown observed when he visited Harlem in 2001:

I was last in Harlem 10 years ago. I saw then how the public services had deteriorated, how the drug culture was developing, how the place was boarded up. Now the streets are being renovated, the big commercial outlets are coming to the area, there are far more people in jobs.

In March 2003, I announced that Bill Boler was to be employed for a two-year period to demonstrate how British businesses can succeed in deprived communities and help to revitalise them. It will be very interesting to see how this initiative progresses.

Holistic solutions

The experience in the USA and elsewhere shows that social exclusion issues are so intertwined, at both macro and micro level, that it makes sense to find holistic solutions to neighbourhood renewal. The national strategy for neighbourhood renewal brought together the work of 18 policy action teams. The strategy now incorporates the New Deal for Communities programme, local strategic partnerships, a targeted neighbourhood renewal fund and the formation in 2001 of the Neighbourhood Renewal Unit.

The New Deal for Communities programme, established in 1999, aims to tackle multiple disadvantage in the most deprived neighbourhoods in England. The programme will spend £2 billion over a 10-year period in 39 areas. NDC partnerships are focusing on delivering lasting change in relation to five key outcome areas: reducing crime and fear of crime; increasing educational attainment; improving people's health; increasing the number of people in work; and upgrading housing and the physical environment.

According to the recent British Crime Survey, the proportion of residents in NDC neighbourhoods experiencing crime in the previous 12 months is between two and three times higher than is the case nationally. The NDC initiatives are designed to lower fear of crime and increase perceptions of safety, reduce car crime and attack antisocial behaviour. In Brighton, an anticrime strategy that included neighbourhood wardens and clubs for young people reduced crime by 18% between 1999 and 2002. Similarly, in Walsall, there was a 19% fall in crime and a 39% drop in vehicle crime between 2001 and 2002, following the introduction of extra police officers.

The Neighbourhood Renewal Unit has found that strengthened community policing, reorganised beats, relocation of police bases into the neighbourhood and working with young people are all crucial in preventing crime. I know from speaking to residents in some NDC neighbourhoods that this strong working partnership with the police is a radical departure from the relationship that had gone before. The government must ensure that the drive to deal with antisocial behaviour is an essential component of neighbourhood renewal.

The neighbourhood renewal strategy and the other initiatives created since 1997 have led to criticism about the complexity of the system. In 2002, I said that the existence of more than 40 funding streams, in which each programme had its own rules and its own monitoring and evaluation requirements, made it difficult for people to gain access to funding. The number of funding channels for area-based initiatives was reduced by about half but the level of investment remained the same. The bureaucracy was cut so that gaining access to funding became easier, and a focus on developing management at a local level was established.

This process needs to be taken further. There is still a plethora of projects, initiatives and programmes that can overwhelm local communities. As the SEU has acknowledged: "Many NDCs are sited in localities which have received, or are receiving, support from up to 10 other area-based initiatives." The risk is that unchecked bureaucracy can distance

communities from the very schemes that are designed to support them.

Similarly, there is a danger of creating a language of regeneration that is understood only by practitioners. In 2000, the government introduced "floor targets", to set a minimum standard below which no service can drop. For example, domestic burglary is to be reduced by 25%, with no area having a rate of burglary more than three times the national average by 2003. Yet, what does the phrase "floor targets" mean to the people that these targets affect?

Instead of defining basic standards of public service delivery by using jargon, they should be promoted as the social equivalent of the minimum wage. The government must guard against setting up management-speak as a barrier that excludes voluntary and community-based organisations from full participation.

Procurement policy as a tool for community benefit

If it is accepted that levels of crime are linked to neighbourhood prosperity, then the government has a key weapon in its armoury. Using state procurement for community benefit could be developed to maximise the effectiveness of neighbourhood regeneration. The USA has used such policies to great success.

In Bed-Sty, one of the Community Development Corporation successes was a programme to help residents renovate the exteriors of their homes. By 1992, 4,200 units of housing had been rehabilitated in a 150-block area, creating more than 2,000 temporary and permanent jobs. By ensuring that local labour was used in the project, the Bedford Stuyvesant Restoration Corporation provided an economic as well as a physical benefit.

In June 2001, a task force here, chaired by Sir Ian Byatt, produced a report looking at the critical contribution that local government procurement policy could make to the quality of public services in the UK. Procurement is more than simply purchasing goods and services. It covers all stages of managing service delivery, from identification of needs to measuring their effect on customers.

Every year, local authorities in England spend £40 billion of public money externally. It is vital that this money is spent wisely and that best value is obtained – yet, in 2000, only a quarter of English councils had a written procurement strategy in place.

Sometimes, European competition law is perceived as an obstacle to community benefits

within procurement policy. However, as Richard Macfarlane and Mark Cook have noted in a publication for the Joseph Rowntree Foundation: "Contrary to common perceptions, the inclusion of community benefits in procurement contracts can be permissible under UK public procurement policy and EC treaties, articles and directives."

The EC has clarified the scope within which "social considerations" can be used in procurement. UK legislation has given local authorities new powers and changed or removed the specific barriers to the use of community benefit requirements in procurement.

The Commission for Racial Equality has also issued detailed guidance advising local authorities how to carry out procurement in a way that complies with their race equality duty.

Recent statistics show that an estimated £13 billion a year is spent on civil procurement by central government. The government's long-standing policy is that all public procurement of goods and services should be based on value for money, with due regard to propriety and regularity. The European Commission procurement directives are consistent with this policy. Within this framework, relevant employment and social issues can be taken into account. But the report *Ethnic Minorities & the Labour Market* concluded that "the government is not, at present, benefitting from the full scope to do so".

Public procurement and racial equality

Data from the USA also provides evidence of the potential effectiveness of achieving increased equality of opportunity through public procurement. In 1941, an executive order was passed, prohibiting discrimination based on race, colour, creed or national origin by all defence contractors in the USA. In 1943, all federal contracts were included under this provision. In 1990, a review found that linking race equality to public procurement had been an effective tool, when enforced properly, in increasing the participation and achievement of ethnic minorities in the labour market.

The Strategy Unit's report, *Ethnic Minorities & the Labour Market*, recommended that the government should develop guidance for public authorities about how to use public procurement as a lever to change the employment practices of contractors. A platform has been laid for the widespread incorporation of community benefits in procurement contracts and I believe that maximum advantage should be taken of the opportunity this presents. The ability of a community to attract investment can genuinely help to remove

some of the causes of crime and raise the quality of life for local residents.

In March 2003, I announced the establishment of two new projects for the SEU. One was to focus on barriers to enterprise and employment in deprived areas and the other on mental health and social exclusion. With unemployment in Britain at its lowest level for 27 years, employment has been rising steadily for a decade. However, there are still some neighbourhoods across the country in which many people are out of work.

In addition to other measures, in 2002, the government announced further steps to support enterprise, including the creation of 2,000 enterprise areas in the most deprived parts of the country, with targeted support to help businesses start up.

The first of the new SEU projects will consider how to improve the delivery of welfare-to-work and enterprise policies in areas where many people are still out of work. It will also look at whether more should be done to help people either to become self-employed or to leave cash-in-hand jobs in the informal economy in order to take up formal employment.

At any one time, one adult in six suffers from mental health problems of varying severity. These include a wide spectrum of conditions, from anxiety to psychotic disorders, such as schizophrenia. Mental health problems can be seen as both a consequence and a cause of social exclusion. The second SEU project will look at how to improve employment rates for adults with mental health problems, through providing support both in taking up and in retaining work. The project will also consider how to promote greater social participation and better access to services.

Since 1997, the SEU has adopted a project-based approach to social exclusion. The subjects are chosen on the basis that, unless they are dealt with, the cycle of exclusion can be perpetuated. Work on the educational attainment of looked-after children, reductions in teenage pregnancy and the rehabilitation of ex-prisoners are good examples. At present, the evidence shows that many ex-prisoners return to their communities and commit further offences within a short period of their release.

Future challenges

One challenge faced by the government is to decide the future direction of the SEU. Should it continue to be solely project-based or should it have a wider role in promoting social inclusion across government and act as a hub of expertise?

Currently, as I also announced in March 2003, the unit is taking forward a programme of work looking at the effects of social exclusion and emerging trends. This will develop a clearer understanding of how government policies work together to tackle social exclusion for particular groups. It will identify potential future risks and drivers of social exclusion. This will provide a solid, analytical base for future policy making.

Another challenge is the exit strategy for the New Deal for Communities partnerships. The programme was established with a 10-year life. The Neighbourhood Renewal Unit, government ministers and the NDC partnerships themselves need to consider this issue now if the full benefit of the programme is to be realised.

Since 1997, real progress has been made, but social exclusion remains a real, live issue. Too many young people see no future for themselves and so waste their lives in drugs and crime. Too many people feel abandoned by the government and the rest of society and see no way out. Each of those lives is an appalling waste of potential.

Social exclusion is real and has not disappeared, because the misery of an unemployed, lone mother trying to bring up children on an estate is as raw as it ever was. All the statistics and policy documents cannot wipe that reality away. Nor should they obscure the potential threat that such deprivation poses to our wider society and its values, if allowed to continue unabated.

Chapter 2

Hope, not fear, is the key

By Professor Roger Graef, criminologist and managing director of Films of Record

It is almost a paradox.

In the past eight years, both recorded crime and the British Crime Survey figures have shown consistent falls in many areas. Large numbers of children have been removed from below the poverty line. The minimum wage has been introduced. The prison population is at a record level and, at current growth rates, it is likely to reach 90,000 by 2010. Yet, six years into the Labour government, we still find a widely shared sense that crime is rising. Sentences are still mocked as being "too soft". Social exclusion and the poverty gap are seen as worse than ever.

Why? One reason is that the government has played into the hands of those for whom the fear of crime has blurred the more difficult conversation about what causes crime and what steps can be taken to make a difference to it. For those unwilling to engage, fear is enough – do not bother them with the details.

And yet, in another paradox, those most voluble in the media and politics concerning the fear of crime are the very people who have benefitted most from the successful efforts to reduce burglary and car crime. The areas still plagued – as they always were – by high levels of victimisation and correctly perceived fear are the poorest and least well represented.

As is true of convicted offenders in most other industrialised countries, offenders from a small number of postcodes contribute disproportionately to the prison population. But these appalling figures still reflect only those people who have been caught, convicted and put away.

The reality for people in those areas – victims and offenders – is far worse than the crime figures tell us. "Social exclusion" is almost a definition of vulnerability to crime. The measures of protection we take for granted are simply out of reach for those living beyond the pale.

Recognition that social exclusion drives crime has been a keystone of many of this government's policies – and not before time. Much has been done to address both the intended and the perverse effects of government actions. It has been called "joined-up government". Even if honoured more in the breach than in the observance, it is still an aspiration to be pursued if we are to address the people that are still largely out of reach.

We know about some of them – the school drop-outs and excluded pupils, the runaways,

the failed asylum seekers, those who leave prison for no fixed abode. At least they leave some kind of record of where they have been. But many others are, by definition, unregistered and invisible. I have met school-age children who have not been to school for years. As whatever connections they call family move around, it is no one's business to track them down. They have no official existence.

What we do know is not comforting. Studies in areas such as Tottenham in north London, with its high unemployment rate and transient population, as well as a wide spectrum of nationalities, highlight alarming levels of unreported crime.

It is obvious why such victims would be reluctant to contact the police. But the repercussions of the fear and instability destabilise the fragile bonds needed to provide the makings of a "community".

Shared values and hope often missing

"Community" is a term used far too easily by those who take for granted the shared values, security and hope too often missing in people lumped together by such terms as "the black community" or "the Asian community". These simple phrases bundle together generations in conflict as well as ethnic groups with huge differences and ancient enmities: Pakistanis, Bangladeshis, Indians; Sikhs, Hindus and Muslims; and many others now living in the UK in substantial numbers. Some 300 language groups live in London alone.

To be a member of a community involves some kind of social contract and brings identification with a common purpose. Perversely, fear and the need to survive drives bonding among young people. They see themselves as outside their local community and so create improvised subcommunities of their own. Joining a gang is the negative version of what we hope to develop for and with them.

In many instances, members of isolated ethnic groups offer each other support and a sense of identity with firmer roots than the temporary allegiance open to young white men. For them, loyalty to their football team or merely their side of the estate serves as their badge of honour, for which they will fight – even to the death.

The need to prove themselves, to defend their identity and self-respect, is common to all young people. If we do not give them the chance to do so positively, then they will do it in a negative way.

I know from my own work with young offenders in many countries that most would like to live more productive lives. While racial issues amplify the effect of isolation and exclusion, the same criminogenic factors apply to white, working-class young men.

It is widely known from surveys of persistent young offenders over many years that the predictors of future offending are:

- harsh and erratic parenting;
- poor housing and frequent moves;
- one or both parents unemployed;
- poor physical and mental health;
- learning problems, truancy and school exclusion;
- drug and alcohol abuse in the family;
- child abuse and/or domestic violence in the family;
- low self-esteem;
- a parent or older sibling convicted before a child is 10.

Crucially, only the last of these is directly concerned with the criminal justice system. Also, it means that when we convict someone who is a sibling or a parent, we increase the likelihood that the younger child will turn to crime. This is a major unintended consequence of using the courts and prison as a tool to address crime.

The Meadow Well story

For more than a year, I filmed on the Meadow Well estate in North Shields, a few miles outside Newcastle. The estate became the notorious subject of national media attention after scenes of violent rioting. What happened to Meadow Well after the riots is instructive, and has important lessons for the issues raised in the seminars.

The same issues were behind the violent conflicts in Brixton, Tottenham and Toxteth and 18 other towns and cities in the 1980s; in Ely, Meadow Well and Blackbird Leys in the 1990s; and in Bradford and Oldham in this decade.

If we fail to learn from those lessons and do not apply what we have learned across all deprived areas of Britain, it is only a matter of time before another flash point triggers such violence again. Meanwhile, the public is losing confidence in the commitment of both national and local government to deliver more than well-intentioned rhetoric and short-term funding for pilot programmes. That cynicism eats away at efforts to rebuild

local confidence so that people can help themselves. They have heard it all before. Words are not enough.

