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RELATIONSHIPS, CIVILITY AND THE NEIGHBOURLY SOCIETY

Oliver Letwin explains why relationships are key to building the 'neighbourly society' and reducing crime



Asking the question 'What are the causes of crime?' is in some ways as useless as asking 'What are the causes of poverty?' For if you discover the answers, you have only learned to make crime and poverty. We should, as Michael Novak points out, be asking the 'fruitful question'. For instance, not 'what are the causes of poverty?' but 'what are the causes of the *opposite* of poverty?' This was the approach pioneered by economists such as Adam Smith when they enquired after the causes of 'the wealth of nations'. Likewise the fruitful question to ask about crime, is not 'what are the causes of crime?' as *per* the Prime Minister's most famous soundbite, but 'what are the causes of the *opposite* of crime?'

But what is the opposite of crime? Some would say 'order', but that is no more than the absence of crime. What we seek is something that is in active opposition to it. Crime is a destructive force; its opposite must be a constructive force. The Hebrews had a word for it: *shalom*. The inadequate English translation is 'peace', but *shalom* signifies much more than the absence of conflict. The true meaning is more akin to 'the wholeness of community', the totality of right relationships within communities, between persons and families and social groups, between man and his environment. *Shalom* has an obvious affinity with the Arabic *salaam*, also crudely translated as peace, and with the New Testament Greek *eirene* which again signifies much more than the absence of conflict. A similar sense is preserved in the old English phrase: 'the peace and tranquillity of the realm' or what I call, in contemporary language, *the neighbourly society*.



family. We rely on parents to teach their children the difference between right and wrong through persuasion, example, emulation, and gentle attrition. Yet, all too often, the supportive network of family and friends, on which such moral education depends, is absent – its place taken by the gang, which provides, in a perverted form, the fraternity missing at home. This failure is too often compounded by weak and ineffectual punishment, with no element of

reparation to the victim and no expectation that the perpetrator should even apologise for the harm that he has done to others. Often, the offender is released, unreformed, into a destructive cycle of re-offending and re-imprisonment. The respite for society, provided by removing the persistent offender, is only temporary. Creating a neighbourly society is key to developing a lasting solution.

VIRTUOUS HABITS

Ever since I delivered the speech on which this article is based, I have made a number of policy announcements covering the wide range of issues for which the Home Office is responsible. But for every announcement, there is a common objective, which is to protect, advance and regenerate the neighbourly society – or, where the neighbourly society has broken down, to intervene in the process in which young people seem set on a course of antisocial behaviour developing into full-blown criminality – a phenomenon I describe as the conveyor belt to crime.

The conveyor belt passes through successive stages: neglected or abused child, disruptive pupil, anti-social teenager, young offender, first-time prisoner, repeat offender, hardened criminal. To progress through each stage the individual needs to make the wrong moral choices and I do not deny that these are decisions for which the individual bears ultimately responsibility. However, human beings do not make these choices in a vacuum. First of all, there are those incentives that determine the degree of temptation we face when presented with a wrong choice – for instance one has less incentive to

"The Conservative approach is a relational one."

MORAL EDUCATION

Lest imagining the opposite of crime may seem an exercise in the intangible, let us imagine instead the opposite of a criminal. What are the images that form in the mind? Of someone who gives instead of takes, who earns instead of steals, who creates instead of destroys, who welcomes instead of abuses, who persuades instead of threatens. These contrasts are relational, because the neighbourly society is first and foremost about the establishment and preservation of right relationships amongst people.

The roots of the neighbourly society are in the

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shoplift when one can easily afford to pay for the goods on display. And, then, irrespective of degree, there are the moral influences that enable us to resist temptation. The reality for children born into a certain kind of home is that the temptations are stronger and the sources of moral influence more distant. So, yes, each one of us has a choice - but, for some, the help needed to acquire virtuous habits is less present.

