



THE LONDON SCHOOL  
OF ECONOMICS AND  
POLITICAL SCIENCE ■

Social Policies and Distributional Outcomes

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in a Changing Britain

# Physical safety and Security: Policies, spending and outcomes 2015-2020

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## Social Policies and Distributional Outcomes research programme

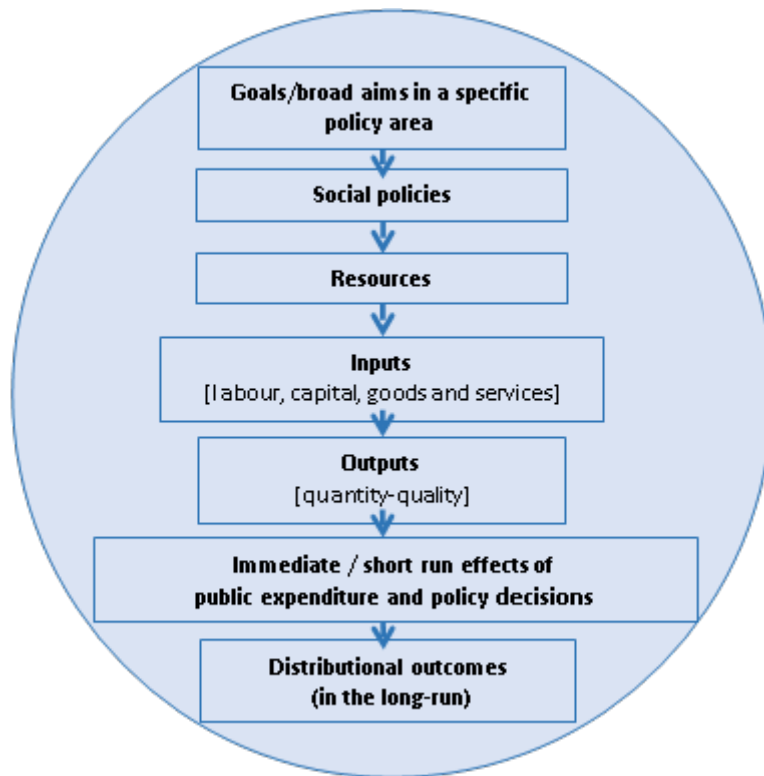
The central objective of the SPDO research programme is to provide an authoritative, independent, rigorous and in-depth evidence base on social policies and distributional outcomes in 21st century Britain. The central question to be addressed is: What progress has been made in addressing social inequalities through social policies? The research programme is ambitious and comprehensive in scope, combining in-depth quantitative analysis of trends in social inequalities and social divides with detailed and systematic public expenditure and social policy analysis across ten major social policy areas over the period 2015-2020, together with broader reflection on the changing nature of social policies and distributional outcomes over the 21st century.

The programme of research adds to (and will reflect on) the previous Social Policies in a Cold Climate (SPCC) research programme covering the period 1997-2015. The SPDO programme will update, extend and broaden our analysis of public expenditure, social policies and distributional outcomes

using the most recent datasets available, resulting in a unique evidence base on trends in social inequalities and social policies going back to 1997. Innovative extensions included within the SPDO research programme include: coverage of additional areas of social policy (e.g. physical safety/security and complex needs/homelessness); emphasis on the new context for social policy making (e.g. devolution and BREXIT); assessment of a broader range of multidimensional outcomes within our quantitative analysis; and the inclusion of additional breakdowns (e.g. migration status). This programme will also have a forward looking component, identifying the key challenges for social policy in the 2020s.

The current paper is part of work-package 2 of the broader programme, which will provide in-depth and cross-cutting analysis of trends in social policies over the period 2010-2020. The work-package will include analysis within and across ten major social policy areas (social security and general housing; health; social care; early years; compulsory school age education; higher education; employment; safety and security; social mobility; and homelessness / complex needs). The analytical schema for the social policy analysis undertaken within the programme is set out in Figure 1 below. The figure shows the structure of the analysis, which will address (1) broad policy goals for each policy area; (2) the actual policies and measures adopted in each area; (3) public expenditure trends (including where feasible and meaningful per capita and in relation to demand / need); (4) inputs and outputs (how resources were spent and what was produced from this); (5) overall outcomes achieved.