The Meadow Well riots were triggered by the death of a young joyrider who lived on the estate. He died in a stolen car, being chased by police. The national pastime of joyriding – and its more aggressive sequel, ram-raiding shop fronts using stolen cars – emerged from the youth subculture in the North East.

The very phrase "joyriding" encodes the temporary excitement these young men feel when behind the wheel of a stolen car. They too are consumers, excited by advertisements that offer power and sexual allure from owning a flash car. With no expectation of earning enough to buy one, they see nothing wrong with taking a car – often for the more prosaic reason that there is no other transport available. (Young car thieves in Belfast and estates outside Glasgow take the bus into the city centre for the cinema or clubs and steal a car to drive home, long after the last bus has gone.)

These energetic young men would have been swept into shipbuilding, steel or mining apprenticeships if the jobs still existed. But they grew up in homes where the mothers were the only ones who went out to work. Too many fathers were left embittered and on the dole – hardly inspiring role models for their sons.

Many of the joyriders lived on Meadow Well, an estate known as "Pigsville" in North Shields police culture because of its poor families. Police officers ignored or delayed their response to those families with the courage to call them. That the station was only 10 minutes' drive away emphasised their sense of isolation and powerlessness.

Although police attitudes and relationships improved since the riots, Meadow Well is typical of estates in Britain where "grassing" is deemed far worse than burglary, robbery or violence. The father of the dead joyrider complained afterwards that the police had targeted him unfairly. He was "a good boy, just an ordinary honest burglar, who did not do nothing wrong".

In their culture, along with grassing, it is sex crimes and paedophilia that are wrong. Property crimes are just youthful high jinks or survival strategies. As one young burglar put it: "I go shopping in other people's houses." Families are easy prey to loan sharks, drug dealers and those fencing stolen goods. (A study of attitudes in a south London pub found that no fewer than 96% of respondents felt that it was acceptable to buy or sell goods

they knew to be stolen.) On Meadow Well, mothers stole to buy milk for their children.

In such places, the law, the authorities and the police are the enemy because of their hostility towards and suspicion of any resident. The police are especially distant from restless young offenders who delight in stealing cars fast enough to elude them.

The death of the joyrider was seen locally as police murder and not an accident provoked by the young man himself, challenging the police in a stolen car. Graffiti proclaimed that verdict on walls around the estate long after the riots were over.

Riot targets instructive

His death had engendered such rage that friends went on a rampage against all their local hate figures. Their targets were instructive: they burned the Asian shops that supplied the estate with needed goods – but where young shoplifters and vandals were hardly welcome. (As in other riots, such as Ely outside Cardiff, where similar conditions prevailed, white working-class racism fuelled the antagonism. Local police were unsympathetic to the Asians – a factor that fuelled riots in Handsworth and then, later, in Oldham and Bradford.)

The main target of rampaging youth in Meadow Well was the relatively new community centre. It seemed a self-destructive gesture in a place where there was so little to do. But local government cuts meant that the centre had been shut for three years. It had been built, but never properly opened and sustained – a symbol not of official support but of broken promises.

The rioters left intact the health centre, which was only yards away – because it was busy providing valued services to local families. The director of the health centre was a key figure in the Meadow Well youth club, an enterprising refuge for the 3,000 young people on the estate.

Responses to the riot varied. Some £12 million of government money poured in to rebuild burned-out shops and houses. By the time I came to film, it looked relatively tidy. Thames TV donated a playground. A new civic centre was built in the little shopping precinct to house local groups and council services. A marina and swimming pool were built on the far side of the estate, as magnets for investment.

But, the economics and *realpolitik* that dog all such renewal projects were still very much in evidence:

- The new houses and marina were built by outside contractors – no jobs for locals.
- The entry price to the swimming pool was too high for local families.
- The marina symbolised the distance between the local families' situation and the rich of Newcastle, with their boats and flash cars.
- Infighting among rival residents' groups hampered decision making about what were local needs.
- Family members of known criminals entered local politics.

The stigma of the estate was such that many council houses remained empty – and, therefore, vulnerable to torching by a small gang of arsonists. I met several, ranging in age from seven to 10.

The youngest, Anna, was bright enough to win a poetry prize at school. The teacher asked Anna to bring her mum to see her receive it. The following morning, Anna came to school with a black eye and no mum.

I met Anna's mum and the parents of the other alleged arsonists. Some, like Anna's mum, Jackie, were violent, and serious drinkers. Others were fizzing with frustration at their inability to control their children. All needed help they were not getting.

One mother, Carol, an ex-offender happily married to a ship's pilot, became a community activist. Her son, Brian, had been a close friend of the dead boy and was friends with his brother Dean. Dean was so shattered by his brother's death that he wandered the estate with a machete – for three years! He received no support or counselling, no attention other than from the police. The hours of chat we had about grief were the first time he opened up. He still saw it as police murder.

Dean came from a local family involved in crime. And yet, when I asked him if he ever had dreams, his face cracked from the impassive mask of rage to a smile: "Of course I dream."

"What are your dreams?" I asked. "A house, two kids? How are you going to get it?" I asked. "Dunno. Guess I will not get one."

"Have you thought of getting a job?" That perplexed him. "A job? [Long pause.] Never thought of it. [Long pause.] There are no jobs."

Six months later, Dean was arrested for attempted murder. He had been acting as a

minder for a local drugs czar. His friend, Carol's son Brian, had a baby whom he looked after largely on his own as the baby's mother was on drugs. Brian was virulently antipolice because they stopped him and searched the pram regularly, looking for drugs or weapons. He was much more intelligent than Dean and had more support from his law-abiding parents.

A year after I left the estate, Brian was dead, killed in the same intergang warfare for being a friend of Dean's. I still recall Carol's frustration at getting Brian to study so he could get a proper job. He wanted to be a ship's pilot, like his stepfather. But Brian would never go to the library. He was sure he would not be allowed in.

That is what social exclusion feels like.

A co-operative response

But the Meadow Well story does not end there. I first arrived at the estate looking for ways to deal with youth crime. I had the name of someone on the Meadow Well Action Committee and found its members squatting in their own office. The council had cancelled their grant and banned them from the office when a member criticised them for failing to fund the community centre.

I heard a report by Nancy, a delicate septuagenarian resident, who had gone with a local student to see how Broadwater Farm dealt with its riots in the 1980s. She reported that they had rejected the offer of merely bringing in outside contractors to rebuild the estate. Instead, they created a co-operative to manage the rebuilding, using skilled craftsmen to train local youth. Profits were used to send elderly people to the West Indies on holiday and to send young people to college.

Meadow Well then did the same. Through the co-operative, they hired and trained local ex-offenders to rebuild the community centre they had burned down. They found it an inspiring challenge. The completion of the centre was a major local event to which what could rightly be called "the community" attended. Nancy glowed with pride at how the local boys had made good. "Go, the Meadow Well!" she cried, to applause from all ages. Hope was in the air.

Among those cheering were members of the local police force – in particular, sergeant Alan Evans. I had first met him at the squatted office, where he had told the disbelieving group that the chief constable recognised their complaints and assigned him and 10

police officers to "do whatever they wanted". They thought he was winding them up.

During the next two years, Alan Evans and his team went house to house, asking highly suspicious residents what problems they could help them to solve. It was their first contact with police unrelated to crime. It was hard for both parties but, over time, they established enough trust for residents to reveal what was really going on – sometimes disclosing offending by their own children.

A sub-police station was set up on the estate, above the housing office and next to the Meadow Well youth club. Officers formed close links with schools and began to befriend the very children who were making life hell on the estate. Through school events, they also met families on the far side of the law.

But success had its downside. Beat officers on the estate were estranged from North Shields police culture and accused of going native. The stigma of the estate had rubbed off on them.

Several years after his assignment to Meadow Well, Alan Evans was made Community Policeman of the Year. As so often happens with community police, he was promoted – and moved.

Moreover, residents of nearby estates were jealous. They asked the local commander if they had to burn down their own estate in order to receive that level of resources, forcing him to shift resources across a wider area to balance things out.

Although trust in local police grew and crime levels dropped, deep hostility to the criminal justice system remained. The hard core of persistent young offenders was still causing problems: burglary, car theft, vandalism and intimidation.

One evening, a group of 16-year-olds were playing football against the garage door of a family with a baby who was trying to sleep. The father asked them to stop. When they carried on, he came out to insist. He was hit with a plank with a nail that pierced his nose. The mother called the police and, with her family's support, gave a statement naming the perpetrators. They were arrested and charged. She even gave evidence in court.

Within a justice system that works, this should be the end of the story. Instead, the family became caught up in a living nightmare. Hostility to grassing was such that their

house was vandalised by neighbours and the children beaten up at school. They were given police protection but were forced to move to another estate – with a new identity. Soon their new neighbours learned who they were and what they had done, and the nightmare resumed. People with no previous contact painted the word "grass" across their house. At Christmas, paint was thrown at their house. They had to board up the windows facing the street and stay indoors.

Sadly, even the court case was badly handled. Magistrates who heard the case were not those who delivered the sentence. The latter only read the papers and gave the perpetrators a mild community service. The victim and his family virtually went to prison. No efforts were made to deal with the aftermath of the violence in a restorative way that could have broken the cycle of revenge.

What can be done? Some reflections

The troubles at Meadow Well are typical. But the justice system alone cannot begin to address these merely through arrest, conviction and punishment. Banning orders, antisocial behaviour orders, curfews and other punitive measures seem attractive in the short term, but still leave the errant young people with nowhere to go.

The justice system is an ideal setting for the use of more restorative approaches to bring together victims and offenders, with their families and neighbours, to address the wider issues that lead to conflict, to empower the weaker parties, and to close the circle broken by crime.

On a broader front, the government has a chance in the next few years to make long-term changes to the social contract with people currently on the margins of the community, or excluded altogether. This will involve wider recognition by other partners and agencies of their role in engaging with the socially excluded, especially offenders and ex-offenders. It is everyone's business.

Key performance indicators work against this collective effort. Each agency has its own key performance indicators, and gets no credit for preventive work in collaboration with other agencies outside its field.

Sure Start programmes, neighbourhood regeneration schemes, and crime and disorder partnerships all require serious money over time. These initiatives have the conceptual and procedural tools to make a difference. But, in practice, real change means thinking

sideways to meet needs in detail. Some examples of problems and solutions are:

- Instead of chasing kids away from playing football in the street, they need playing fields they can use – and be encouraged to build and maintain the clubhouse themselves.
- Youth clubs should stay open during the school holidays and at weekends – which is when they are needed – instead of closing because their contracts are with the education authority.
- The lack of mobility is a key factor in social exclusion – and it feeds crime. Public transport must link estates to the outside world at inconvenient hours as well as at peak times.
- Trams in Rotterdam and Strasbourg – plagued by vandalism and violence – recruited ex-offenders as "ambassadors". They engage with local youth, and not just on the trams and buses. They are part of the local youth support system – for example, offering football coaching and mentoring.

Despite the partnership rhetoric, both social services and health departments tend to see crime as solely a police problem. They believe drugs and alcohol are personal choices, not health problems, and resist allowing addicts and drunks in their surgeries. But on estates such as Meadow Well, clinics to treat under-16-year-olds who are on drugs are desperately needed, as drug use spreads ever downward.

Health centres should see violence as a health problem. The vast majority of violent crime – especially domestic violence – is fuelled by drink.

In a poor San Francisco suburb riddled with gang warfare, the health centre doubles as a drop-in centre, providing a haven for local youth. It is staffed by former gang members who are turning their backs on violence. It also offers language, legal and immigration support for parents who do not speak English.

In the local primary school, 98% of its pupils are on food programmes, so it serves breakfast as well as lunch. It contracts social workers to the school to deal with mental health issues linked to violence. When a child misses two days of school, his or her home is visited by a social worker. They often discover there is a problem with the parents – who may need the child to translate for them. To deal with violence, all staff are trained in conflict resolution. With weapons carried increasingly often, the social workers intervene in any playground dispute – older brothers using knives or guns may later avenge small

insults thrown in the playground.

In the UK, good rehabilitative projects addressing core needs include Sure Start, Connexions and National Youth Justice Board-backed youth offending team sentencing boards, where local people engage with young people's needs. They are all proof that the government is in for the long haul to win trust and to make changes.

But instead of the punitive rhetoric offering longer sentences, such schemes need to be lauded across the UK as an effective way of reducing crime and promoting local safety.

Conclusion

Crime must return to its political status of the 1960s as a non-party issue. What is needed is not gestures but broad collaborative efforts to return offenders to the fold. We would do it for our own children, who have greater advantages. These are our children too.

Prevention is much better than waiting for victims and hoping to catch the offenders. Only 2% of crimes are punished in court. Courts and prisons are overloaded. If we increased that output from 2% to 3%, where would we put the convicted offenders?

Crime is too serious to be left to the police or the media. Despite the calls for more bobbies on the beat, the most serious violence happens indoors between people who know or are related to each other. A woman and a child die from domestic violence or child abuse, on average, every three days. While all social classes are involved, domestic violence is far worse on deprived estates, where drink-fuelled anger is often the form of discourse and problem solving. Fear is not only on the outside, from groups of idle, restless youth, it is also behind closed doors, as these men get older.

Yet funding for battered women's refuges has been cut and many centres have closed. If we are serious about reducing crime linked to social exclusion, funding a nationwide network of refuges would be a good place to start.

Chapter 3

Getting to grips with antisocial behaviour

By Professor Mike Hough, director of the Institute for Criminal Policy Research at Kings College, London, and Dr Jessica Jacobson, independent consultant in criminal policy

Any seasoned Home Office watcher will know that the launch of the Together strategy for tackling antisocial behaviour in October 2003 represented a step change in the marketing of government policy. The prime minister, the home secretary and officials all made an appeal to the hearts – not the minds – of the 800 or so representatives from police forces and local authorities assembled for the launch.

There was music, there were bright lights, victims of antisocial behaviour bore witness – through video – and we all applauded on cue. There was a sense that "enough was enough"; the time had come for action, not words. Those who disagreed were part of the problem, not the solution.

There are many admirable points about the government's agenda for civic renewal, in general, and about the Together strategy, in particular. It is refreshing to see a government department impatient for action. It is absolutely right that urgent measures are needed to help those whose lives are blighted by antisocial behaviour.