RELATIONAL POVERTY

That help needs to start in the earliest years, because the most overlooked aspect of child

poverty in Britain is relational poverty. The youngest minds are those most vulnerable to abuse, neglect or simply the inability of some parents to cope. We know that young children who have behavioural problems are much more likely to grow up into the juvenile criminals of the future. Indeed, as early as three years of age, it is known that such children are three times as likely to have careers of violence in later life than those whose anti-social behaviour starts at an older age. Disruptive young children can be easily identified - just ask any primary school teacher. So do we just stand by while their young lives degenerate into cycles of academic failure,

truancy, drug abuse, vandalism and involvement with street gangs?

Or can something be done? The work of pioneers like Dr Stephen Scott and Dr Carole Sutton proves that it can. Their solution comes in the form of classes for the children's parents. In a gentle and non-threatening way parents are shown how to play with their children, praise them, discipline them and set limits for acceptable behaviour. In other words, the down to earth, commonsense way in which most of us were raised. It seems so obvious, so we sometimes forget that this kind of parental care and discipline is missing from many homes.

A Conservative Government would make these programmes available nationwide. Not through an army of social workers, but through voluntary and charitable organisations with experience of working with and befriending parents and children. Our research puts the cost at £70 million. This would fit within the existing Sure Start budget, which is five times as much. A budget that is supposed to deliver what we know our programme can deliver.

CHARACTER-FORMING RELATIONSHIPS

Early interventions are important, but many difficulties do not become apparent until the school years. Indeed, the educational system is coming under severe strain as a direct consequence of the breakdown of character-forming relationships outside of school. Together with Damian Green, the Shadow Secretary of State for Education, I am looking at the way in which we deal with disruptive pupils. Our approach is concerned with the restoration of relationships between pupils, parents and teachers, but also with the wider web of relationships that allow schools to flourish as communities.

Children whose education is swallowed up in cycles of truanting and exclusion are more likely to become young offenders both before and after they leave school.

“The neighbourly society is first and foremost about the establishment and preservation of right relationships amongst people.”

Once in the criminal justice system, they often experience the same futile patterns of crime and punishment. For instance, one quarter of the young people held within Young Offender Institutions have already been convicted on seven or more occasions. And for the younger age group held in Secure Training Centres, the figures are even worse. Nearly ninety per cent have been convicted on ten or more occasions. The re-offending rates are equally grim.

A DIFFERENT APPROACH

We need a different approach – such as that of a project in Devon called C-Far or the Centre for Adolescent Rehabilitation (see Issue 3 of the *Relational Justice Bulletin*). C-Far is run by Trevor Philpott, a retired Colonel in the Royal Marines. His approach is as ambitious as it is straight-forward. The centre takes youth offenders straight from custody. For three months they are taught self-discipline, personal responsibility and generally how to look and act like a decent human being. Their education is fourteen hours a day, seven days a week. Following this period of open custody, the offenders aren't just dumped on society. Rather C-Far provides nine months of intensive mentoring and support. Statutory and voluntary organisations are brought alongside to

make sure the young men find housing, training and a job. C-Far is tough, but it isn't a boot camp. C-Far is caring, but it isn't a pushover. C-Far works. The reconviction rate for C-Far

participants is significantly lower than what the state institutions have been able to achieve. This is all the more impressive because Colonel Philpott makes a point of taking on the hardest cases.

C-Far isn't cheap. But it's cheaper than the cost of reconviction, cheaper than

putting re-offenders back into prison, cheaper than the damage done to lives and property by persistent young offenders allowed to commit crime after crime after crime. That is why we will make the C-Far approach available nationwide.

RELATIONAL LAW AND ORDER POLICIES

We need to take a similar farsighted approach to drugs. It is estimated that cocaine, crack and heroin addicts are responsible for one third of all crimes committed in this country. Clearly the fight against drugs is integral to the fight against crime. It is integral to the fight for a neighbourly society. Addiction is profoundly anti-relational, crushing ties to family and community, with an all-consuming fixation on the drug of choice. The Government puts the number of 'problem drug users' at 250,000. And yet there are just 2,000 drug rehabilitation places in the entire country. Thus, while methadone is prescribed like mother's milk, there aren't even enough places for those addicts who volunteer for rehab. However, even the accommodation of existing demand would be insufficient when the basic need is to confront all young hard addicts with a tough choice between rehabilitation and prosecution. That is why a Conservative Government would increase the number of rehab places from 2,000 to 20,000.