**Figure A: Analytical schema for public expenditure and social policy analysis**



Source: adapted from Lupton et al (2013). Note: Arrows denote steps in the analytic chain but not causality through the chain. The background circle denotes the broader universe of other policies, the economy and society, which shape all stages.

More information and other publications in the series are available at the project webpage: [http://sticerd.lse.ac.uk/case/\\_new/research/spdo/default.asp](http://sticerd.lse.ac.uk/case/_new/research/spdo/default.asp)

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## Introduction

This paper sets out to evaluate the development of policy in relation to physical safety and security in the period since the Conservative Government took office in 2015. Whilst people's physical safety and security depend on a wide range of social policies as discussed below, the remit of this paper is primarily social policies, spending and outcomes related to the criminal justice system. Other related policy areas, such as health and education, are discussed briefly here as far as the scope of the paper allows and are analysed more fully in their own right as separate papers in the SPDO research programme. Unlike many of the policy papers in this programme which build on previous work evaluating policies, spending and outcomes first in the New Labour and Coalition Government periods, this is the first paper in this series on this topic; it therefore includes a brief summary of the policy landscape pre-2015 before focusing in on the most recent period. In line with other policy papers in this programme the analytical framework outlined above is used to analyse policy goals as well as specific policy developments, resources, inputs, outputs and (short-run) outcomes as well as, where possible, longer-term distributional outcomes. In evaluating physical safety and security policies this paper seeks to answer the central research question of the SPDO programme: What progress has been made in addressing inequalities through social policies? However, our ability to make firm conclusions about distributional outcomes over a five year period are in this area constrained by significant lag effects in the impact of policy change and by the complexity of the determinants of key factors such as crime rates. Moreover the relevant policy initiatives often have multiple, or ambiguous, goals.

The provision of physical safety and of security has long been recognised as among the most urgent responsibilities of the modern state (Bentham, 1843). Today, that responsibility is perhaps most readily associated with the state's responsibility for the criminal justice system. But it is immediately evident that safety and security in any meaningful sense in fact depends on the effective delivery of a wide range of social policies. As the centralised infrastructure and governmental capacity of the state gradually accumulated through the 19<sup>th</sup> Century, and against the background of a steady decline in violence in most western countries, the aspiration to provide security for citizens already began to realise itself in a range of regulatory systems beyond the core criminal law dealing with offences against person, property and state. Key examples in Britain included the Factories Acts and the provisions for greater safety on the highways; the emerging rules and regulatory systems governing trade; and the effort to stabilise the conditions for commerce by means of banking regulation and company law. The range of employment protection, financial, educational,



public health and social work institutions grew in the early 20<sup>th</sup> Century, laying some of the foundations for the decisive consolidation of a welfare state in 1945. Whether evaluated in the 'subjective' terms of people's sense of their own safety or in relation to 'objective' measures such as rates of criminal victimisation, of health outcomes, or of risks such as homelessness, poverty, hunger or unemployment, safety and security today depend on the full range of social policies considered in the wider SPDO research programme to which this paper contributes. Indeed people's feelings of safety are probably most powerfully underpinned by general welfare provision.<sup>1</sup> The Equality and Human Rights Commission's recent finding that the circumstances surrounding the appalling tragedy at Grenfell Tower in 2017 raise serious questions about breach of human rights – including the right to life under the Human Rights Act - further underlines the extensive public law regime underpinning safety and security policy beyond criminal justice (Equality and Human Rights Commission, 2019).

For this reason, as well as because this chapter has no counterpart in our previous volume (Lupton et al, 2016), this assessment of safety and security will take a slightly different form from that of other policy papers in this programme. We do not have benchmarks from the 2007-2015 volumes of work (Lupton et al, 2016) against which to measure the progress of policy in this area. Moreover the formulation of such benchmarks is complicated not only by the fact that safety and security is an area so deeply interconnected with virtually every other area of social policy, but also by the fact that much provision of security takes place within both the voluntary and the private sectors. Both voluntary and private provision are fragmented and hence hard to evaluate. For example, private provision comes not merely through services contracted out by government in areas such as prisons, courts and the probation service, but through 'guard labour' (Bowles and Jayadev, 2006) within the private sector itself, as in the case of the private security guards who now constitute a very substantial sector of 'private policing' (Johnston, 1992; Cownie et al, 2013 Chapter 12; Jones and Newburn (eds.), 2006).<sup>2</sup> Jones and Newburn (1998) estimated that the private security sector had already outstripped the public police as early as the 1960s, while the 1999 Government White Paper on regulation of the private security industry, which preceded the enactment of the Private Security Industry Act in 2001 estimated that there were then 240,000 people employed by 8,000 companies (Cownie et al, 2013). By the period