But we detect a self-conscious anti-intellectualism in the Together strategy that makes us uneasy. It studiously avoids a definition of antisocial behaviour. The phenomenon is exemplified but not analysed. It is taken for granted that we all know what we are talking about and why we need to tackle it.

We do not wish to belittle or discount the corrosive experience of exposure to antisocial behaviour, or the bravery of those who fight back. But lucid policy analysis is a necessity, not an optional extra, in an area of social policy that involves balancing the demand for order and civil behaviour against the need for tolerance of diversity. The preconditions of such an analysis include:

- a clear definition of antisocial behaviour;
- a good grasp of the policy context – the reasons why antisocial behaviour commands such political priority at present;
- an understanding of the various rationales for addressing antisocial behaviour.

This essay outlines how we see these preconditions.

Defining the elephant

We can all identify elephants, but it is harder to pinpoint their defining qualities. So too with antisocial behaviour. Legislative definitions are inevitably loose and broad. The Crime

Et Disorder Act (1998) defines antisocial behaviour as behaviour "that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as [the perpetrator]".

Although this definition permeates policy discussion on antisocial behaviour, it is too inclusive to be of any analytic value, covering not only neighbours from hell, but also burglary, murder, angry letters from bank managers and political decisions to invade other countries. Similarly overinclusive is the definition of the Chartered Institute of Housing (1995): "behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community".

The antisocial behaviour white paper observed that "antisocial behaviour means different things to different people" and that "there are many different forms of antisocial behaviour", before quoting the Crime & Disorder Act definition. Later, it asserted that: "The common element in all antisocial behaviour is that it represents a lack of respect or consideration for other people." Again, the overinclusiveness of this definition renders it analytically useless.

Policy documents often sidestep the definitional problems by simply listing examples. The Home Office day-count of antisocial behaviour in September 2003 identified 66,107 reports, in 13 categories:

- litter/rubbish;
- criminal damage/vandalism;
- vehicle-related nuisance;
- nuisance behaviour;
- intimidation/harassment;
- noise;
- rowdy behaviour;
- abandoned vehicles;
- drinking in the street and begging;
- drug/substance misuse and dealing;
- animal-related problems;
- prostitution, kerb-crawling and sexual acts;
- hoax calls.

This list adequately sketches out the contours of the beast without indicating why some

incidents falling under these headings are antisocial behaviour, while others are not. Why not environmental pollution? Why not terrorism? Why not burglary? It has often been suggested that antisocial behaviour represents subcriminal or near-criminal "incivilities". This begins to capture the essence of antisocial behaviour – although many of the categories in the day-count are, of course, crimes.

We offer the following as our attempt to characterise antisocial behaviour: Antisocial behaviour comprises acts committed in public or semipublic places that, *individually*, are inappropriate for prosecution under the criminal law by virtue of their relative lack of gravity or by virtue of evidential problems. But *collectively*, by virtue of their repetitiveness, acts of antisocial behaviour cause harassment, alarm or distress to such an extent that remedies are required from relevant authorities, which necessarily fall outside the criminal process.

This compound definition sets some boundaries around antisocial behaviour. It excludes most, if not all, acquisitive crime. It excludes serious racial harassment, but not minor racial abuse. It excludes domestic violence – assuming the vast majority of such violence occurs behind closed doors. It provides a rationale for action by agencies beyond the criminal justice system.

The definition probably needs refinement. In particular, we remain uncertain in our own minds as to whether repetitiveness is absolutely central to the definition, or whether this characteristic is simply present in the majority of antisocial behaviour categories.

Within this definition of antisocial behaviour, it is possible to identify some subcategories. We think it is helpful to separate antisocial behaviour into three broad categories of behaviour:¹

- **Interpersonal antisocial behaviour** is behaviour directed against specific individuals or groups with the intention to cause alarm or distress. It may include racially motivated behaviour as well as vandalism targeted at specific people.
- **Environmental antisocial behaviour** is behaviour that – deliberately or through carelessness – causes degradation of the local environment. It includes dog-fouling, allowing animals to roam, noise, litter, graffiti, criminal damage, abandoned vehicles, fly-tipping and so on.

¹ This categorisation resembles that used in the Home Office day-count of ASB. The Home Office classification distinguishes between "misuse of public space", "disregard for community/ personal well-being", "acts directed at people" and "environmental damage".

- **Spatially inhibitive antisocial behaviour** refers to behaviours that restrict the use of public spaces by others through being threatening or physically obstructive. Young people hanging around in public spaces could fall under this heading, as would substance abuse in public spaces, soliciting, kerb-crawling, under-age drinking, and aggressive begging.

Why "Together" now?

We argue that effective antisocial behaviour policy needs to understand not only what it is addressing, but also why it is precisely now that the issue has come to command political attention. One type of narrative relates to "declining standards" and "lack of respect". It would be hard to deny that there have been some broad cultural shifts over the past half-century relating, on the one hand, to the loss of community and the decline of deference and, on the other, to the ascendance of forms of consumerist individualism.

Accompanying these trends have been more specific developments, such as the increase in the use of alcohol and illicit drugs. Antisocial behaviour can be seen as one of the least desirable consequences of the combined effects of these social trends.

When antisocial behaviour is framed through this lens, it is easy to see the attractions of the calls to arms in the government's agenda for civic renewal. But, equally, it is important to bear in mind the contribution made by five decades of economic, social and criminal justice policy.

Problems of antisocial behaviour are at their worst in conurbations that lost their industrial or manufacturing base in the 1970s and 1980s. Within these cities, it is areas of public housing that are most vulnerable, especially where housing policy has allowed large concentrations of poor, socially excluded families. In large measure, economic and social policy has served to strip these areas of their social capital.

If various economic and social policies have created the preconditions for the emergence of serious antisocial behaviour problems, the policy stances of local and central government with regard to criminal justice are also implicated. The post-war history of relations between police and local authorities in conurbations is an unhappy one. In the 1980s, in particular, many local authorities and the police regarded each other with grave suspicion.

Many councils established police-monitoring groups, whose aim was more to contain, or even subvert, police activity than to support it. Although antisocial behaviour was an

emerging issue at that time, relations between police and city councils were often so fractured that it was impossible to mount any effective action to counter it.

The 1990s experienced a very welcome rapprochement between the two sides. Relations between basic command unit police commanders and senior local authority staff are probably closer now than they have been for decades. However, central government initiatives to tackle crime have been at the expense of action against antisocial behaviour.

Policing has always involved a balance between crime fighting and order maintenance. Since the mid-1990s, successive governments have imposed performance management targets on the police that have skewed their function towards crime control.

The public sector reform agendas of both Conservative and Labour governments over the past two decades have been grounded in Pareto's 80:20 rule – that is, only 20% of policy effort yields any significant result, and that policy must find the right 20%. Performance management regimes have chosen to prioritise "volume crime" and implicitly removed priority from those – individually less serious – incidents of antisocial behaviour that cumulatively cause so much distress.

Seen through this lens, *Together* can be thought of as an exercise in rebalancing systems of social control. Since the mid-1990s, we have seen striking falls in most forms of crime – a trend that sits uncomfortably with the Armageddon vision of a society whose self-control is falling apart. But there is evidence that these falls in crime have been achieved at the cost of ignoring antisocial behaviour. The solution? Reprioritise the antisocial behaviour non-priorities.

Why tackle antisocial behaviour at all?

The final question that we want to address in this paper relates to the rationale for tackling antisocial behaviour. Why do it? Our definition of antisocial behaviour suggests that there is a threshold of severity above which the appropriate authorities need to take action. When is this threshold reached? The appeal made in *Together* is to the sheer human suffering caused by persistent antisocial behaviour. This is obviously part of the rationale for tackling antisocial behaviour.

There are a variety of policy arguments for tackling antisocial behaviour. Those who are developing antisocial behaviour strategies need to know which rationales they – implicitly or explicitly – subscribe to and whether their rationales stand up to critical scrutiny.

The range of arguments for tackling antisocial behaviour include:

- Effective action against antisocial behaviour is essential for retaining or building community support for police and local authorities – a community policing argument relating to legitimacy and consent.
- Effective action against antisocial behaviour empowers local communities (or supports their collective efficacy) and helps them regulate themselves.
- Effective policing of antisocial behaviour is an essential strategy for averting crime and spirals of neighbourhood decline – the *Broken Windows* argument advanced by George Kelling and JQ Wilson.
- Cracking down on antisocial behaviour – that is, zero tolerance – is not only an effective deterrent strategy, but also is an effective way of "netting" more serious offenders.
- Policing of youthful antisocial behaviour is needed to halt the development of criminal careers of young people at risk of social exclusion.

The theme of "community" underlies many of the strategies and tactics for tackling antisocial behaviour. Reviving neighbourhoods and halting neighbourhood decline are seen as both a means of tackling antisocial behaviour and an end product of doing so. On the one hand, the engagement of the local community – whether formally or informally – is said to be an integral part of all programmes targeting antisocial behaviour.

On the other hand, it is assumed that an end result of a reduction in antisocial behaviour will be the emergence of "community": that is, local networks of people who are involved with each other and willing and able to take responsibility for their social and physical environments.

We do not propose to review the evidence for and against these different arguments here – beyond observing that "the community" is a concept that is loosely used and widely abused. We think it essential that any central or local government strategy should be explicit, precise and realistic about what it is trying to achieve.

Towards a balanced strategy

At the start of this paper, we described how the Together strategy was launched with an appeal not to the mind but to the heart. It was impossible not to be appalled by the experiences of the victims whose ordeals were used to illustrate antisocial behaviour; it was impossible not to feel angry with the perpetrators. For a government impatient

for action, these promotional tactics may be a justifiable way of shaking local officials and local communities into action. However, there are risks in using anger to mobilise.

We have already said that those most at risk of the consequences of antisocial behaviour tend to live in areas with limited social capital. It scarcely needs saying that the perpetrators of antisocial behaviour will be among the most marginalised or socially excluded within such areas – teenagers or young adults with few personal resources and little future in conventional terms. In areas where minority ethnic groups are also the most disadvantaged economically, they may be overrepresented among victims or perpetrators of antisocial behaviour – creating a further complexity for policy.

In the short term, enforcement will inevitably be the primary strategy for responding to antisocial behaviour. However, the risk in using Together tactics to mobilise "us" against "them" is that enforcement is prioritised at the expense of prevention.

In the longer term, there has to be a more balanced strategy. There has to be early intervention in areas with families at risk – and programmes such as Sure Start represent a promising start. There must be better civic education and more effective ways of making perpetrators recognise the consequences of their actions. Diversionary provision for young people on estates where antisocial behaviour may represent the most immediate and accessible source of excitement must also be improved.

Finally, strategies need to recognise the diversity of most neighbourhoods and the profound differences of opinion over the acceptability of certain forms of behaviour. Policy on antisocial behaviour tends to be blind to these realities of neighbourhood life in its ever-present emphasis on "community". A vivid illustration of this can be found in a passage early in the antisocial behaviour white paper:

The community sets clear standards of behaviour. The police, local authorities must enforce these standards and take swift, effective action if they are breached.

Of course, "the community" does no such thing. Communities are strained, if not torn apart, by the competing interests of different groups. It is not simply a question of drawing a line in the sand, with all right-thinking people on one side. Differences in perspectives and behaviours pervade all social groups. Simplistic assumptions about community are unlikely to result in a happy balance between tolerance and order.

Chapter 4

The role of community policing in civil renewal

By Matthew Baggott, chief constable of Leicestershire Constabulary

The civil renewal debate

Over the coming year, there will be a thorough and timely debate about the structure and governance of policing. This will range from the potential establishment of a national "FBI", a move towards regional or strategic police forces and, at local level, the greater democratisation of policing priorities and funding.

Although a philosophical belief in greater community engagement lies at the heart of the discussion, much has also been driven by the growing complexity and intensity of policing demand. In other words, a pragmatic recognition that existing arrangements are strained, are insufficiently resilient, inflexible and will need radical surgery.

This is a crucial debate because the success of civil renewal will depend upon the ability of the police service to do more with less. It must routinely deal with crises and intensive investigations, while simultaneously and systematically putting more resources into areas of acute vulnerability and need. The constituent parts of civil renewal will be greater efficiency, improvement in public confidence, a demonstrable effect on crime levels and the tackling of social exclusion through concentrated effort.

Key questions: organisation and structure

Some decisions concerning organisational structure will be needed, irrespective of local sentiment and history, and there are some painful nettles to be grasped. For example, evidence shows that enhanced national security and the capacity to attack organised crime must be a critical element of successful civil renewal. This has not always been obvious through the largely economic and social focus of regeneration initiatives, but it is becoming increasingly essential that these links be made.

Global problems cannot be separated from street corners and neighbourhoods. Indeed, one of the most compelling findings of the recent policing priority areas initiative was that the efforts of local partnerships in bringing about renewal cannot succeed unless the importation of serious criminality and drugs into specific neighbourhoods is tackled at its roots.

Inevitably, this will mean the amalgamation of smaller police forces that cannot sustain the capability to tackle serious crime on their own. In Leicestershire, improvements in the quality of life on several inner-city estates has been made possible only through long-term covert drugs operations, involving a regional consortium of detectives called in and briefed by local officers. The efficiencies, created through a series of opportune

and carefully planned amalgamations, would dramatically increase the ability to mount such operations.

Similarly, it is critical that changes to local governance do not impede the ability to move and sustain resources in areas where concentrated effort is required. While community engagement needs to be developed, highly localised ownership of finance will inevitably draw resources away from the deprived and poorer communities. I cannot envisage any policing board with the power to precept being willing to subsidise the enhanced policing of a neighbouring area; irrespective of the benefits that this may bring through ultimately reducing the export of crime.

In short, it will not be possible to deliver social justice and improvement unless the control of resources remains above local vested interests and perceptions. Indeed, there could be a strong argument to increase the independent element of current police authorities or future strategic bodies in order to reduce the risk of decisions being made on solely political grounds. The best "community advocacy" does not necessarily demand greater electoral involvement, provided that interest and representation are broad-based.