Thus at each stage we will give disruptive children and young offenders the chance to get off the conveyor belt to crime and take a constructive role in the neighbourly society. But that will require the second essential element of relational law and order policies: neighbourhood policing. Without effective local policing, the career of a young offender is more likely to proceed without interruption – at least until the crimes involved are committed with a frequency and severity that cannot be ignored. By that time prison may be the only option, which at the very least will provide the victimised community with a period of respite. But by then it will be too late for the offender, too late for his victims and it may be too late for the long-term health of the community itself. The attritional effect of sustained anti-social behaviour can precipitate the physical decline of neighbourhoods, denying the neighbourly society the shared space on which it depends, creating the conditions for further physical and relational decay.

LOCAL NEED

Thus while there is a need for high-level policing, criminal intelligence and tough sentencing to remove from the midst of the affected community the drug barons and the organised criminals whose interests are wholly opposed to the recreation of the neighbourly society, we also need highly active community policing, providing a visible police presence, reassuring the law-abiding, and convincing the young people who are at the early stages of the conveyor belt that the choice of a criminal lifestyle will be unpleasant and unrewarding. Such community policing is intensely relational. It cannot be planned from Whitehall or distant command centres. In the words of Robert Peel it requires that the “police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being the only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.”

It also requires the deployment of police officers on a scale that can give reality to the idea of neighbourhood policing. Some are reluctant to commit such resources to an endeavour directed by local need not central diktat, but the next Conservative Government will be bold. We will provide funding for an additional 40,000 beat police officers and reform the oversight of police forces so that local policing is accountable to local people.

A TRUER TRADITION

The Conservative approach is a relational one. It acts at the level of the victimised neighbourhood and of the young offender to

break the vicious circle that destroys communities and individuals. The constituent policies on the conveyor belt to crime and neighbourhood policing may appear to be a break with what has gone on before, but in reality they only break with the last few decades of law and order policy in which crime levels have risen unchecked. But viewed across a wider sweep of history, our policies are true to an older, truer tradition of *shalom, salaam, eirene* or what I call the neighbourly society.

“The most overlooked aspect of child poverty in Britain is relational poverty.”

The Rt. Hon. Oliver Letwin is MP for West Dorset and Shadow Secretary of State for Home Affairs.

The Relationships Foundation does not endorse the views and policies of any political party but publishes contributions from a wide range of political perspectives in promoting awareness of the importance of relationships and its policy implications.

DRAWING A CIRCLE

Helen Drewery reports on a new strategy for giving offenders support and accountability within their communities



A senior member of staff in the Correctional Services of Canada – which runs their prisons and probation services – was heard to say that everyone should have a Circles of Support and Accountability. I wasn't sure if he meant that every high risk sex offender should have one – that's what we see as our long term vision. Or maybe he meant that every offender leaving prison should have one? But it turned out that he meant that *everyone* should have one.

In a sense, most of us do. We know there is someone we can turn to in bleak times, or when we want to celebrate an achievement. Someone who knows us well enough to spot when things are going wrong for us, or who can challenge us if we don't live up to our commitments. Friends, relations, colleagues – things may not always go smoothly, but generally they give us both support and accountability. Offenders coming out of prison can find themselves cut off from all that, especially if the nature of their offence alienates them from any family they once had and stops them talking openly about their lives to anyone new they may meet. Sex offenders often have to live away from the area where they committed their crime as a condition of release, which usually means away from the places and people they know. But if they are going to avoid re-offending they will need to change ingrained patterns of behaviour, often using what they have learnt in a Sex Offender Treatment Programme, and they will need all the help they can get.

“Imagine what it's like if you know that the only people who care about you are paid to care.”

WITCH HUNTS

Circles of Support and Accountability can come in at this point to provide them with four or five trained volunteers who will keep in close contact over an extended period as they 'rehabilitate'. In Canada, where the idea was developed, early research shows a reduction in re-offending of over 50% when a Circle is provided.

“Sadly, although the existence of Circles should in the long run make the community at large feel safer, particular Circles must meet very discreetly.”