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<sup>1</sup> As recently and poignantly evoked by one of Frances Ryan's interviewees for an article on disabled people's compromised access to housing: 'I never feel safe'  
[https://www.theguardian.com/society/2018/aug/21/disabled-accessible-housing-shortage-young-millennials?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/society/2018/aug/21/disabled-accessible-housing-shortage-young-millennials?CMP=Share_iOSApp_Other) (accessed 22 August 2018)

<sup>2</sup> see also [https://www.theguardian.com/commentisfree/2018/sep/10/growth-private-policing-eroding-justice-for-all?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/commentisfree/2018/sep/10/growth-private-policing-eroding-justice-for-all?CMP=Share_iOSApp_Other) (accessed 18 September 2018)

under consideration, 232,000 private guards were employed in Britain in 2015, compared with 151,000 police in 2016, (Provost, 2017, drawing on the Confederation of European Security Services 2018). In 2015, The British Security Industry Association estimated that the private security industry was worth over £6bn to the UK's economy – approximately 0.55% of the UK's GDP – and employed over 356,000 people (British Security Industry Association, 2015).

We will therefore preface our discussion with a broad contextual overview of the development of physical safety and security policy up to 2015. (We focus primarily on England and Wales, given that space precludes us from considering in parallel detail criminal justice in the smaller jurisdictions of the UK.) We will then approach our assessment of the current period in two main ways. First, setting out the main goals which can be gleaned from policy documents and initiatives over the relevant period, we will draw out certain exemplary areas within criminal justice policy, broadly understood, for closer examination, with a view to providing a baseline against which any future report could assess developments over a further period. Second, where possible, we will draw out the anticipated distributive implications of criminal justice policy, understood in terms of the interactions between criminal justice and other areas of social policy in the production of safety and security outcomes over the period 2015-2020.

## 1. Inheritance and Context: Physical Safety and Security Policy to 2015

Our discussion goes forward in the context of widely noted trends in public policy since the 1980s, particularly in terms of the emergence of a vociferous public demand for safety; even for a 'right to security' (Zedner, 2009; Loader and Walker, 2007; Ramsay, 2012). In the criminological and sociological literature, this is often understood to have been a product not merely of an increasing concern about crime (Miller, 2016) but of a more general sense of insecurity attendant on industrial restructuring, economic dislocation and broader socio-cultural change; factors which, of course, continued to resonate strongly in the period leading up to the referendum on Britain's membership of the EU in the summer of 2016. From the 1980s on, 'law and order' became increasingly politicised; and it remained high on the political agenda well into the new millennium, notwithstanding a marked decline in crime as measured by the CSEW from the 1990s (Newburn, 2007) (see *Figure 12* in Section 6).<sup>3</sup> Throughout this period, governmental resort to criminalisation and to criminal justice-related techniques as means of guaranteeing – or at least promising to guarantee – security was gradually increasing. Hence, notwithstanding the famous New Labour policy of being 'tough on crime, tough on the causes of crime' – a mantra which of course placed the recognition of security's dependence on multiple social policies centre stage – it is generally acknowledged that we have seen an extension of the boundaries of criminalisation, in England, Wales and Scotland, over the last quarter century (Law Commission, 2010; Lacey, 2016; Chalmers and Leverick 2013a; 2013b; 2017). This is so notwithstanding real complexities about measurement: a formal expansion of criminal offences does not automatically translate in to more substantive criminalisation, which depends on a range of incentives, decisions and resources, notably in the spheres of policing and prosecution (Lacey, 2016). Hence, equally important in terms of the significance and distributional potential of these changes in criminalisation, is the fact that the period preceding the election of the coalition government in 2010 had seen a significant public investment in the broad safety and security area. This consisted partly in criminal justice resources, notably in the police, hence expanding the enforcement capacity of the criminal process. But it also consisted in preventive strategies such as inclusion policies in schools, the Sure Start initiative, youth services and initiatives to tackle drugs and addiction (Dean and Wallace 2018). Moreover the New Labour implementation of 'new public

