Crime and Inequality

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Preface

> You can't say it's a problem and then do nothing about it: Ministers now accept the gap between rich and poor is too wide, but still refuse to face the political costs of action to narrow it. (*The Guardian*, 16 August 2007)

Inequality is the most pressing concern that is currently facing Britain, but as the quote above suggests, there is little political commitment to do much about it, despite the fact that there is a wealth of evidence that suggests it is related to a host of socio-economic problems. Inequality structures all life chances and outcomes: those at the lower end of the income distribution are likely to be the most poorly educated; to suffer more ill-health and to die in childhood and, if they reach adulthood, to die younger than richer people; to be in low-paid and casualised sectors of labour markets; and are more likely to be involved with criminal justice agencies as both the perpetrators and victims of crime. In some of these examples – most notably education and health – the disadvantaged life chances of poor working-class people is often acknowledged. However, relationships between crime and economic inequality are at worst ignored or at best downplayed. There is, then, a need to re-emphasise the fact that crime is structured through social status; it is something that disproportionately affects poor people.

While connections between inequality and poverty, and crime are often unspoken relationships they have been known about for many years. However, as Ian Taylor (1999) argued in his last book *Crime in Context*, recent years have been marked by the rise of individualistic

and commonsensical criminologies. His observations are as equally applicable today as they were a decade ago. In fact, in Britain in relation to crime and criminal justice policy things have deteriorated further with the capturing of debates about crime, as well as a range of other socio-economic phenomena, by discourses that emphasise personal responsibility and duty to others above all other considerations. In these discourses individuals are held responsible for phenomena that are actually better understood as having social and economic antecedents and it is a concern with such developments that provides the context for the writing of *Crime and Inequality*.

In fact, there were three issues that contextualised the writing of *Crime and Inequality*. First was a concern regarding academic boundaries. Although I would not describe myself as a criminologist, I am, after teaching for several years on the criminology degree course at Lancaster University and, earlier in my career, working on projects examining the press reporting of crime, sympathetic to the concerns of criminology. However, I would like it and social policy, the academic discipline that I feel more comfortable with, to have more fluid boundaries through which ideas and analyses can be developed. This is because social and economic inequalities are crucial to the two disciplines, although they differ in both the extent and the nature of their engagement with them. As we shall see, it is poorer people who are most likely to be in contact with criminal justice agencies and to face the greatest socio-structural pressures to offend. They are also most likely to be the victims of crime. For me, this means that criminology cannot adequately explain offending and the operation of criminal justice without reference to economic and social inequalities, while social policy cannot engage with the ways in which inequalities are experienced without focusing upon crime as a substantive topic.

The second issue encouraging me to write *Crime and Inequality* was a frustration with contemporary politics where the main political parties are seemingly in agreement that greater levels of authoritarianism, control and surveillance are required for a more ordered society. We see this in a range of social and criminal justice policies that are concerned with disciplining the perceived miscreant to encourage conformity to an increasingly narrowly conceived citizenship that is structured through individual responsibility and duty, and paid work. While some of the indicators were visible when 'old' Labour was in the transition to New Labour, particularly with the abolition of the former's Clause 4 commitment to the social ownership 'of the means of production, distribution and exchange',

there was still surprise at the whole-hearted embrace of the economic and social policies of previous Conservative governments that had exacerbated levels of inequality and poverty in Britain. Particularly shocking was the embrace of the free market as being 'natural' and inevitable, and the courting of big business whose ambassadors have been central to New Labour's restructuring of social policy, especially those related to social security and labour market policy, since its election in 1997 (Taylor 1998) and ideas for it in forthcoming years (Freud 2007). While such policy areas have since industrialisation been structured through the capitalist logic, this has taken on a more urgent significance under New Labour's policies aimed at getting people into 'low-paid' work.