It is worth reflecting for a moment on the word 'rehabilitation'. It suggests that the person was once 'habilitated' and needs to get back to that state. But many people who have committed sexual offences don't know how to have healthy adult relationships – that is a major part of their problem, closely bound up with their offending behaviour. Most sex offenders, especially those who offend repeatedly, have had dreadful, loveless childhoods. Many will have been abused

themselves, though not necessarily sexually abused. They may also find it very difficult to run the practical side of their own lives, especially if they have spent much of their lives in institutions. Finding a job and setting up a home may be almost insurmountable challenges. Many end up feeling locked out of society, resentful, lonely and – we instinctively know – more likely to re-offend. And that is without the witch hunts being fuelled by some of the tabloid newspapers.

So how do Circles of Support and Accountability work? The programme recruits and screens volunteers from the community and gives them carefully designed training sessions before allocating them to a Circle with an offender, who is known as the core member of the Circle. Volunteers need to be sensible mature people with no sexual hang-ups of their own. For instance, if they have themselves been sexually abused, it's crucial

that they have reached a point of healing where they will not use the Circle as therapy for themselves, although being able to explain the victim's viewpoint could be very valuable. They don't need to be experts, but they do need to be committed to the task, prepared to have regular contact with the core member for at least a year. Staff directly involved have told me that in Canada they have found that about 70% of volunteers come from faith communities, including Muslim volunteers as well as those from several Christian churches. Others may be retired professionals, mature students, even in one case, a woman member of a police sexual assault squad. It's a bit soon to know whether the same range of people will volunteer in Britain, but early indications show a similar pattern.

“He must understand the harm he has done, and be willing to promise that there will be ‘no more victims at my hands’.”

HIGH RISK

The core member will be an individual who is judged to be 'high risk' (i.e. relatively likely to commit further serious offences) and 'high needs' (which may well mean lacking contact with friends and family, lacking a job, a home and some of the skills needed to run his own life successfully). He – the vast majority will be men – must understand the nature of his offences and the harm he has done, and be willing to promise that there will be 'no more victims at my hands'. He may be coming out of prison in which case the Circle will try to meet at least once in the prison before release, or the Circle may be provided while he is living in a hostel after release from prison, to help him to make the difficult transition to independent living.

Once it has been set up, – a total of seven core members have taken part in Britain, at the

last count – the whole Circle will meet regularly, probably weekly to start with, and there will also be planned one-to-one contacts between volunteers and the core member during the week. These may be social contacts, such as a cup of coffee in a café, or the volunteer may be helping with a practical task such as going to the job centre with him. As time goes on, the frequency of contacts will diminish, unless there is worry about the core member's behaviour, in which case the Circle needs to be ready to meet intensively again until the situation is resolved. Volunteers will be trained to judge when to alert the police or probation officer. These professionals will already be aware of the Circle, and may well have met with them on occasion. Throughout the Circle's life, the Circles of Support and Accountability programme provides it with support and advice.

Circles need to work with a careful balance of openness and confidentiality. We need to publicise the whole concept so as to recruit volunteers. Within the Circle, its members are as open as possible. Volunteers share at least some of their own lives with the group, so that the focus is not all on the core

member and he can learn to take part in mutual relationships. This is one of the things that

distinguishes Circles from all the contacts the core member will have had with professionals. As someone said to me recently, 'imagine what it's like if you know that the only people who care about you are paid to care'. But beyond the Circle, its members must respect its confidentiality. The staff running the programme will be informed about its progress in general terms, but volunteers will need to think about who among their own friends and relations should even be told about their membership of a Circle. Sadly, although the existence of Circles should in the long run make the community at large feel safer, particular Circles must meet very discreetly.

MAKING A DIFFERENCE

This is the basic model that is now being put into practice in the UK. Three pilot programmes are being funded by the Home Office. One

covers the Thames Valley region (Buckinghamshire, Berkshire and Oxfordshire) and is being managed by the Religious Society of Friends, commonly known as the Quakers, in partnership with police, probation and the prison service. As I write, the first few Circles have recently been set up and more are in the pipeline. Already, after only two or three months, these first Circles are making a difference to the core members' lives. Some of the steps forward are seemingly small. It was an easily-missed but significant moment when one core member began to ask the volunteers how *they* are, rather than just responding to their questions. A man has been persuaded that it's not always appropriate to wear a suit in every kind of social setting.