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<sup>3</sup> As we explain in Section 6, all existing measures of crime, including the Crime Survey England and Wales, have important limitations; a key illustration is the fact that the recent addition of electronic fraud and online crime to CSEW has made the overall decline look considerably less significant.

management' techniques such as targets and central performance management created strong incentives on the relevant agencies to pursue the policy goals envisaged by government.<sup>4</sup>

The Crown Prosecution Service has published a list of over 300 criminal offences<sup>5</sup> in what are usually seen as the 'core' areas of criminal law such as offences against the person, terrorism, illegal drugs, sexual offences, offences of dishonesty, offences against public order and public justice. But this is the tip of the iceberg. In 1980, a Committee of the organisation *Justice* reported that their research found over 7,200 offences (Justice, 1980, p. 53); it has been estimated that by March 2011 this had grown to more than ten thousand offences excluding those created by by-laws (Ormerod, 2011). And in a consultation paper in 2010, the Law Commission estimated that in the 13 years from 1997, more than 3000 criminal offences had come on to the statute book. They also provided a longer term analysis of the growth of criminal legislation, pointing out that the then current edition of Halsbury's Statutes of England and Wales

'has four volumes devoted to criminal laws that (however old they may be) are still currently in force. Volume 1 covers the offences created in the 637 years between 1351 and 1988, and is 1382 pages long. Volumes 2 to 4 cover the offences created in the 19 years between 1989 and 2008, and are 3746 pages long. So, more than 2 and a half times as many pages were needed to cover offences created in the 19 years between 1989 and 2008 than were needed to cover the offences created in the 637 years prior to that.' (Law Commission, 2010, p. 5).

Even this is not the whole story: the Commission estimated that about 3000 pieces of secondary legislation are passed each year, and many of these too create criminal offences. So we can be fairly confident that 'formal criminalization' - the scope of criminal law on the statute book - has increased by a very substantial amount in recent times; and that this change has accelerated since at least 1990. But this does not give us anything like the whole picture in terms of potential impact on security, because it does not tell us how many of these offences are enforced, or make little difference because they overlap with older offences.

Just as significant as this quantitative growth in criminalisation from the point of view of the provision and distribution of security has been a qualitative change in the nature of formal criminal law, in the shape of an accelerated development of preventive or inchoate offences which shift the

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<sup>4</sup> Albeit also creating significant risks of perverse incentives (Lacey 1994).

<sup>5</sup> [https://www.cps.gov.uk/sites/default/files/documents/legal\\_guidance/annex-1b-table-of-offences-scheme-c-class-order.pdf](https://www.cps.gov.uk/sites/default/files/documents/legal_guidance/annex-1b-table-of-offences-scheme-c-class-order.pdf)

boundaries of criminalisation backward in time in an effort to pre-empt safety-threatening behaviour. This preventive turn appears to have taken on a new intensity in the last two decades. Ashworth and Zedner (2008, 2014; Zedner and Ashworth, 2010) have identified no fewer than nine families of preventive measures, many of them combining civil and criminal modes of enforcement. Several of these new forms of preventive order impose what is in effect a form of (highly targeted) status liability. Take, for example, civil preventive hybrid orders aimed at preventing risk or at preventing harm (ASBO's and their successors, travel restriction orders, football spectator banning orders, forced marriage restriction orders, drinking banning orders, risk of sexual harm or violent crime orders); civil preventive orders such as anti-social behaviour injunctions; pre-trial orders such as remands in custody; licence conditions on release from a sentence of imprisonment or criminal court orders aimed at preventing harm or risk of harm, such as disqualification from driving or from being a company director. A criminal conviction resulting from the breach of any of these orders is a form of criminalization which applies specifically to a group identified in terms of its subjection to the relevant order. Another salient example is the 'Prevent' strategy, originally framed under the Labour government and most recently enacted in the Counter Terrorism and Security Act 2015, which places a duty on public authorities to show due regard to the need to prevent people from being drawn into terrorism. These risk-based features of criminal and public law are genuinely new in their scope and scale, and they have changed the balance of power both as between state and prosecuting authorities and ordinary citizens; and, potentially, as between different groups of citizens. This implies a redistribution as well as a curtailment of power, and potentially creates new forms of insecurity and vulnerability in the effort to tackle existing ones.