Giving highly localised control of policing and finance over to elected representatives may also result in the disastrous scenario whereby extreme groups become the executive authority for policing. My experience, also, is that, understandably, people decide their priorities based on their own personal experience or that of acquaintances. Again, non-negotiable aspects of policing, such as tackling terrorism and gun crime, may be compromised in favour of the village bobby.

Public confidence

In addition, it would be a mistake to see changes in the organisational structure of policing or governance as the panacea for success. Whereas change may provide a more flexible framework for action, it will not, by itself, provide the motivation or understanding of where and how resources need to be deployed if civil renewal is to take place. Neither will it resolve the growing deficit in public confidence or reassurance that is so essential if policing effort is to be supported and the criminal justice system allowed to function. In deprived and disadvantaged communities, where vulnerability is accentuated and social exclusion can result in disproportionate levels of criminality and offending, the need for confidence cannot be overstated.

Civil renewal will require a number of issues to be tackled in a concerted manner, but

underpinning everything will be this need for a rise in confidence. My experience of policing is that the degree of confidence is directly related to three activities.

- First, the accessibility of the organisation and clear establishment of consistent standards of response and investigative action.
- Second, the visibility and explanation of the organisation as to why it is taking certain actions and a willingness to justify them publicly.
- Third, and most important, the effect of policing robustly, yet fairly, criminal and antisocial behaviour – in particular, the positive relationship that is created if this is conducted by known police officers whose local presence is sustained.

The bottom line and starting point of civil renewal must be a rise in confidence that the police will deal with emergencies and enquiries effectively, not making promises that cannot be kept, and not allowing criminal behaviour to continue unchecked. These are issues of accountability that need to be constantly emphasised and reinforced within the police service.

Let me, at this point, inject some real optimism and personal endorsement of some of the measures taken at national level over the past few years. I have no doubt that public co-operation demands a greater degree of consistency in policing standards, irrespective of location and geography. While I may disagree with some of the specific elements in the police performance assessment framework, I do believe that the emphasis on improvement in citizen focus and quality of service is appropriate and will deliver improvement.

My concerns are about the expectation of immediacy in the delivery of crime targets and the need for a diagnostic approach, and are not a rejection of the need for benchmarking and accountability. Similarly, introducing national consistency in appraisal should highlight the accountability for performance and achievement.

The establishment of the National Centre for Policing Excellence should also allow for the continual development of professional standards in key confidence building areas and activities. The police service is already laying the foundations for success, which, it hopes, will have a lasting effect on crime. The national intelligence model, for example – in effect, a business process established across the country – already facilitates the matching of resources to offenders and locations on the basis of analysis and not simply whim or opinion. The success of the recent street crime initiative owes much to the advances in crime science and rational decision making introduced recently.

Community policing

However, as with structural change, it would be another mistake to see this injection of business discipline and process as leading inevitably to civil renewal. I was not surprised to read, in a recent article by the former head of the Policing Standards Unit, that the most successful police forces not only had a strong emphasis on performance and the capacity to tackle criminality, but also had implemented sophisticated forms of community policing.

In these forces, perceptions of public safety and confidence have been rising alongside greater impact on crime. I can speak with personal knowledge of the West Midlands police, since it was a deliberate strategic decision to identify and resource fully the most deprived neighbourhoods in support of renewal and the New Commitment initiative. This initiative represented a joining up of intensive and sustained policing in areas of high social exclusion and government investment.

This strategic choice constitutes probably the most comprehensive and radical amalgamation of social renewal and policing ever attempted, and has been thoroughly and independently evaluated. The model took forward lessons identified in the Social Exclusion Unit and built upon personal experiences of community policing and regeneration in Brixton and Peckham. It is these lessons and their implications that I now wish to cover.

In the past 16 years, I have worked in some of the most challenging areas of the country, developing policies and approaches that bring together policing and regeneration initiatives. From working with individual Brixton estates, to Peckham, supporting the largest regeneration scheme in Europe, or in the 80 deprived neighbourhoods in the West Midlands, I have witnessed the same key ingredients leading to positive rises in confidence, impact on crime and definitive improvement in the quality of life.

These rises in confidence were sustained for as long as the appropriate level and style of policing could be maintained. The ingredients of a clear role, the right numbers and good collaboration must be acknowledged and learned if genuine and lasting civil renewal is to take place. Putting an end to, or reducing, social exclusion in the 10% of neighbourhoods that account for 40% of crime will be critical if overall confidence is to rise. The effect of social exclusion sends ripples far beyond the boundaries of these neighbourhoods, consuming billions of pounds in repeated initiatives, generating fear, paralysing social improvement and exporting criminality.

Whether in highly localised examples or in a collective strategic approach covering many neighbourhoods, the ingredients represent something more profound than the traditional, theory-led concepts of community policing, or artificial divisions between reactive cops and nice cops. I find it helpful to think of the ingredients coming together in order to facilitate "order creation" as opposed to "order control".

Order creation bases its philosophy on relationship building and knowledge, dealing with crises but always looking for solutions, liberating people and residents from fear, sharing solutions and praising creativity. Order control is impersonal, dealing with crises in isolation from cause and effect, and is seen as suppressive because there is no relationship or understanding and it is mechanistic and purely functional.

Policing role, expectation and collaboration

This form of community policing is more sophisticated, providing real clarity of role or mission and giving officers a clearly articulated expectation and mandate to make a difference. This role centres on the assumption of "guardianship", a very special responsibility to seek improvement; developing and using trust, community information and collaboration to bring about change.

An independent evaluation of the West Midlands style is very compelling. It comments: "Intelligence-led but in the right place to build relationships and make a difference." And: "The teams appear to have brought real value to their areas from their roles as catalysts for change and agents of community cohesion in their areas. They are adopting an honest broker approach role in order to bring about positive action. The impact of the team goes beyond its sheer presence."

Again, as in all the community policing examples, the collaboration between local officers and other public organisations is very strong and many involve preventative measures instigated by the police officers themselves. Guardianship joins crime fighting and community needs in a very compelling manner.

Right people, right place

This form of community policing also puts enough police officers into neighbourhoods to make a difference. Some limited geographic areas need literally dozens of police officers deployed full time to address issues of vulnerability and offending behaviour. It is utterly futile to pretend that community policing is taking place if a single officer is expected to operate beyond his or her individual capacity.

In some neighbourhoods I have witnessed, change was brought about only after the mapping of crime densities, deprivation data and the prevalence of active offenders demonstrated the need for a manifold increase in policing numbers. The policing priority areas evaluation endorses this view. For example: "The PPA project has demonstrated that a focused, police-led partnership approach to dealing with issues of criminality and community confidence in small geographic areas is delivering."

It would be easy, of course, to insist that such concentrated effort demands new resources. In some cases, it may, and I would be surprised if the lessons of the current national reassurance project (an initiative seeking to build reassurance through the identification and resolution of signal crimes such as vandalism) do not show real advantage from doing so.

However, the greatest challenge is to recognise that, in many cases, identifying "essential" or "critical" neighbourhoods makes sound business sense and requires resources to be moved from other aspects of policing. These are difficult choices, but crucial if civil renewal is to take place. How much investment, whether Urban Programme, Estate Action, or New Deal, has been wasted over the years because the policing presence has been ad hoc or insufficient?

How many millions of pounds of policing effort have been spent to no avail simply through returning repeatedly to the symptoms of deeper causes? Often, mistaken notions of fairness get in the way of rational, objective decision making, resulting in resources being spread equally across geographical areas and failing to have the concentrated effect required by some neighbourhoods. If the police service were a sales company, it would not hesitate to place resources where they would have the most benefit. Why, therefore, do we not follow the business example?

This is not social engineering, but plain common sense and the fundamental requirement of policing to prevent crime. It may be that minimum standards of accessibility and visibility, response times and beat cover need to be applied equally across the country, whether in villages or towns. Overall, confidence does demand such equity. However, it would be wrong, judging by the evidence, not to concentrate resources where they are truly needed for the benefit of all.

Policing and community cohesion

At present, nine police forces are developing the ability to map opportunity and put the

right people in the right places at the right time, under the overall guidance of the National Centre for Policing Excellence. The approach uses the national intelligence model as the mechanism to determine location and numbers, and will influence the very organisational structure of local policing. Also, it introduces an innovative understanding of community cohesion in the prevention, or pre-emption, of community fragmentation and fear, owing to the police reform programme.

However, I wonder whether its suitability as a model for civil renewal is fully appreciated. There are also a number of innovative ideas being put into practice. One, for example, involves giving every officer his or her own small micro-beat, even to those who are not full-time beat officers. These ideas are challenging traditional concepts of the police officer's role and are providing greater opportunities for knowledge and information. Such creativity needs to be nurtured and supported and every effort must be made to free police officers from unproductive paperwork and "busyness" in order to build relationships and become personally involved in their unique community problems.

Potential government action

What can the government do to advance these lessons and translate them onto a national stage? Primarily, it should be clear what it means by civil renewal and ensure that any blockages to progress are identified and removed. At present, these high-level concepts have stimulated debate, but are not directly transferable into policing practice or support.

Ideas such as the "new localism", "engagement" or "liveability" are too loosely defined to translate into tangible action. They also allow for the proliferation of departments and initiatives dealing with the same issues, some of which are in response to crises, such as the Northern riots, and others simply through a well-meaning administrative momentum. Initiatives for neighbourhood renewal, community cohesion and active communities and potentially civil renewal units are all heading in the same direction, and a degree of rationalisation of terminology and focus would be beneficial.

This rationalisation could be accompanied by some very tangible action. First, the work on citizen focus should progress and be introduced into policing so that public confidence issues are highlighted. Support for the national reassurance model, in particular, also needs to be maintained.

Second, the definition of community cohesion should be developed, moving away from a concept of common vision to one where the identification of fragmenting

neighbourhoods is made possible. The current definition used within government came about following the Cantle report, but it is too restrictive and too closely focused on issues of race. These are of great importance, but community fragmentation is a much more involved process and to restrict definition is to limit solutions.

The community cohesion guidance under preparation by the National Centre for Policing Excellence introduces a more practical definition as the "absence of significantly disproportionate victimisation, fear or tension". This, then, enables objective mapping and analysis to identify neighbourhoods that are suffering from significant social exclusion and requiring special measures. In addition, it introduces issues such as violence, gun crime and hate crime offences into the process.

Third, clearer guidance should be given to strategic, crime and disorder, and criminal justice partnerships and their unique potential to affect civil renewal and, in particular, community cohesion. There are some crucial interventions that are not being implemented as a matter of strategic intent, simply because they are beyond the capacity of individual crime partnerships or because the focus of local strategic partnerships is too economic and general.

These interventions are, specifically: the effective tracking and supervision or support of offenders on release from prison; the identification of very young children at risk of offending; the agreed prioritisation of key neighbourhoods; and specific agreements and approaches to tackle antisocial behaviour and the needs of vulnerable groups.

Imagine what would happen if all prisoners coming out into the community were met by a named beat officer and presented with a package of local measures, including benefits, primary care, drug treatment and employment advice? At present, this is beyond the capacity of the probation service alone and, because it involves nationally based organisations, cannot be administered centrally.

However, the processes and administrative arrangements could be redesigned at a force-wide level, provided partners were prepared to share the strategic need and resources. In Leicestershire, the seven local authorities are working together and such plans are being implemented. I see no reason why this cannot also be done in relation to the other critical interventions where shared resources will provide greater capacity and capability.

It would be beneficial to see the artificial barriers between partnerships removed and I am

sure that clear guidance and incentives would assist. The lasting gains, particularly in locations where offending is prevalent and continues unabated, could be immense. None of this diminishes the local, creative resolution of problems by crime and disorder reduction partnerships and the effect of crime prevention and youth offending initiatives should not be underestimated. Indeed, if money and assets recovered from criminals were recycled into local policing and preventative initiatives, the payback would be very rewarding. If this principle applies to safety cameras, then why not to attempts to foster civil renewal?

The fourth area of action involves a number of measures that could assist in the promotion of guardianship. Police training, for example, concentrates on the exercise and learning of power and authority, yet not the foundation of relationship building, problem solving and individual responsibility for change.

Recent psychological research reveals just how damaging a lack of purpose and opportunity can be to police attitudes, but this could be countered by providing clearer expectations, role definition and the personal opportunity to make a difference. The national performance and development scheme, competency and priority payments, pilot probationer training and the encouragement of new forms of policing could all be used to develop guardianship.

Success in probationer confirmation, promotion or bonus might, for example, involve demonstrating the difference an officer has made in a specific neighbourhood or micro-beat. Guardianship will evolve as the community cohesion agenda unfolds, but the civil renewal debate provides the imperative to review all possible influences in a truly strategic way.

In conclusion, the civil renewal debate could prove the most important examination of the potential and practice of policing for many years. It will need careful assessment of how current organisational frameworks and structures are affecting public confidence, crime and social exclusion. All three are connected and none should be ignored. This will require the humility to acknowledge where redesign is necessary or innovations, such as partnerships, are not fulfilling their potential.

It may be appropriate to improve local collaboration but, as Lord Scarman noted, it is the role of policing that is critical. People expect the police and the public sector to work these issues out and do not necessarily wish for greater ownership. As the commander

at Peckham, I was told quite clearly by local churches that my mandate was to be "the repairer of broken walls and the restorer of streets with dwellings" (Isaiah 58, verse 12). In other words, to get on with it! I can think of no better mission to start the business of civil renewal.

Chapter 5

Exercising rights as the way to social inclusion

By Alison Hannah, chief executive of the Legal Action Group

The Labour government has viewed tackling poverty and social exclusion as a major political priority, and much of the discussion around criminal justice issues is framed in these terms. However, in discussing social exclusion, the government's definition is perhaps not the most helpful one that could be applied.

This paper looks at the role of legal education – in its widest sense – and community involvement in the criminal justice system. It reviews some of the government, and other, initiatives in this field and assesses what effect they may have on social exclusion and criminal offending. The issue at the heart of this analysis is whether – and, if so, to what extent – legal education and access to rights can form part of an effective strategy for combating social exclusion while, at the same time, forming part of a regenerative community approach.