But on at least one occasion, a Circle has made a major difference. A core member,

"A prisoner wrote saying, 'I want a second chance, I want to show people I have changed and can be a valuable member of the community'."

released from prison on licence, would have been recalled to prison if his new Circle hadn't been able to persuade the authorities that they were successfully dealing with the behaviour which had caused alarm. He hadn't re-offended, but it doesn't take much to be recalled when you are on licence. It feels like a real success for that Circle. Apart from other considerations, it's worth bearing in mind that it costs £37,500 per year to keep someone in prison.

TAKING RESPONSIBILITY

When Chris, one of the staff responsible for setting up the Circles in the Thames Valley, was talking recently to a man about becoming a core member, he noticed some drawings in the man's room. They were rather good. It turned out that

he had developed this skill while he was in prison and had had drawings exhibited. Chris encouraged him to take some of the drawings along to the first meeting of his Circle. I'm sure this will have helped the volunteers to see him as a human being first and not just an offender.

That's what Circles are all about. A prisoner wrote to me recently saying; "I want a second chance, I want to show people I have changed and can be a valuable member of the community...I have to take responsibility for what I did and never let it happen again...I desperately want people to see the new me and not the old me...I would love...to be part of the Circles scheme."

Helen Drewery is an Assistant General Secretary in Quaker Peace and Social Witness, responsible for overseeing the social witness side of the department's work, including one of the pilot programmes of Circles of Support and Accountability.



CRIME, CITIZENSHIP AND COMMUNITY

David Faulkner considers the importance of social capital to criminal justice in a changing world



This article explores the ideas of citizenship, social capital and community, and of personal and social responsibility, which have become prominent in political debate in Great Britain since the election of the Labour Government in 1997 and especially during the early part of 2003.¹ It takes note of the changing nature of the debate, and applies those ideas to the country's response to crime, to current issues regarding the nature and purpose of criminal justice, and to the structure and accountability of the criminal justice services. It draws attention to the limitations of the criminal justice system, and of the state, in providing a solution to an increasing range of problems connected with crime and the various forms of unacceptable behaviour and social disorder. Finally, it

suggests that citizenship can help to illuminate existing policies and practices, and offer a sense of purpose and direction which give vitality and legitimacy to future developments. Oliver Letwin's article 'Relationships, Civility and the Neighbourly Society' in this issue addresses similar questions and takes a parallel approach.

The word 'citizen' can be used in several different senses. It can be used in the context of nationality law to distinguish between citizens of different countries, in debates about national identity, or to correct the sense of alienation which may be felt by disaffected groups of (usually) young people. Those uses of the word are exclusionary, in the sense that they separate

those who 'belong' from those who do not, and often carry the implication that the former are more deserving, reliable or trustworthy than the latter. The word 'community' can similarly be used in a sense which effectively defines itself by those whom it excludes.

PEOPLE AS HUMAN BEINGS

None of those is the sense in which the words are used in this article. Here, the language of citizenship is a way of talking about people as

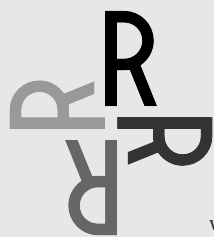
human beings, in the context of their rights and legitimate expectations, and of their duties and responsibilities – to one another and to the state – in a modern democratic society. It assumes a foundation of principles, especially the

principle that people are of equal value and deserve equal respect as human beings, regardless not only of race, nationality, gender, religion or any disability, but also regardless of differences in their authority or status. It demands a sense of common 'belonging' so that members of minority or disadvantaged groups (for example) can feel at home in their wider society,² but also in the sense that the majority recognise those groups as members of their own society and show them the same consideration and respect. The underlying political philosophy of this article is that the state should not intervene unnecessarily in the lives of its citizens; that when it does so, the intervention should be proportionate to a

legitimate need or purpose; that citizens should have accessible procedures for appeal or redress if they believe they have been unjustly treated; and that they should have some voice, or at least an opportunity for a voice, on decisions which affect them directly as individuals or which concern the well-being of their society or communities.