Third, I was concerned with the detail of policy and policy debates. Often in policy-related publications the detail is lost to more general claims about, for instance, what changes in policy mean for our understanding of state welfare and criminal justice. However, for me, it is important to get a sense of the detail of policy – and there are no apologies for those parts of *Crime and Inequality* that are very detailed – for it is only through analysing such detail that one can fully understand the material context that structures the lives of people and how expressions of collective responsibility for various social groups are being fractured through developments in social and criminal justice policy that differentiate between people according to their age, their alleged moral character and their material circumstances.

My concern with these three issues should become clear in *Crime and Inequality*. I have tried to write each chapter so that it makes sense in its own right, dealing with a stand-alone topic, as well as being part of the whole book.

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List of abbreviations

AHC	After Housing Costs
ASBO	Anti-Social Behaviour Order
BBC	British Broadcasting Corporation
BHC	Before Housing Costs
BME	Black and Minority Ethnic
CAB	Citizens Advice Bureau
CCTV	Closed Circuit Television
CPAG	Child Poverty Action Group
CPRS	Central Policy Review Staff
CTC	Child Tax Credit
CYPA	Children and Young Persons Act
DETR	Department for the Environment, Transport and the Regions
DfES	Department for Education and Skills
DSRM	Diversity Sector Relationship Manager
DWP	Department for Work and Pensions
EMA	Education Maintenance Allowance
EMAG	Ethnic Minority Achievement Grant
EMETF	Ethnic Minority Employment Task Force
EMFF	Ethnic Minority Flexible Fund
EMO	Ethnic Minority Outreach
ESA	Employment and Support Allowance
EU	European Union
FC	Family Credit
FPN	Fixed Penalty Notice
GCSE	General Certificate of Secondary Education

HAP	Homelessness Action Plan
HB	Housing Benefit
HM	Her Majesty's
HMRC	Her Majesty's Revenue and Customs
ILO	International Labour Organisation
IS	Income Support
JSA	Jobseeker's Allowance
LEA	Local Educational Authority
LPC	Low Pay Commission
MP	Member of Parliament
MUD	Moral Underclass Discourse
NACAB	National Association of Citizens Advice Bureaux
NACRO	National Association for the Care and Resettlement of Offenders
NAPO	National Association of Probation Officers
NDLP	New Deal for Lone Parents
NDYP	New Deal for Young People
NEET	Not in Education, Employment or Training
NMW	National Minimum Wage
NNI	Neighbourhood Nurseries Initiative
NVQ	National Vocational Qualification
NWS	New Workers Scheme
OFSTED	Office for Standards in Education
PND	Penalty Notice for Disorder
RED	Redistributionist Discourse
RSI	Rough Sleepers Initiative
SBR	Stricter Benefit Regime
SEA	Specialist Employment Adviser
SEU	Social Exclusion Unit
SID	Social Integration Discourse
SRR	Single Room Rent
TUC	Trades Union Congress
UK	United Kingdom
WTC	Working Tax Credit
YOP	Youth Opportunities Programme
YT	Youth Training
YTS	Youth Training Scheme
YWS	Young Workers Scheme

Contents

Chapter 1

Introduction

That the British criminal justice system deals with and processes poor working-class men and women is widely accepted. Even the government's own research on connections between crime and social exclusion points to this. In the report *Reducing Re-offending by Ex-prisoners* (2002), for instance, the Social Exclusion Unit (SEU) noted the following observations. Of the prison population in Britain:

- 72 per cent were in receipt of state benefits immediately before their entry to prison, compared to 13.7 per cent of the general population.
- 48 per cent have a history of debt, compared to 10 per cent of households with difficult or multiple debts.
- 4.7 per cent were sleeping rough immediately before their imprisonment, compared to just 0.001 per cent of the general population.
- 67 per cent were unemployed in the four weeks before their imprisonment, compared to 5 per cent of the general population.
- 27 per cent had been taken into local authority care as a child compared to 2 per cent of children in the general population.
- 49 per cent of the male and 33 per cent of the female prison population were excluded from school compared to 3 per cent of the general population.

- 52 per cent of the male and 71 per cent of the female prison population have no educational qualifications, compared to 15 per cent of the general population.