Defining social exclusion

The term "social exclusion" originated in Europe and is intended to capture the complexity and the dynamics of social deprivation. It is seen as a process under which those at the bottom of contemporary societies are cut off from the opportunities that such societies offer. It describes more than a set of deprivation indicators or the characteristics of people at the bottom of the socioeconomic tables or who are in poverty.

In France, a law designed to reduce social exclusion came into effect in 1998. It was based on the notion that social exclusion prevents people from exercising their full economic, social, cultural, civil and political rights and causes them to experience a loss of social status.

However, in this country, the Social Exclusion Unit's definition of social exclusion is: "a shorthand label for what can happen when individuals or areas suffer from a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown". The problem with this description is that it merely depicts a state of affairs and implies a passivity on the part of those who are socially excluded, to which a notion of rights – and access to rights – is part of a more active response.

Whether intentional or not, this implied passivity is clearly an unsatisfactory approach, since it is only by actively engaging those seen as socially excluded that the problem of social exclusion can be tackled effectively. This requires that greater attention – and inevitably greater resources – be given to the role of legal education in its widest sense.

This is because providing advice and an increased understanding of the social and legal rights of all those affected by the criminal process helps to provide a way out of the cycle of crime.

Responses to crime

Crime is a much more extensive phenomenon than the criminal justice system would imply. It is worth bearing in mind that the British Crime Survey for 2002-03, published by the Home Office, estimates that 12.3 million crimes were committed during that 12-month period – of which only 5.9 million were reported. Of these, only a small minority are cleared up and culminate in the sentencing of an offender. So, to consider only those who go through the judicial process is to deal with a relatively small – and possibly unrepresentative – proportion of those who have been involved in some criminal activity.

By increasingly emphasising the importance of structurally rebalancing the criminal justice process – seen as a zero-sum game in which increasing the rights of victims can be achieved only by diminishing the rights of defendants – the status of offenders as members of a socially excluded class is reinforced. Yet, it is important that criminal defendants too have confidence in the fairness of the criminal justice process. As the government's white paper *Criminal Justice: The Way Ahead* (February 2001) states:

Defendants need to have the confidence that they will be acquitted, if innocent. Equally, those who are guilty should feel they will be fairly treated if they plead guilty. If defendants lack confidence in the basic fairness of the system, they may attempt to frustrate it, leading to increased legal argument, delay, cost and anxiety for victims.

There is a risk that if people are treated as though they are criminals, they have little to lose by becoming criminals.

The converse, though, is equally significant. In a recent article on the denial of human rights to alleged Al Qaeda and Taliban suspects held by the USA in Guantanamo Bay, Cuba, David Aaronovitch argued that, in certain cases, the strict observance of human rights could enhance – rather than reverse, as some politicians have suggested – the reputation of the system. "Journalist Michael Stephens recently pointed out, with regard to Guantanamo Bay, how some IRA men had been weaned from violence by their experience of justice."²

² "One law for the West", *The Observer* (30 November 2003)

In the present political climate, there is a diminishing focus on the underlying principles of a fair trial, the presumption of innocence and the requirement of the state to prove its case beyond reasonable doubt. The rhetoric is of cowboy lawyers, jury-nobbling defendants and the benefits of judge-only trials, dispensing with juries altogether in complex cases deemed too difficult for them to follow. The Criminal Justice Bill was one embodiment of this approach.

Role of legal education

While the government acknowledges that legal advice and education have a role to play in fighting social exclusion, it has to be said that the case is rarely argued prominently. It is argued more passionately – and convincingly – by the advice and legal sectors, which have day-to-day experience of seeing early intervention prevent a crisis from becoming critical. Action taken to prevent homelessness, for example, can avert a slide into poverty, family break-up, criminal activity or loss of employment.

Unfortunately, there has been little use of regeneration budgets for advice or legal education, and the Legal Services Commission, which manages public funding of legal services, does not have the resources for this.

Looking first at those who have not entered the judicial system, there are a number of projects that – if funding were available – could make a difference, particularly in helping to prevent vulnerable young people from becoming drawn into a downward spiral of offending.

One example is the Streetwise Community Law Centre for young people (aged 13-25) in Bromley, south London. The centre's experience suggests that many young people need legal advice but often fail to gain access to it from mainstream advisers, thus exacerbating their social exclusion. Two of the many reasons for this failure include a low level of awareness of their rights and the need for a service that suits their particular needs (for example, a holistic approach, which can deal with emotional as well as legal issues).³

The government has made a commitment to promote awareness of the values, rights and duties of citizenship. In August 2002, citizenship became a compulsory national curriculum subject in secondary schools. It is seen as a way to give pupils the knowledge, skills and understanding to play an effective role in society, and teaching should include

³ Streetwise Community Law Centre report (2003)

information about the legal and human rights responsibilities underpinning society. This, in turn, could lead to a greater social awareness and commitment to community values.

Clearly, much depends on the resources individual schools give to legal issues. No minimum classroom time is imposed and little additional funding provided. In practice, it is up to the individual school whether any time is spent on the legal aspects of this subject and, if so, what is covered.

The Citizenship Foundation has developed resources that are used not only in schools, but also within young-offender programmes. Its Smart Thinking programme is designed to develop young offenders' awareness of themselves and others:

Research shows that the thinking and attitudes associated with much offending and antisocial behaviour by young people are relatively immature. The ability to appreciate the consequences of such behaviour and the effects on themselves and others including victims is often lacking. This in turn means that the behaviour is likely to be repeated, and not affected by punishment.⁴

Rather than confronting offenders with their own behaviour, which can trigger a defensive reaction, the project focuses on characters in scenarios to develop a more mature way of reasoning and thinking empathetically.

A human rights culture?

In looking at the various government initiatives to try to change people's behaviour and deter criminal activity, it is worth considering whether the Human Rights Act 1998 has led to a change in attitudes.

When the European Convention on Human Rights was brought into UK law by this act, there was an expectation that it would lead to a new "rights-based" culture that would permeate everything that public authorities did and, in turn, affect people's attitudes more widely. People would gain not only a better understanding of their own rights but also an appreciation that others have rights too, and that rights should be balanced with responsibilities.

⁴ Citizenship Foundation *Work in the Community: Young Offenders Project*

Three years after the act's implementation, Lord Justice Sedley, at a recent lecture, asked the question: "The rocks or the open sea: where is the Human Rights Act heading?"⁵ He concluded: "For my part, I don't propose to answer my own question, perhaps because it's too stark. The nearest I'll come to it is to say that we've left port and the weather's uncertain, but we're still afloat."

The September 2003 Audit Commission report, *Human Rights: Improving Public Service Delivery*, concurs with this view that public authorities have not yet adapted to the provisions of the act in the way intended. It stated: "Our review revealed that 58% of public bodies surveyed had no clear corporate approach – this demonstrated no improvement on last year's findings. Most local authorities continued to review policies and practices on a piecemeal basis and to respond to case law."

The commission's verdict was that the act could fail to achieve its objectives and that the vision of a cultural change has not become reality. No human rights commission was set up when the act was implemented and it now appears likely that the Commission for Equality & Human Rights will not come into effect for another three years.

To try to change people's attitudes is an ambitious project and, as any management theorist will admit, it is extremely difficult to do even within one organisation, let alone for a whole group of people who are already alienated from society. Not surprisingly, more resources have been put into structural ways of dealing with the offenders rather than grapple with the complex causes of offending.

Community engagement

Community accountability is at present a popular theme and community involvement is viewed as another way to unite people locally around shared values. One example is the recent suggestion to make policing more accountable by electing local sheriffs. The advantage may be to make policing priorities more relevant to the community; the disadvantage is that they could be populist, prejudiced or racially discriminatory, depending on local community values. Local communities are not necessarily tolerant towards unpopular and socially excluded groups, as bonfire night in Firlie showed.

With regard to proposals to reduce repeat offending by those who have already been drawn into the judicial process, the home secretary recently announced the setting up of

⁵ Legal Action Group annual lecture (3 November 2003)

a pilot project in Liverpool, based on a community justice project in Red Hook, New York. He clearly hopes this will prove to be a way of deterring minor offenders from developing into long-term criminals. The project is in its earliest stages, with no location for a community court yet established.

In the US model, the prosecutor and the judge take advice from local community leaders on the local low-level crime priorities and discuss ways of dealing with them through the justice system, for example, by requiring young offenders to remove their graffiti from nearby buildings. As an extension of the zero tolerance approach, low-level crimes, which may otherwise escape a judicial approach, are all dealt with through prosecution.

At Red Hook, the court is housed within the community, sharing premises with drug treatment and other support programmes for offenders. Each offender is given follow-up support so that none slip through the net of court and related services, and penalties are backed up with practical help. The outcome of the Red Hook project suggests there has been a major reduction in street crime and antisocial behaviour.

In Liverpool, the pilot scheme is a joint project between the Home Office, the Department for Constitutional Affairs and the Crown Prosecution Service. The Home Office describes it as a "one-stop crime-busting centre, dispensing justice to perpetrators of low-level crime and disorder as well as antisocial behaviour".

The court will be linked with services offering drug treatment, restorative justice and debt counselling, ideally in the same location. In the words of the home secretary: "It will combine punishment and help by providing services such as drug treatment, family and parenting support and education and training." A further aim is to increase community participation and confidence in criminal justice.

If such a system is shown to cut repeat offending, then it will be seen as a success – and in the process, the hope is that the offender recognises his or her place in and responsibility towards the local community.

However, it does raise issues that fit uneasily within the existing system. In the UK, many minor offences bypass the judicial process, and the principle of proportionality rather than zero tolerance has applied. To change this would lead to the criminalisation of more people, with the inevitable stigma that can simply increase the likelihood of social exclusion.

For the UK, this is a huge step change in community justice. The resources, structures and systems needed to set up the project indicate the high hopes resting on the experiment – initial costs are estimated at £3 million to develop the community justice centre.

But, even if the initial scheme is successful, it must be asked whether resources would be available to roll out such an ambitious project nationally. And again, by investing in such intensive attention to offenders, fewer resources are available for preventative measures through education and greater awareness of social responsibility before any crime is committed.

Restorative justice

The Youth Justice & Criminal Evidence Act 1999 set out to encourage young people to see the consequences of their actions by involving the victim or the wider community in a process of restorative justice. This move has now been taken further through the government's strategy on restorative justice, set out in its recent consultation paper.⁶

The aim is to expand the opportunities for victims to tell offenders how they have been affected by crime and to encourage offenders to take responsibility for their actions. Offenders can then be given an opportunity to make amends either directly to the victims or to the wider community.

The strategy commits the government to building in restorative approaches at all stages of the criminal justice process. While welcomed by a number of organisations, including the National Association for the Care and Resettlement of Offenders, it has been suggested by the Victims of Crime Trust that restorative approaches would allow the criminals to "play the system" to avoid punishment.

Participation of victims in restorative justice schemes has been patchy and research has suggested mixed results from the experience. The government's strategy document refers to studies reporting 75% of those participating as "being glad to have taken part", while suggesting that significant numbers do not participate in the process. However, it also refers to one study that found that only about a third of victims felt the offender had really made amends for his or her offence.

⁶ *Restorative Justice: The Government's Strategy*

The effect on reoffending rates is not clear-cut and the results are mixed, with some studies finding a 25% drop in reoffending and one that found no difference. While there is a great interest in the idea of restorative justice, there is no firm conclusion yet as to how it can work in the best interests of both parties.

Conclusion

So, what do all these initiatives add up to in terms of a relationship between crime and social exclusion? For many criminal offenders, the picture is very bleak. Of so-called "persistent offenders", there is a common profile:⁷

- more than a third were in care as children;
- half have no qualifications at all;
- nearly half have been excluded from school;
- three-quarters have no work or little legal income;
- well over two-thirds of people in prison suffer from a mental illness.

It is difficult to see how anything other than intensive support on an individual basis can do much to turn this situation around. The current prison regime is not well placed to provide such support and there is no indication that this will change any time soon.

These are, however, the most extreme cases of social exclusion within the criminal justice system and it is only a small minority of those committing some criminal behaviour that end up with a criminal conviction, let alone a prison sentence. It is therefore not surprising that the government is looking at ways to deter people from starting down this path. But, however well intentioned and well resourced some of the initiatives are, other steps that are "tough on the causes of crime" are not being strongly pursued.

Much crime is linked to alcohol and drug abuse. Indeed, the prime minister commented on 29 November 2003: "The biggest issue is dealing with 'bulk crime', car crime, burglaries and street crime. You cannot tackle these issues without tackling the issue of drug abuse."⁸

While this is widely recognised, there is little sign that education has had a positive effect on this aspect of British culture. Increasingly, there is concern at the amount of underage drinking, binge drinking, drink spiking and drug taking by young people. But anyone with teenage children will know how easy it is for them to buy drink – and drugs – in public places,

⁷ *Criminal Justice: The Way Ahead* (February 2001)

⁸ *The Guardian* (29 November 2003)

pubs and clubs, let alone elsewhere. Simply enforcing licensing laws and discouraging the alcohol industry from its happy-hour offers could make a big difference.

Sadly, we seem to be moving in the opposite direction, of ever more leniency towards longer licensing hours and public drunkenness. If education and community involvement have roles to play in cutting criminal behaviour and social exclusion, this is one area to which the government should look again.

Recent research carried out by the Open University and funded by the Esmee Fairbairn Foundation⁹ showed that most of the participants surveyed regarded the criminal justice system with contempt and cynicism, believing it to be "soft on crime". Television viewers tended to agree that community sentencing – such as cleaning graffiti – was portrayed as "soft" and "a joke", but statements made in focus group discussions were often contradictory and ambivalent when referring to specific cases.

The research suggests that group discussions enabled the participants to work through some of these contradictions and change position, although entrenched punitive attitudes are resistant to change. It concludes that "more meaningful knowledge of alternatives to imprisonment is essential if community sentencing is to gain legitimacy".

So, if television soaps and drama programmes are an important source of people's knowledge of the criminal justice system, it may be that what is shown on *Eastenders* will have more popular impact than any government initiative.

In the end, though, any strategy on crime, communities and rights must aim to create a balance between needs and pressures – something that any society is unlikely ever to reconcile perfectly. Society and communities seek a life of order and the absence of threat or fear. Yet order is not sustainable without systems and principles of justice, law and individual rights, which, together, give the maximum number of individual citizens a stake in a life based on order and liberty.