That – essentially 'liberal' – account of citizenship and its philosophy is expressed in a way which is intended to be fairly uncontentious. So it might have been thirty years ago. But it could be now criticised from one point of view as reflecting the notion of the 'nation state' whose time Philip Bobbitt argues came to a close with the ending of the Cold War, to be replaced by the 'market state' based on maximising opportunities and satisfying expectations and demands.³ From another, critics might claim that it allows too pluralist an understanding of citizenship and national identity, and fails to insist on the unified culture, values and discipline which are thought to be needed to meet the threats of permissiveness and 'political correctness', or from international terrorism or, as they might see it, from Islam.⁴ From a third, it could be criticised as expecting too much from citizens and civil society, and as diminishing the role of the state to a point where its effectiveness could be undermined and its legitimacy called into question. From a less intellectual perspective, several writers and commentators, and even Ministers, are now expressing dissatisfaction with systems of law and legal process which are designed to formalise and protect human rights.

"Citizens and their communities have, or could have, considerable resources of social capital, to reduce crime."



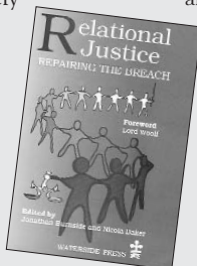
Views expressed are those of the authors and do not necessarily reflect the policies of the Relationships Foundation.

WHO WE ARE

The *Relational Justice Bulletin* is published three times a year by the *Relationships Foundation*, a Cambridge-based charity dedicated to developing new, 'relationships-based', approaches to social, economic and political issues (see www.relationshipsfoundation.org).

Relational Justice is a fresh approach to crime and punishment. Rather than looking at crime solely as an offence against the state, it sees it as a breakdown of relationships between offenders, victims, families and the community.

The concept was developed by the *Relationships Foundation* in the early nineties. It first gained public exposure with the publication of the book *'Relational Justice: Repairing the Breach'* (Waterside Press, 1994), which was welcomed by Lord Woolf as 'a radical new approach which anyone with any concern about the criminal justice system needs to be aware'. Since then, it has been shown to have wide implications for policy and practice.



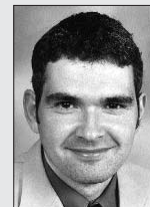
The *Relational Justice Bulletin* was launched as a platform for discussion of the ideas at the heart of *Relational Justice* as well as exchange of good practice across the system.

You are invited to join the growing number of professionals, practitioners and others with an interest in the field already receiving the Bulletin by post or email (see details on the back page). You are also warmly invited to contribute your own ideas and experience.

Your help would also be welcome in publicising the Bulletin. Please feel free to ask for extra copies to pass on, or to send us the details (post or email) of people whom you think would like to receive a sample copy.

Past issues of the *Relational Justice Bulletin* can be viewed on the Relationships Foundation's website at www.relationshipsfoundation.org/relational_justice

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THE MEANING OF COMMUNITY

The ideas of citizenship and of community are closely related, as they are to the ideas of civil society and social capital. A community is often (but not necessarily) the context or framework in which the rights and responsibilities of citizenship can be given practical expression. Communities can be of different kinds – the residents of a town, village or neighbourhood; members of a trade or profession; people who share a particular religious faith or ethnic origin; those who are associated with a particular institution (such as a school or university), or who use the services of a particular public authority.⁵ The defining characteristic of a community may be the fact that its members care about and want to support whatever it is that brings them together. That concern may sometimes bring one community into rivalry or competition with another, and sometimes into direct conflict (for example in racial disturbances). There are also dangers if a sense of community comes to be associated with a comfortable or romantic attachment to some form of common identity which is essentially inward-looking and based on simplistic notions of ‘common sense’, ‘human nature’ or ‘belonging’.⁶

Communities need to be united by a sense of common identity and of mutual obligation and respect. The Commission on the Future of Multi-Ethnic Britain saw Britain as a “community of citizens and communities” and described what it saw as the measures necessary to build and sustain a community of that kind.⁷ The Home Office seems to be adopting a similar approach in the work of the Cohesive Communities Unit. Both take the problems and opportunities of racial and cultural diversity as their point of departure and their main focus, but the argument has a wider application to all communities and especially those which are affected by problems of social disorder.⁸