While these observations point to the poor material and social circumstances of offenders, the SEU report gives no indication of how these factors that structure offending should be addressed. This is because it is concerned with reducing offending among ex-prisoners, rather than with addressing the reasons why people engage in offending behaviour in the first place. These observations, however, demonstrate that if offending is to be addressed then relationships between crime and inequality must be taken seriously. Related to this, they also suggest that in order to tackle offending, areas of policy intervention that are not necessarily or usually associated with criminal justice need to be considered for their potential to address the social and economic circumstances that contextualise offending. It is these two issues – relationships between crime and inequality and social policy interventions as a means of managing offending and anti-social behaviour – with which *Crime and Inequality* is concerned.

Economic inequality has been part of criminological analyses since the development of structurally based explanations in the early decades of the 20th century. From the Marxist-inspired work of Willem Bonger (1916) explaining crime as a working-class survival strategy through the Chicago School's (Shaw and McKay 1942) analysis of the patterning of crime and Merton's (1938) attempt to explain the propensity for crime, to the neo-Marxism of the 'new criminology' (Taylor *et al.* 1973), inequality has appeared, most often, implicitly in criminological analyses. It has also been part of more recent attempts to place crime within its wider social and economic context (for example, Taylor 1999; Hillyard *et al.* 2004).

However, in such analyses the issue of inequality is often not dealt with to any great extent; the fact that societies are unequal is often taken for granted, with little discussion of the evidence of inequality, why it occurs and what, if anything, is being, or can be, done about it. In contrast, *Crime and Inequality* makes the issue of inequality much more explicit in its analysis of relationships between inequalities and various aspects of offending. In brief, while this book is in a tradition of criminology that locates the contextual factors of offending in socio-economic structures, it more closely focuses upon the nature of inequality, how it is linked to offending and how, through the constraints of patriarchal and racialised capitalism, interventions of the state help to construct economic inequalities and

often exacerbate them. In the level of detail that it offers, it is also distinguishable from analyses (for example, Taylor 1999; Young 1999, 2002) that acknowledge that wider social policy changes may impact upon offending. Both Taylor's (1999) and Young's (1999, 2002) recent analyses are broad in approach. Taylor (1999), for instance, is accused of 'painting on a large canvas' (Haggerty 2001: 131), while Young's analysis (although he refutes this – Young 2004) is criticised for its methodologically flawed pairing of the inclusion/exclusion dichotomy leading to sweeping claims about modern and postmodern societies (Yar and Penna 2004). What this means is that both Taylor and Young tend to gloss over the detail of policies, many of which may not have criminal justice as their focus, but nevertheless are thought of, at least in the policy imagination, as having potential impacts upon offending and anti-social behaviour. So, for instance, several of Taylor's (1999) nine crises, most notably the job crisis, crisis of material poverty and social inequality and the crisis of inclusion and exclusion, are structured through and arguably exacerbated by state interventions, but he wrote very little about those interventions.

It is at this juncture that *Crime and Inequality* becomes important, for it examines the state of inequality in contemporary society and its relationship to offending and social policy developments that are, at least in part, thought of as having potential impacts upon offending.

Crime, inequality and social policy

In the previous section we saw that the prison population is marked by indicators of inequality, poverty and exclusion. That is one reason for examining the connections between, on the one hand, crime and, on the other hand, inequality and social policy. There are, however, a number of other reasons why the interconnections of crime, inequality and social policy need examining. First, while we have seen that there is statistical evidence suggesting that the criminal justice agencies basically manage poor people, those statistics cannot explain why this is the case. The structure/agency debate is important here, because those observations could be explained through structural arguments that suggest we need to understand offending behaviour in its wider socio-economic environment (this is the underlying approach that *Crime and Inequality* takes). However, there are other approaches that we shall be discussing along the way where the focus is upon the behaviour of individuals; the argument being that poor material circumstances cannot be used as a reason to condone offending

and anti-social acts because, no matter what their circumstances, individuals can always act as responsible moral agents (see Deacon 2000, 2002). In such arguments offending is committed by people who either do not know how to act in a law-abiding manner, or actively choose not to act in such a manner (Grover 2005a).