Social inclusion, in other words, cannot thrive without stakeholders. But stakeholders cannot thrive without rights. And rights cannot thrive unless they can be exercised, even if this sometimes seems to subvert the otherwise desirable imperatives of order.

⁹ *Rethinking Crime & Punishment: Media and the Shaping of Public Knowledge & Attitudes Towards Crime & Punishment* (June 2003)

Chapter 6

Improving access to justice – the compensation culture and personal responsibility

By Tabitha Taylor-Higginson, public affairs consultant with Norwich Union, and David Hooker, director of claims (public affairs) with Norwich Union

Access to Justice – a step forward

Prior to Access to Justice as both a focused objective and new law, there was inequality in the legal system. On one side were the affluent, who could afford to pay for their legal rights, and on the other were the less well off, who were given free legal aid by the government. And then there were the people in the middle, who fell through a massive hole in the system that saw millions without the resources to pay the legal costs of a trial but who did not qualify for legal aid.

If someone was wronged and believed the courts to be their salvation, they may well have been disappointed, because their means would probably not have matched their want or need for justice. Access to Justice was born as a mission statement and made manifest in the Access to Justice Act. Its premise was to be a positive step towards a fairer, more democratic society and offer everyone the right to justice. It sought to counter key factors that had previously dogged the legal system and set to rights the bias of legal aid.

It also sought to cut the legal aid bill of approximately £60 million paid from the public purse and transfer it to the private sector. This has happened, although costs have escalated by as much as tenfold.

Everyone would have access to legal advice and representation at a reasonable cost to themselves and it would create a level playing field that would allow everyone the same resources as the next person, regardless of status and wealth.

The new system would still offer public funding to those on lower incomes, while others who were ineligible could enter the process through the conditional fee agreement. Part of the Access to Justice Act, the conditional fee agreement allows solicitors to set their own success fees and hourly rates and in turn to sign up to a no-win, no-fee bond with the claimant. So long as the claimant had a reasonable chance of success, a solicitor would take the case on the basis that if successful, they would be able to claim their fees from the losing side, but if they lost, their client would not be liable to pay them. How could it fail?

The effects of empowerment

As an insurance company, the culture of suing and compensation is naturally of high interest and importance to Norwich Union. As Access to Justice filtered through society, we were able to assess its merits and influence in relation to our industry. Access to Justice empowers us all and offers an even-handed approach to the rights of the individual.

However, it also opens the door to the opportunist who is willing to take advantage of our newly increased control.

Previously, money had played a crucial part in the ability of an individual to seek justice. With this restraint removed, an open market was created. When the government offers access to justice for everyone, it must – and does – mean everyone. In offering the opportunity of additional power, the government must face the onslaught of personal gain. And when parity is offered across any collective, group or society, one will often encounter a "take" mentality from a proportion who are more than willing to exercise their rights excessively to the detriment of others.

Access to Justice certainly allows if not encourages the public to seek justice for anything and everything through the legal process. Why would you not claim compensation for whiplash or minor injuries that previously would have been settled out of court, when the financial risk now is so low? As a concept, Access to Justice was not intended for this, surely? Could it be possible we are exercising our rights too much, using the legal process in disputes that do not merit legal intervention, and at substantial cost?

In most cases, solicitors on a no-win, no-fee basis are unlikely to turn away cases they think they can win and, equally, are unlikely to take on cases with little or no merit. However, by the same token, those with cases that are more complex may find themselves rejected by solicitors unwilling to commit to work on an intricate case when they can take on straightforward cases at the same cost. It is ironic that, in some circumstances, the more difficult cases that would certainly benefit from legal input and research are actually declined in favour of easy-win options that previously could have been settled without solicitors. It is reasonable to assume that most cases undertaken hold little risk for either the solicitor or the claimant.

An extra, critical support measure was the introduction of after-the-event insurance, where claimants can insure themselves against losing, leaving the insurer with the task of covering the opposition costs in the face of defeat. However, after-the-event policies can be expensive and, given that the probability of winning a case must be high for it to be accepted, they are in some ways redundant.

In fact, after-the-event insurance premiums are yet another additional cost that the losing side must pay. With no pecuniary risk involved, there is little incentive for claimants either to settle the dispute themselves or to be in any way cautious about the costs of a

legal proceeding. In every eventuality, they are covered. Why should they care how much the lawyers want to charge for winning or as an hourly rate? They will never have to see those bills.

Although there is no doubt that increased access to rights has been achieved, what of the loss of responsibility that has come with it? There are few occasions now when people do not feel that someone is to blame for a mishap and that a court action is the way forward.

A case in point

In April 2000, the *Callery vs Gray* case provided a perfect example of how Access to Justice provides a platform for needless legal involvement in claims settlement. The case also highlighted the scope for abuse from both the very people it sought to protect and the legal industry it had undoubtedly boosted.

Following a motor accident in which Mr Gray hit a car that Mr Callery was travelling in, a claim followed and Mr Callery was awarded, without court proceedings, £1,500. Liability was never contested, either by Mr Gray or by the insurance company, and £1,500 compensation was always a likely outcome for the sort of injury Mr Callery suffered.

The interesting fact of this case comes from the aftermath. The insurance company on Mr Gray's side ended up having to pay out more than £4,700. The additional money was to pay lawyers, in the form of success fees, hourly work rates and, indeed, the after-the-event insurance policy taken out. (This was totally uncalled for, given that liability had been admitted, making success a given.) With the new ease of involving lawyers, Mr Callery had instructed a lawyer – despite all his claims being heeded by the opposing side. The case never reached court, as there was little to contest; yet, the fees reflected a much more hard-fought battle.

To redress this, the insurance company decided to pursue the lawyers themselves through the courts, asking them to justify fully their costs. The outcome from the subsequent court case saw the lawyers' fees drop to under £2,000, less than half the original amount. A point had been proved.

Compensation and the insurance industry

Insurance companies settle most cases where liability is clear, and lawyers are neither required nor their use enforced. However, the costs in *Callery vs Gray* exceeded the amount paid in compensation to the victim for irrelevant work by the lawyers. The fees

were disproportionate to the amount of work done and the success payout was wholly unjustified. Where insurance companies are paying out well above the odds on thousands of cases similar to this, they too need to recover their costs from somewhere. The only way to do this is through premiums paid by consumers. The process has become a vicious cycle where consumers are taking with one hand while having to give back with another.

Aware of the debate brewing as to whether a compensation culture was developing and in trying to understand the driving force behind claiming, Norwich Union commissioned some research to identify the key factors. The results proved enlightening, showing we have moved from a collectivised, community focused society to one that is individualised and where everyone is out to get what they can. This manifests itself in a reluctance to take responsibility for our own actions and to accept that sometimes we ourselves are the only party involved.

When did it become the council's fault if we slip on a pavement? How can walking in a straight line, avoiding cracks in the pavement, now not be the responsibility of the individual? If there is a clear dereliction of duty by the local authorities that puts at risk the public at large then, of course, they should be held accountable. There should be a healthy tension between providing a safe environment and personal responsibility for one's own actions.

However, the introduction of Access to Justice means that spurious claims are now fodder for the legal fraternity, which has pushed them through the courts, opening the floodgates for hundreds of people to claim for the same incident. In the case of the infamous Accident Group, some staff members were allegedly telling customers to make up claims against a local authority because of a sure result. In one case, four members of the same family claimed for tripping over the same pavement crack: all were compensated.

Accident management company advertisements have flooded the media in the past few years, promoting the supposedly risk-free "no-win, no-fee" message. Respondents to our research indicated that this was a prime reason behind the growth of our compensation-obsessed society. Some even felt that claiming was an "automatic response" to a minor trip or fall and all were aware that one should never say "Sorry" or admit liability after an accident.

As with many cultural trends, the early adopters and opportunists recognise the prospect early on. Then, as word spreads, society takes a "Well, they are doing it, so why

shouldn't I?" approach. The fantastical cases reported in the media of sizeable payouts for what seem illegitimate claims are only reinforcing this message. Surely, this is not a measure of a righteous, civilised society?

A game of consequences

The Department for Constitutional Affairs, which takes responsibility for justice in the UK, describes its intention as:

- to provide effective and accessible justice for all;
- to ensure people's rights and responsibilities;
- to enhance democratic freedoms by modernising the law and the constitution.

The DfCA states:

In order to serve the public more effectively, we are driving forward improvements to the justice system, and modernising and safeguarding the constitution. We aim to empower citizens to obtain justice, safeguard their rights, and participate in a transparent and accountable democratic process.

In striving to "serve the public more effectively", the government underestimated the effect that Access to Justice would have on society. It has certainly ensured people's rights but, in terms of responsibilities, the public are shifting the responsibility and refusing to take moral and personal responsibility for their own mistakes.

An accident is defined as: "an unforeseen event, an event without apparent cause, anything that occurs by chance". So, if this is the case, then sometimes we must accept that blame is not a factor. Things can happen because they, well, just happen. There is no third party that should be liable for an unplanned event with no definable cause and, indeed, no action that could have been taken to stop it. The enhancement of democratic freedoms has served the suing public, but has done little to help the majority of individuals.

The DfCA wants to empower people to obtain justice – and so it should. There is no debate about the intentions of the Access to Justice Act that it introduced; its premise is that of equality and non-exclusivity across what can often be a hierarchical society. Nevertheless, good intentions are not necessarily the path to effective change. Although there is little doubt that some cases would unfairly never have reached court without this act, the scope for cases with no merit to reach court has also increased.

The ease of claiming compensation has seen this country's annual compensation bill reach £10 billion. This is bad news for insurers and certainly a sizeable sum for UK citizens to pay, but to whose benefit? The repercussions of this social cost filter through to the lives of consumers at the most poignant level. Council tax rises, insurance premiums increase and there is a distinct lack of funding in state services.

Compensation payments from schools have reached £200 million a year, a vast amount given the hundreds of schools fighting to provide the most basic of resources for their pupils. The NHS is facing high levels of claims, sidelining as much as £4.5 billion over the next five years to pay for future litigation (enough to build more than 15 hospitals). Remaining spend is apportioned to defensive medicine, restricting the progress of the NHS even further.

It is a bitter pill to swallow when our right to a fair legal process infringes our more basic rights to an education and a comprehensive healthcare service. Money is being redirected from its original purpose of saving lives and educating generations to pay for the administration of a convoluted compensation system. NHS litigation can often take months, if not years, to reach a conclusion, with the result that in legitimate cases the patient suffers while the lawyers get rich, at a cost to the public.

Engaging in a court case is now a matter of course in many instances, so, in order to avoid costs, many parties agree to settle out of court, even if they are not 100% happy with the resolution. How does this serve the public more effectively and fairly? And not only the individual suffers. Facing the constant fear of litigation has forced the business community to become less innovative. On the operational side, thousands of companies are facing the same rise in employer liability insurance premiums as consumers are with household and motor insurance.

With a rise in the number of claims against employers and in the amounts paid out, insurers increasingly have no choice but to raise these premiums, to cover not only the cost of claims but also the heightened risk that their business customers may be sued. Access to Justice seems to be far-reaching, perhaps more so than even the legislators realised.

Looking forward

Most people, judging from our research, agree that a future in which the compensation culture was rife would have a distinctly negative effect on both themselves as individuals and the community in which they live. This bleak view has barely affected respondents'

decisions to make compensation claims, and most felt justified and willing to do so in the future. If this really is the prevailing attitude, then what can we do to reassess our attitudes to the benefit of UK society?

The obvious change is to decrease perceived benefits and to increase perceived costs. We need to remind people what community focus really means and how their actions can affect their neighbours, their friends and even their families. In order to prevent development of a culture of blame and gain, we as individuals must realise that every action has a consequence. Along with the potential repercussions for the UK as a whole, in terms of council tax rises and underfunded public services, there are other factors related to seeking compensation that are not well publicised:

- the time – some cases can take months to reach a conclusion;
- the payout – payouts for spurious accidents do not always match the sensational figures read about in newspapers and consumers may end up with a few hundred pounds, although the lawyers, of course, may get considerably more;
- the illegitimacy of the accident management groups – these are often not acting in their customers' best interests and make promises they cannot deliver.

In addition to changing the public's perception, we have a responsibility to look at prevention as well as cure. For some claimants, seeking compensation from their employer has come as a last resort. The reason for claiming actually manifests itself out of a need for revenge rather than for monetary gain. Our research concluded that, in some cases, early intervention after an accident or incident and starting communication as soon as possible can stop a case from ever reaching court. Even an apology and a show of genuine concern can be more welcome than a cheque. The word "sorry" is simply a term of regret and is not necessarily an admission of fault.

It seems we have backed ourselves into a corner where the fear of litigation forces us to accept no responsibility and to admit no liability, making employers seem cold and unfeeling to the needs of the employee. Being a good employer should mean workplace safety, health screening, active absence management and return-to-work programmes that ensure employees feel well looked after, thus less likely to lash out at their employer.

The government, also, must play its part and look to make the link between the "cash-strapped councils" and "struggling NHS" and the fear of the perceived blame-and-gain culture. It must try to reinstate our ability to take responsibility and fine-tune the system

to focus on the genuine victims and their needs. Its priority must be to encourage legal reform that concentrates on swifter conclusions, fairer payouts and introduces a non-monetary philosophy of providing rehabilitation, recovery and aiding the return to a normal family/working life, in place of excessive cash compensation.

Naturally, changing public perception is necessary. However, progression must also come from within. A potential model that strips the settlement process to its bare bones could hold the key to a more streamlined, fairer system for the future. Emanating from the modifications the insurance industry would want, the model offers an alternative to using lawyers by allowing insurance companies to settle claims among themselves with the input of independent experts.

This, however, requires the public to have an implicit trust in the insurance industry, something that has certainly waned over the years. Those relationships need to be strengthened and insurance companies should treat genuine cases with care and interest and offer the individual a holistic approach to claiming, including rehabilitation through a range of paid-for health services.