FEAR OF ENGAGEMENT

More people seem to be distancing themselves from the communities of which they might, or ought to, be members. If they can afford it, they use private transport, schools and health care; fewer people belong to political parties or trade unions; people are less inclined to join clubs or societies.⁹ In an increasingly litigious society, people are sometimes deterred from social engagement by the fear of legal proceedings and claims for compensation if things go wrong. The word ‘community’ is regularly used in official publications, but usually in a negative sense – not in hospital, not in prison, not the responsibility of the government or the state. Or the word may mean no more than ‘the public’ or ‘the consumers’. It rarely acknowledges the care, responsibility or vitality of which communities are or should themselves be capable.

“The limits of criminal justice as a means of preventing and reducing crime have been a source of frustration to successive governments.”

Citizens and their communities have, or could have, considerable resources of responsibility and vitality, and of social capital, to reduce crime and to promote acceptable behaviour, and ultimately social well-being, on terms which are inclusive and based on mutual respect and responsibility. They are of particular relevance to crime and criminal justice, especially when the limitations of criminal justice as a means of preventing and reducing crime, or as an instrument of government policy, have been a source of frustration to successive governments since crime and criminal justice became politically charged issues at the end of the 1970s.¹⁰ This is not to say that reforms of the criminal justice services,

changes in the law of evidence or sentencing, the introduction of new technology, or a focus on ‘what works’ to prevent offending or re-offending, do not have their place. Penal reform and measures to improve the quality of justice can be justified for their own sake and

on quite different grounds. They may have some impact on crime and criminality, but that impact should not be over-estimated, or treated as the only reason for them. And it should always be recognised that effective measures to prevent and reduce crime and anti-social behaviour, to repair the damage caused, and to provide a sense of public reassurance and confidence, demand something more and different from the criminal justice process itself.

FORMAL CONTROL

The present Government recognises the importance of its wider social policies as a means of achieving a reduction in crime, and it has achieved a great deal through such programmes. Ministers regularly emphasise the responsibility of citizens in preventing both disorderly behaviour and more serious crime.¹¹ But they rarely attribute any success in reducing crime to the effects of their social policies, and in relation to disorderly behaviour they see the task more as a matter of confronting actual offenders and of ‘stamping it out’ than of promoting more considerate behaviour in the first place. More than any other government in recent times, it is determined that ‘protecting the public’, both from nuisances and from the loss, injury or fear which are caused by crime, is a responsibility which it has to take upon itself.

The country is now seeing a transition to a more formalised system of control.¹² Social and economic changes have had the effect of weakening informal controls – those exercised for example by families, by representatives of traditional forms of authority (teachers, faith groups, older people generally), and by public employees such as railway guards, bus conductors and park keepers. Instead, social control has increasingly come to be exercised by or on behalf of the state, through the police or others working alongside or in partnership with the police, within a framework of criminal justice. The state

“Social control has increasingly come to be exercised by or on behalf of the state.”

and its agents are ready to intervene, not only with children but also with their families, to deal with behaviour that is not necessarily in itself criminal, and to do so with the threat of arrest, conviction and a permanent criminal record. The anti-social behaviour order introduced by the Crime and Disorder Act 1998 is an obvious example; the proposals in the White Paper *Respect and Responsibility* and those now contained in the Anti-Social Behaviour Bill, are another. Section 17 of the Crime and Disorder Act 1998 requires police and local authorities to exercise all their functions in ways which will help to prevent crime and disorder, typically by forming partnerships between themselves and with other statutory and with voluntary organisations. A similar approach applies to the work of the Youth Justice Board and youth offending teams. Except through its involvement on youth offending teams, the National Probation Service seems to have played a relatively small part in this type of activity, its reorganisation in 2000 having effectively transformed it from an agency of social intervention to one of law enforcement (or even punishment).

‘MINDING THE GAP’

In parallel with the formalisation of social control, the Government is seeking to ‘narrow the justice gap’¹³ by having more offenders ‘brought to justice’ (or at least having more crimes traced to an offender – it can never be known how many offenders actually escape conviction in the course of a criminal career). It is keen to provide offenders with the means to achieve their reform and resettlement and to avoid re-offending; but it is also determined that those who persistently re-offend or fail to comply with the conditions of court orders are punished severely, typically by imprisonment. These policies are based partly on moral conviction and partly on the belief that they will reduce crime – as they may do, but because so many other factors will always be involved it will be hard to say to what extent or at what cost.