Second, and related, there is an argument that the relief of poverty and its causes (most notably, worklessness) actually encourages criminal and anti-social behaviour by eroding the responsibility of individuals. Such arguments were the crux of the behavioural 'underclass' thesis and are also visible in the more individualistic and morally prescriptive versions of communitarianism that New Labour subscribe to (Deacon 2000). Such arguments have a long and infamous history. Chambliss (1964), for instance, demonstrates how the 1349 Vagrancy Act that criminalised the giving of alms, an activity previously seen as being part of the moral economy, to those of 'sound mind and body' who were unemployed was driven by a concern that such alms discouraged vagrants from working and encouraged them to engage in theft and other criminal activity. In what is now termed the 'economic model of crime' – that individuals 'choose between crime and legitimate work depending on the opportunities, rewards and costs of each' (Hale 2005: 328) – the suggestion is that there is a direct correlation between not engaging in paid employment and offending.

Third, there is an argument, supported by the statistics quoted at the beginning of this chapter, that the criminal justice system has the role of controlling what are seen as 'problem populations'; those which:

> disturb, hinder or call into question ... capitalist modes of appropriating the product of human labour ... the social conditions under which capitalist production takes place ... patterns of distribution and consumption in capitalist society ... the process of socialization for productive and non-productive roles ... and ... the ideology which supports the functioning of capitalist society. (Spitzer 1975, cited in Box 1987: 128)

When Spitzer was writing the main 'problem population' was unemployed people (cf. Box 1987; Crow *et al.* 1989). While unemployed people continue to be problematised because their worklessness is associated with fecklessness (cf. Crow *et al.* 1989), they have been joined by other groups lacking paid work, most notably lone parents (hereafter, referred to as lone mothers as about 90 per cent of them in

the UK are female – National Statistics 2006a) who are seen as being particularly threatening because they have the potential to subvert not only the capitalist order (many are not in paid work and those who are not are likely to be receiving state benefits) but also the patriarchal order (they are outside the control, and therefore threaten the power, of men). In this context, it is argued that lone mothers are incapable of raising their children, especially their male ones, unless they are in paid employment (Grover and Stewart 2002).

Fourth is the observation that social policy, particularly social security and labour market policies, act partly to manage anti-social and criminal behaviour. There are different ways of approaching this argument. Piven and Cloward (1972), for example, argue that during periods of high levels of unemployment relief programmes are expanded to maintain order. In the case of Britain we might point to youth training programmes and active labour market policies to support their argument. In a more abstract account, Claus Offe (1984) argues that social policies are crucial in effecting what he describes as 'active proletarianisation'; the ways in which unemployed labour offers itself for sale to capitalist enterprises. The state is involved in this process because it cannot be assumed *a priori* that unemployed labour will offer itself for sale. In contrast, workers could find other means of survival: for example, begging, crime or the adoption of an 'alternative' lifestyle (*ibid.*: 93). The implication of this argument is that the state's role in active proletarianisation is crucial to maintaining the supply of labour for capital by preventing workers from taking forms of subsistence other than paid work. In doing so, it also prevents offending and other behaviours that are defined as being problematic.

Fifth, some areas of social policy, in particular social security policy, are increasingly being used as a means of punishing offenders. So, for instance, the 1991 Criminal Justice Act made it possible for magistrates to apply to have fine and compensation payments deducted from the benefit payments of those people receiving *Income Support* (IS), the benefit for the very poorest people in Britain. Similarly, the 2000 Child Support, Pensions and Social Security Act allowed in pilot areas IS and means-tested *Jobseeker's Allowance* (JSA) to be reduced or withdrawn from individuals who break the conditions of their community orders (see Knight *et al.* 2003), while the 2006 Welfare Reform Bill will allow the withdrawal of *Housing Benefit* (HB) from those tenants who do not take recommended measures to address their anti-social behaviour after they have been convicted of it (for discussion see Deacon 2004; S. Lister 2004; Rodger 2006).