Although there is still debate as to whether the actual number of claims is growing, it is clear that the cost of settling has certainly increased. The proposed model also sets out rigid timelines to which all cases must adhere and tries to cut through the red tape, duplication and administration, so bringing these costs down. The more layers that are added, the more convoluted the process becomes. The model suggests direct communication with the claimant: What do they need? How would they like to be treated? Is an up-front payment required to get their recovery moving?

Returning to the topic of early intervention, mediation can be set up immediately to iron out any underlying issues before the process goes further. Communication is another key issue; packs should be produced that take the claimant through exactly how the process will work, suggest the length of time they should expect to wait and include a guide to understanding their rights. On receipt of an offer, the claimant may choose to accept or, at that point, choose to consult a solicitor for an independent judgment, which will be at a fixed fee. Lawyers' fees would be fixed for certain types of small claims because much of their work follows the same process each time. In cases where there is no issue of liability, especially, fees should be fixed or capped to ensure a fair deal for all parties.

In conclusion

There is no one person or organisation that is to blame for what has arisen in our society; that is, this willingness to claim that we see today. The Access to Justice Act was a logical step forward. Its introduction assumes that it will be used appropriately – but is this the case? Can we be sure there is a responsible use of rights across the UK community and that we all have the same common goals? Conflict and courts seem now to be the natural home for unresolved disputes, but there are certainly alternatives to that.

Communication is an essential element – between businesses and employers, between government and the public and between individuals. A joined-up approach is required across the board, starting with the government. It gives the NHS a target for free beds, which means patients are released early, but this, in turn, forces the Department for Work & Pensions to pay out more in benefits as these people return home. It is solving one problem but creating another; one target is reached while another is missed. If, as individuals, we accept the need to focus on the bigger picture, then we must also expect the same of our civil leaders.

UK society must relearn how to take responsibility for individual actions and concentrate on the surrounding community. The benchmarks of a successful economy – and, in fact, of a successful civilised society – are epitomised by a communal spirit and industrial enterprise that serve both business and the local community and provide social inclusion, through which we all strive for a common good.

The effect of the growing culture of blame can only bring a fragmented and individualistic approach to life. This attitude will serve to destroy "community" and will see some members of society excluded while others profit, creating blinkered citizens focusing purely on personal fulfilment with no regard to how they are affecting other people's lives. Who wants to live in a country like that?

Chapter 7

Social inclusion – the key to cutting youth crime and antisocial behaviour

By Sir Charles Pollard, acting chair of the Youth Justice Board

A quick look at the British Crime Survey will confirm what we all instinctively know. There is a strong correlation between where crime is most prevalent and communities that experience high levels of social exclusion, poverty and unemployment.

Indeed, when people are asked: "Do you like the neighbourhood in which you live? Do people help each other?" the result will correspond neatly with the level of crime. Where people are happy in their environment and help each other, crime levels are low; the opposite is the case for high crime areas, where, in the main, people experience greater alienation from their environment.

In order to reduce crime levels, a certain investment needs to be made in communities. This investment may be either material or human but it must be directed at increasing social inclusion and neighbourly feeling in order to have an impact on crime.

We know that there are high levels of fear concerning the behaviour of young people, and we recognise the effect of this behaviour on the impression that communities have of the lawlessness, or otherwise, of their neighbourhoods. Much of the government's push against antisocial behaviour seeks to address this fear, and the establishment of a target to improve public confidence in the criminal justice system is further evidence of the importance of this issue to our society.

We know that reducing crime overall – an objective that is being achieved – is not enough to allay people's concerns about their safety. We must also improve people's perceptions of their own safety and tackle the underlying behaviour that leads people to feel fearful in their own communities.

We also know that there is a cyclical pattern at work. Where people are fearful of their communities, they tend to participate in them less. This, in turn, leads to greater control of neighbourhoods by criminal and antisocial elements, which leads to greater levels of fear. So, how do we break this pattern?

Understanding the problem

Although there may be an impression of widespread antisocial behaviour in any given area, usually only a small number of individuals or families account for most of the trouble. It is important that we recognise this fact and that we act accordingly.

We must do our utmost to ensure that problems do not escalate to such a level that a

young person becomes caught up in the cycle of crime and antisocial behaviour. In dealing with young people who offend or are at risk of offending, we take the view that the early signs must be noticed to prevent these children from drifting out to the margins of society and into a life of crime.

Early intervention gives young people the best chance of leading a crime-free life. Rather than their problems being exacerbated by neglect, the difficulties that lie behind their troublesome behaviour – such as family problems, substance misuse or poor educational attainment – can be identified and addressed.

This involves a partnership of agencies working together to pool knowledge and information and having a will to act in concert to do so. However, many find this approach distasteful, believing that it unfairly labels young people who have not actually broken any laws. Our view is that these individuals are already labelled – simply ask those who live in their communities who they deem to be the most troublesome young people. Investing support in these youngsters before their behaviour deteriorates is vital.

Over the past five years, the Youth Justice Board has been leading work on embedding crime prevention into high crime areas, and nipping antisocial behaviour in the bud before it becomes criminal. There are a range of prevention programmes that combine a targeted and a general approach. These are outlined below.

Youth inclusion and support panels

One model that the Youth Justice Board is piloting to carry out early intervention work is the youth inclusion and support panel. These panels target support at eight- to 13-year-olds who are at risk of offending, in order to prevent them from committing any crime. These panels evolved as a result of experiences in Nottingham, where crime prevention work developed into early identification and intervention with children who the youth offending team believed would soon be their customers.

The panels are made up of members of the local community and representatives from a range of agencies. Together, the local agencies identify young people who are behaving in ways that put them at risk of offending – be it drug abuse, mental health problems, family difficulties or antisocial behaviour – and refer them to the panel. The panel considers the case and recommends a programme of support for the young person and their family from mainstream services, and provides key workers to offer dedicated help to those who need it most.

Through the programme, young people gain opportunities, which they may not have had before their referral, to participate in activities such as sport, music and youth clubs. In this way, youth inclusion and support panels open up a new range of activities for young people, meaning that they are much less likely to get into trouble. There are now 92 such panels in 82 local authority areas in the country.

Youth inclusion programmes

Youth inclusion programmes run in 70 of the most deprived areas in England and Wales. They are designed to target the young people deemed to be most at risk of crime or antisocial behaviour. The 50 most "at risk" 13- to 16-year-olds in an area are identified and then steps are taken to make contact with them and to engage them in constructive activities.

The identification process is carried out collectively by agencies working in the area, including the police, social services, schools, the youth service and other voluntary bodies. The young person is looked at in the context of all factors associated with the risk of offending, so that they can receive the support they need. Participation in the programmes is voluntary.

The programmes aim to tap into a young person's interests. They provide learning opportunities, ranging from subjects such as arts, culture and media, to health and drugs education, to motor programmes. Once young people become involved in such activities and find enjoyment from learning and participating with others, workers help them with their own problems, providing educational support, drug and alcohol abuse classes and advice on relationships and behaviour.

Youth inclusion programmes extend beyond the 50 targeted young people in each neighbourhood. The programme, usually located at the heart of the housing estate, is a general community resource. Being seen as a resource for the whole community is important, but it is the reluctance of young people to travel any distance from their familiar neighbourhood that makes location a prime consideration.

At the centre of the community, the youth inclusion programme provides an opportunity for all youngsters living locally to develop new interests and skills. By engaging in one of these programmes and starting to realise their potential - which many participants have never properly recognised - the young people involved are less likely to hang around on the street with nothing to do and, therefore, less likely to become involved in antisocial

behaviour or crime. They will learn life skills, such as how to manage emotions, deal with friends who offend, and avoid sexual health problems.

This unglamorous work is the cement that can hold communities together. Diverting young people from criminality goes hand in hand with constructing a better way of life for them - one that involves being part of a community and feeling a sense of responsibility for that community.

The importance of this aspect of crime prevention work is critical to building communities that people feel safe in, a part of and, therefore, a responsibility for. At a local level, most youth inclusion programmes place a heavy emphasis on recording information on their activities and on the young people involved, so that the community is aware of the valuable work they carry out to turn young people's lives around and improve the area in which they live.

Restorative justice

One of the most successful approaches we have taken in the youth justice system is to help those who have offended to understand fully the effect of their offence on others, and to allow them to put right some of the damage and distress they have caused to the victim, whether this be an individual or the community. Restorative justice is one of the most effective ways of doing this. The board has encouraged youth offending teams to place restorative justice at the heart of their work with young offenders.

Dealing with offending behaviour can be difficult, but there is a general formula that should be followed. If you do things to people, they feel resentful and are unlikely to learn from their mistakes; if you just do things *for* them, they remain without a sense of responsibility and do not understand that they have made any mistakes. But if you do things *with* them, they gain both a sense of personal responsibility and are provided with the tools to learn from their mistakes.

Restorative justice works *with* the offender and the victim. As well as bringing about a greater sense of responsibility on the part of the young offender through holding them personally accountable for what they have done, it can also empower the victim.

Recognising the importance of this approach, a number of schools are using restorative justice as a way to resolve conflict. The process enables people from a very young age to understand and take responsibility for their actions. But restorative justice in schools is

not only about resolving conflict; it is also about promoting a more caring and accepting ethos in schools.

Such work can substantially reduce school exclusions and truancy, particularly given that it is not only disaffected children who fail to attend school regularly, but also those who are being bullied. Making schools more pleasant places to be is an essential part of reducing crime and antisocial behaviour.

In addition, restorative justice is used beyond the school gates, in the community to reduce conflict and settle disputes, some of which may have been going on for many years. Our innovative approaches have worked well: when, in the Thames Valley, we trained former riot squad officers in restorative justice techniques, they were able to take a different perspective and to act to initiate calm and respect in some of the most difficult neighbourhoods. Overall, restorative justice can give back to the people who live in the community a stake in what they want to see happen – it can bring about understanding, and it can reduce fear.

Safer schools partnerships

Schools are a central resource and opportunity for building community feeling. In the Thames Valley police area, we recognised the importance of this some time ago and piloted the idea of dedicated school community beat officers. An officer is stationed in a school and regards that school, its population and the surrounding area as his or her beat area. There are now 100 such schemes, known as safer schools partnerships, running in schools throughout England and Wales.

This police presence in schools aims to tackle truancy, bullying and exclusion; to challenge any unacceptable behaviour by young people and teach them respect for their communities and fellow pupils; to reduce the prevalence of crime and victimisation among young people in and around the school grounds; and to provide a safe and secure school environment.

As children not involved in mainstream schooling are much more likely to commit crime, the police presence is making significant inroads into improving community safety. In addition, by working with young people of school age, the police officer is able to tackle at a very early stage behaviour that could lead to offending.

Creating a feeling of security and calm in a school environment brings added bonuses

for the criminal justice system as a whole. More importantly, a familiar face in the area builds trust, not only between young people and the police officer, but also from parents and other members of the community. Police in schools receive information not only from pupils on disputes within schools, but also from other members of the community about problems in their area, such as neighbourhood disputes and drug dealing, which the police can then address.

Many police officers in schools work outside school hours to give young people the chance to take part in positive, interesting activities that will keep them off the streets and away from trouble. For young people, having a place to congregate can be important, and supervised activities outside school hours can have a beneficial effect on the atmosphere of a neighbourhood.

There are those who feel threatened by this approach, perceiving it as heavy-handed security and believing that the police presence criminalises children and gives the message that schools are unsafe places to be. However, the experience of those who have been involved is exactly the opposite. A police presence can make schools a place to which young people *want* to go, rather than one to which they *have* to go.

Support for parents

Dealing with young offenders goes beyond working with young people alone. The Youth Justice Board recognises that families also need support. Indeed, different styles of parenting have been shown either to protect young people from being involved in offending or to increase the likelihood that they will offend. The Youth Justice Board has pioneered the use of parenting orders and classes, which provide support and advice to parents of children who are going off the rails.

Despite the so-called stigma attached to court order parental help, the satisfaction rates of parents who have attended a course is extremely high – about 90% across the board. Undoubtedly, this is down to the programmes that focus on managing the behaviour of young people – through setting limits, establishing rules, and learning to negotiate and to improve communication skills. By learning this, parents are given the confidence to “manage” their children better. In attending the programmes, parents are given the opportunity to meet others experiencing similar difficulties.

Encouragingly, the children of the parents who attended the classes run between spring 1999 and the end of 2001 have experienced a significant drop in the level of their

children's offending behaviour. They have also reported improved communication with their child; better relationships, including more praise and approval of their child, and less criticism and loss of temper; and improved supervision and monitoring of activities. Such findings show how parents can take an active role in combating crime and antisocial behaviour.

A joined-up approach

The programmes described show how agencies are working together to tackle youth offending. The "joined up" approach is at the centre of the newly reformed youth justice system. Our youth offending teams bring together relevant professionals – the police, social services, health, education, probation and, sometimes, housing or leisure services – into a one-stop shop.

This is a welcome change from the previously haphazard approach taken in dealing with young offenders, when many different agencies, despite their interest in and responsibility for young people, did not talk to each other or share information. Consequently, little coherent strategy could be put into place.

This model of public service delivery is, we believe, a good answer to the problem of improving communities. It is a simple concept that can ensure the delivery of individually tailored programmes for young people, and carries *all* the elements relevant to preventing further offending.

Involving the wider community

While ensuring the involvement of young people in our interventions so that they are better able to help themselves in the future, it is also essential that we involve communities in crime prevention work and the youth justice system. There is no sustainable good to be won from doing things to a community; the answer is to do things *with* the community.

One way in which the youth justice system has broadened out its work – to involve the community that has been affected by the antisocial behaviour of young people – is through providing structured opportunities for real involvement through volunteering. The referral order, established in 2001, relies on a contract drawn up between a first-time young offender who has admitted guilt to the court and a specially trained youth offender panel. The panel is made up of two volunteer representatives from the community, and a member from a youth offending team.

The aim of these panels is to be representative of the young person's neighbourhood, and some 5,000 community volunteers have already come forward to participate, 40% of whom had never volunteered before. Panel meetings are less formal than a court appearance – taking place in a neutral environment, such as a local community centre. Dealing with the young person in the community means that those in the neighbourhood are aware of the reparation that is being made, and keeps the young person in his or her community.