The underlying arguments in this paper can be summarised as follows.

A civilised society must possess and cultivate a shared sense of citizenship, and resources of civil society and social capital, based on mutual respect and responsibility and the principle that as citizens all people are of equal value.

It needs those resources if it is to be confident and prosperous in a precarious, globalised world; if it is to enjoy the benefits of cultural diversity and avoid conflict arising from differences of race or religion; and if it is successfully to prevent crime, and repair the damage and reduce the fear which are caused by crime and by attitudes towards it.

Neither governments nor the agencies of the state can acceptably or realistically control crime or repair its damage by themselves, or through the criminal justice process alone.

Citizens and communities also have a responsibility to prevent crime and deal with its

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consequences, not only defensively by acting against those who commit crime, but also by showing an active concern for the reform of offenders and the support of those at risk of offending or re-offending.

That responsibility should extend to an active concern for public services, generally as well as in criminal justice, and to a sense of 'ownership' and pride in the quality of the work they do.

'FAMILY FRIENDLY' POLICIES

Other writers on citizenship and communities have drawn their own conclusions and offered their own prescriptions. From a Canadian perspective, Edward Broadbent calls for

"Penal reform may have some impact on crime and criminality, but that impact should not be over-estimated."

ideological leadership from politicians; greater recognition of the relationship between rights and responsibilities across the class divide; a more progressive system of taxation; more analysis of social costs and benefits; and more informed debate on the core issues in globalisation.¹⁴ From the United States, Robert Putnam looks for more family-friendly working conditions, closer relationships between neighbours, a pluralistic 'great awakening' in spiritual communities, less isolation resulting from time spent watching television, more participation in cultural activities, and more engagement in public life.¹⁵

These prescriptions are very general and aspirational, and those of Robert Putnam in particular are some distance from a political programme or a set of public policies which would be convincing in Great Britain. By contrast, those of Vicki Nash and Ian Christie are more specific and practical.¹⁶ Drawing on their research in Coventry, they identify five policy areas – planning and development, provision for young people, crime reduction and policing, design and liveability of public space, and methods of front line service delivery – which they consider to be especially important

for their effect on community (or, they might have said, social capital). They make a number of recommendations within each of those areas, which they see not as guaranteeing any particular outcome but as providing a supportive policy framework within which further development should be made more possible.

This article does not attempt to prescribe any particular policies, still less to suggest a political manifesto. Like Nash and Christie, it is more concerned to offer a framework of ideas, from which more specific policies can be developed at a later stage. Therefore I close with a number of questions arising from the arguments summarised above that might usefully be considered before the policy-making stage:

How far can citizens be seen as having any responsibility for the prevention of crime, for its detection and prosecution, and for the treatment of offenders, and how far is it a problem which they should properly leave to the state? ('Maintaining the Queen's peace' is arguably one of the fundamental purposes for which the state exists.)

To the extent that it is a responsibility of citizens, how should it be discharged? By individuals acting on their own initiative in situations as they arise? By citizens becoming more involved in different areas of criminal justice or related activity (as suggested rather half-heartedly in *Justice for All*)? By having more influence over the operation of the statutory services, and by developing a stronger sense of ownership and responsibility for them?

By forming new organisations to carry out particular functions or provide particular services – continuing the trend which gathered momentum in the 1980s, but with a more local identity and focus, like the Thames Valley Partnership?

How can this kind of individual or collective activity be more effectively stimulated and organised? How is it possible to 'build capacity', or generate social capital?

How can such activity be made more inclusive, accountable and legitimate? How can people act as genuine representatives of their communities? How can powerful interests be prevented from having a disproportional

influence, or less powerful groups be given the voice they deserve?

What are the implications for the existing statutory services? Do they themselves need to be reformed – not necessarily in ways which are already being proposed?

This is a shortened version of an article which will appear in Criminal Justice later in the year.

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