Conclusion

The programmes we run through youth offending teams and other local organisations show that the problems of children who are at risk of engaging in, or who already engage in, crime and antisocial behaviour are complex. However, the answers need not be. Identifying these problems early on and delivering a package to tackle *all* of these difficulties is the most effective way to channel the energies of young people into positive activities, to prove to the community that such interventions are working, and to make neighbourhoods more pleasant to live in. In this way, we will not only cut crime but also reduce the fear of crime and of young people that often haunts our neighbourhoods.

Chapter 8

Changing a city from within – how faith can foster a sense of community

By Andy Hawthorne, director of the Message Trust

The Message Trust, founded on an ethos of Christian care in action, has been working with young people in some of the most challenging areas of Greater Manchester for 12 years. The region is home to 500,000 young people under the age of 18. Many are brought up in inner-city areas that have a history of poor housing, family breakdown, drug and alcohol abuse, high crime and a whole raft of other social issues.

The interdenominational nature of the charity means, in practice, working with more than 500 local partner churches across the Greater Manchester region. A century ago, these churches stood right at the heart of each community – perhaps, today, people are more likely to buy a house because of its proximity to a supermarket than to a church. The Message Trust is a uniquely placed network that, at its best, has huge potential to benefit the community.

The trust's particular focus is the young people who live in Manchester's most deprived areas. It has been influential in mobilising these local churches to work long term in these tough areas. Seeing churches grow, crime reduced, communities transformed and individuals turned around has been a key outcome of its work.

Over the past few years, the trust has developed several imaginative and creative projects designed to help reverse the decline in Manchester's most deprived neighbourhoods. These include large-scale community clear-ups, EDEN projects, LifeCentres and high-profile work in schools.

Large-scale community clear-ups

In partnership with Greater Manchester police, its Make a Difference board and the local authorities across the region, the Message Trust has been involved in three large-scale community clear-ups, all of which have resulted in dramatic crime reduction.

During Operation Valley, which took place in summer 2000, the Message Trust recruited 1,000 young Christians who embarked upon a 10-day complete tidy-up of the Swinton Valley Estate. (In the past, the estate was known locally as "the Bronx" and regarded as a crime hotspot to which taxi firms often refused to take people because of its intimidating atmosphere.) In all, 210 tonnes of rubbish were removed, dozens of gardens tidied up, a linear park with improved access was created and a dog-walking area completed. There was a tremendous community spirit during the event as residents pitched in with the young Christian people.

This project has served as a catalyst that has brought about real community transformation. On the back of Operation Valley, the Message Trust moved 12 youth and community workers onto the estate. During the 10 days of work, there were no recorded incidents of crime and, since then, there has been a sustained 43% reduction in crime. Once an area with dozens of boarded-up houses, it is now difficult to get a property on the estate and the whole area feels different.

In 2001, the same model was used again to make a difference in Salford, with Operation Weaste and Seedley. This time, 800 young Christian people cleared away more than 600 tonnes of rubbish and refurbished two local youth centres. As a result, a sustained 14% reduction in crime has been achieved, this time across a far larger area.

The most ambitious large-scale community clear-up happened in summer 2003, when the Message Trust was the key partner in an event called Festival: Manchester. It drew 5,000 young Christian people, working across the region. Some 2,000 worked on 130 police projects. Hundreds of gardens were overhauled, and a new football pitch and several nature trails were created. Community centres were refurbished and literally thousands of tonnes of rubbish were removed.

There was a feel-good factor right across the projects and hundreds of local residents, again, got involved with the work. Initial indications are that there has been a significant and sustained reduction in crime in the project areas and, in the coming 12 months, Greater Manchester police will be monitoring each project. We believe this will confirm the phenomenal impact of this new and creative model on the communities involved.

EDEN projects

The Message Trust has placed 24 full-time and 125 volunteer youth and community workers across nine of Manchester's most deprived communities (Wythenshawe, Salford, Swinton, Longsight, Openshaw, Oldham, Failsworth, Harpurhey and Hattersley). The workers commit to living long term in these areas, where they act as positive role models and become involved in many creative initiatives such as:

- Detached youth work – which enables EDEN workers to get alongside young people on the street, fostering trust and respect.
- Out-of-school sporting and recreational opportunities for young people – these promote a healthy lifestyle, teach social responsibility and are an effective means of crime diversion.

- Informal mentoring relationships – this is an effective way in which EDEN is reducing the risk and effect of social exclusion. Issues such as family breakdown, difficulties at school, substance abuse and stress are all addressed through informal mentoring.
- Integration with the church and community – EDEN workers are a bridge between young people and the church. The EDEN teams contribute to the youth and children's work of their partner church as well as introducing local young people to the church's life and activities.
- Small groups – there are dozens of small groups run by the EDEN team members in their own homes. Here, young people receive bible teaching and discipleship and relationships are strengthened. Depending on their individual needs, young people may be taught the principles of Christianity, given personal development opportunities or taught life skills.
- Work in schools – local schools are supported by the full-time EDEN teams in their commitment to the provision of religious education, personal, social and health education and citizenship lessons. EDEN workers conduct regular lessons, assemblies and lunchtime clubs in 21 schools across Greater Manchester.

These dedicated youth and community workers have learned that building relationships with young people is the key to seeing their often destructive and damaging lifestyles changed. By living on the estates alongside the young people and being involved at the heart of the community, they are in a unique position to build long-term positive relationships with literally thousands of inner-city teenagers.

This is real, rooted regeneration at its best and is leading to a reduction in crime and the growth of churches in inner-city Manchester. Also, interestingly, in each area, the price of housing stock has risen, sometimes by five or six times, as residents move in who look after their properties and boarded-up, graffiti-covered houses are filled.

LifeCentres

The first LifeCentre – which offers centre-based provision of facilities for young people – opened in Salford in 2000 and the Message Trust is, at present, looking into the development of new centres in Harpurhey, Hattersley and Swinton.

LifeCentres include a youth café, staffed by trained EDEN workers, with the aim of building up young people's confidence and skills. To do this, the staff organise DJ workshops, arts and crafts clubs, IT and homework clubs as well as training young people in key skills that could boost their future employment options.

There is also a programme of training, both in the centre and in partnership with the local schools, on debt and money management, sports and coaching, sexual health and self-worth.

Alongside the work of EDEN and LifeCentres, the Message Trust has two high-tech youth buses that travel to the various EDEN projects, offering young people the opportunity to attend a mobile LifeCentre.

High-profile work in schools

Working alongside the nine EDEN schools teams, who work week in and week out, the Message Trust employs two high-profile bands – The Tribe and Blush^{uk}. Both bands have recording contracts and perform regularly to thousands of teenagers – yet their focus and vision is to support the EDEN teams across inner-city Manchester by offering exciting and relevant personal, social and health education, religious education and citizenship material from a Christian perspective.

During a typical schools week, they will tailor material to the specific needs of each group of young people and offer assemblies, lunchtime clubs and concerts on subjects such as self-respect, prejudice, drugs and alcohol, and relationships. Through culturally relevant music, appropriate language and honest personal stories, The Tribe and Blush^{uk}'s interactive and dynamic presentations encourage young people to consider key issues and equip them to make positive life choices. Repeatedly, schools have reported a change in atmosphere and often behaviour of some of the more troublesome teenagers following a visit by these bands.

The Message Trust is aware that its programmes are just a small part of the good work that is happening in Manchester's inner city. However, it also recognises that it is in the unique position of being able to draw upon literally thousands of dedicated volunteers who, with faith as their engine, want to see these communities change for good and are prepared to pay a price in order to see this happen.

This model of rooted, committed and imaginative transformation with the churches, prayer and practical witness right at the heart of it is one that other towns and cities across the UK could follow.

It is easy to plan and budget for transformation, but unless committed individuals on the ground catch the vision and are prepared for the long haul, it will be merely good ideas

and large budgets.

Faith is the key motivator of the committed Message Trust workers. It is also the reason they stay involved and produce genuine long-term outcomes in the lives of real people.

Pen portraits

Through the investment by EDEN teams into the lives of young people in these deprived areas, we believe that long-term change will come about, one person at a time, as they combat apathy and hopelessness. Breaking cycles of need and neglect and seeing attitudes transformed is something that can be a slow process, so our workers make long-term commitments to be part of the lives of people. However, real lives are being changed and real communities transformed. People such as these: (Names have been changed.)

Scott's story (EDEN Swinton)

Scott was a typical Salford youth. He had grown up in a deprived part of Salford on a council estate, with very little money and an unstable family life. He spent his time hanging around the streets with other local youngsters, looking to cure boredom through causing trouble, drinking and experimenting with soft drugs. He saw no value in education and quickly grew tired of the tedious labour-intensive jobs given to him by the local job centre.

He inevitably fell into petty crime and, after an attempted armed robbery, ended up in prison for two years. With no hope and no future, Scott left prison and found a leaflet advertising his local church and an Alpha course the EDEN team was running. Through this course Scott became a Christian.

It was a huge struggle for Scott to leave behind his old ways and turn his back on the escape that alcohol had provided for him in the past. Bit by bit, with the support of the church and EDEN team, Scott's life was totally transformed. The change in his character was so dramatic that his mum, his mum's best friend and one of his best friends – who had been a serious drug addict for many years – have also become Christians and radically changed their lives for the better.

Scott is now a key worker in the church and is involved in helping other young people with similar backgrounds. He is a fantastic role model for these young people who, with Scott's help, have been able to avoid some of the mistakes that he made in his own life.

Charlotte's story (EDEN Salford)

Charlotte is just one of the hundreds of young people who are helped every week through the work of the EDEN Salford team. She admits she used to behave in the way her friends wanted her to – drinking too much, missing school and constantly arguing with her parents.

She describes the week when The Tribe came into her school as the turning point in her life. The Tribe talked about God and life in general in a way that made sense to her. She started to attend the lunch club that the team ran in school and, soon after, the LifeCentre and other EDEN activities.

Through the caring, dedicated team, Charlotte has found a better way in life and now has what she describes as a brilliant relationship with her mum and dad. She has tried hard at school, gaining 10 higher-grade GCSEs and is now studying for her A-levels. Eventually, she hopes to become a social worker.

Dave's and Denise's story (EDEN Openshaw)

Before they came into contact with the Openshaw EDEN team, Dave and Denise had been heroin addicts for nine years. They had spent much of that time homeless, blagging, stealing and kiting to raise the cash to support their lifestyle. When they met the team, they were living in a place regularly used by addicts. One of the EDEN Openshaw team regularly visited this "den" – sometimes she was turned away and at other times invited in.

Over time, Dave and Denise got to know the EDEN team and started to attend the local church, where they found a great deal of support, love, acceptance and genuine friendship. Today, they have not used heroin for more than two years. Their child, now a year old, was initially taken away from them, but now the family has been reunited and Dave and Denise love and care for their baby brilliantly.

Dave's and Julie's story (EDEN Harpurhey)

Dave and Julie's marriage had fallen apart and they had been separated for six months. They were both suffering from depression. Dave had been on sickness benefit for eight years because he was suffering from ME. Since receiving the support and encouragement of the Message Trust team, they have found a positive outlook on life and, with the team's help, both have been able to secure employment. Their marriage has been restored and Julie has moved from a hostel to a new house they have bought together on the Harpurhey estate. Also, they are both youth leaders at the local church.

Chapter 9

Next steps – some key questions

By John Grieve CBE QPM and Roger Howard

The issues raised

- To what extent do these essays, together with a forthcoming contribution from David Muir on diversity, provide an adequate account of the issues to start reconsidering some solutions?
- To what extent do the interactions of the issues examined in these essays contribute to the divisions in society?
- Is the description of our responses as a system – the criminal justice system – adequate when we consider the breadth and variety of responses that are needed?
- Are the different elements of the criminal justice system operating in a dysfunctional way?
- Is Britain faring any worse than other Western countries? (Recent Home Office figures suggest that our rates of imprisonment are much higher than in the rest of Europe.)
- Are the current concerns a new moral panic, a shock wave; is there a movement in the tectonic plates underlying exclusion, cohesion, justice and crime that is causing a seismic shift in society's tolerance and the associated levels of crime?
- How do these interactions affect the lives of ordinary people?
- Has the maturing welfare state (coupled with a constant and immediate hungry media) led us to a position where we automatically expect the state to right all social problems, identifying blame, denying or absolving every other individual of personal or collective/civic responsibility for their own well-being?

Possible solutions

- What are the new ways of thinking to combat these impacts? How new are they?
- How do we intervene in the complex interacting movements of crime and social exclusion grinding away below the surface, disrupting our attempts at rehabilitative justice? What else is needed for relational justice to be effective, besides local involvement, individual skills development, education, local business building and promoting neighbourhood cohesion?
- In what ways can local communities be helped to take on the delivery of neighbourhood-based regeneration and other services? What obstacles stand in their way?
- Can this be a lever to enhance social capital and help reconnect fractured communities?
- What scope is there for the earlier resolution of disputes and conflicts in neighbourhoods before the momentum of the (expensive) law and local public services interventions kicks in? What scope is there for new approaches to community-based justice?
- How can the long-term benefits of prevention of crime be prioritised and resourced against the backcloth of conflicting performance targets and short-term reactive enforcement efforts?
- In a time of unrelenting financial pressure and seemingly unlimited demands on public services, do we have practical mechanisms in place to shift resources to intervening much earlier in the patterns of offending?
- How do we keep local communities, volunteers and organisations involved in civil society actively engaged and interested beyond the first flush and generation of initiatives? How can imaginative and redistributive funding and investment streams boost their long-term capacity?
- Is the worry about public spending, increasing demands and failed interventions illustrated by the concern with the governance and measuring of prison, probation and the police? For example, the demand that the police, rather than wider notions of neighbourhood and local policing, prevent, investigate and solve more and more crimes?

- How can we offer hope and better opportunities to those members of a generation of young people, especially those from ethnic minority communities, who increasingly see crime as their route out of failure, poverty and social exclusion?
- To what extent have these essays helped to prepare us for discussions on the interaction of crime, rehabilitative justice, social exclusion and community cohesion?
- Finally, who should take part in discussions about solutions?

To return to where we started, if our contributors are right about many of the imaginative responses under way to the issues raised, why is the general perception – not just in the media – that crime, social exclusion and community cohesion are in a worsening state?