The increasing tendency to 'govern through crime' (Simon, 2007) – in other words, to use criminal justice policy instruments to pursue goals previously regulated by informal social norms or through institutional structures such as families or schools - has undoubtedly been fed by not only a general concern with 'law and order', but also by the insecurity bred by fears of terrorism since September 2001. Hence much of the relevant legislation has been strongly reactive to popular sentiment, implying a volatility in the development of criminal justice policy which is arguably characteristic of countries with first past the post electoral systems under conditions of perceived insecurity (Lacey, 2008: on the impact of the shift to PR in Scotland, see Lacey, 2012). But it is equally important to note that much of this criminalisation has been embarked upon with progressive, even egalitarian ends in view. Key to the Blair administration's criminal justice policy was the 'new realist' insight that, rather than representing simply a

tool of state oppression, criminal enforcement was of importance to the disadvantaged, who bore a disproportionate risk of becoming victims of both violent and property crime. Hence high quality policing and effective crime prevention, as well as an increasing focus on provision for victims of crime, combined with penal 'toughness' on crime, were policies key to the provision not only of law and order but of security to vulnerable groups. And more specifically, it began to be acknowledged that certain groups' risks of victimisation had not been adequately recognised. Hence, as we shall see, criminal law has become a tool of resort in areas such as racial and gender injustice as well as the more standard areas such as violence and disorder. Indeed criminal law reform might even be said to have become a vehicle for certain forms of identity politics: a dynamic which is particularly evident in the increasing focus on the disproportionate impact of the criminal process on certain ethnic groups, as we will discuss in some detail below.

Yet, from the point of view of social justice and equality, criminalisation is an invariably ambivalent good; for we know – as illustrated by some of the data which we present in this paper - that while the poor, the mentally ill, victims of discrimination and those otherwise marginalised are indeed disproportionately vulnerable to the insecurity threatened by criminal victimisation, they are also disproportionately liable to be criminalised (Bellis et al, 2011; Duque and McKnight, 2019; Ministry of Justice, 2011; Newburn and Rock, 2006). Thus, notwithstanding the formal egalitarianism of criminal law, criminalisation as a safety- and security-oriented social policy is apt to have inegalitarian outcomes. And since the demise of the Labour administrations in 2010, although insecurity and law and order policy have become less politically salient, the 'tough on crime' half of the social policy equation has tended to dominate, with political rhetoric framed in judgmental and punitive as much as in preventive terms. This political rhetoric cohabits somewhat uneasily with acknowledgment of the need to connect with broader social services in the detail of policy documents such as the Government's recent strategy on serious violent crime (HM Government, 2018b, p. 9).

In light of this context, we have selected for particular focus five areas which in our judgment exemplify key aspects of contemporary safety and security policy in the criminal justice context. First, we take interpersonal violence. We have selected violence because it represents what is generally seen as a core area of crime, and one which understandably attracts particular public concern notwithstanding its relatively infrequent occurrence. This area also suggests itself because of a recent upswing in certain forms of violent crime – notably crime involving knives, much of it committed by young men. In light of this, the Government has recently published an extensive strategy document which gives us detailed insight

into its policy thinking in this area (HM Government, 2018b). We also focus, second, on the prison system; its size, quality and organisation and impact. We do so not only because imprisonment is the most serious penalty imposed by the criminal justice system, but also because this is another area which has been the cause of much recent public concern, and in which a series of reports from the Prisons Inspectorate and Care Quality Commission (see HM Inspectorate of Prisons, 2017; 2018a; 2018b) again allow us a close view of the state of social policy. We then focus on three areas which represent what we might call the new politics of crime and security. First, we consider the definition and prosecution of hate crime. Then we turn to the general issue of race and criminal justice, a longstanding matter of concern, but one to which the Lammy Review has given new emphasis in relation to the key issue of disproportionality of impact, particularly in areas such as stop and search and in policing and community measures geared to dealing with crime by gangs. Finally we focus on domestic abuse and violence against women and girls, an area in which the Home Office has recently conducted an extensive public consultation (HM Government, 2018a) and a subsequent draft Bill (Domestic Abuse Bill 2019). The second and third of these areas also intersect with that of human trafficking, an issue which received legislative attention in the Modern Slavery Act 2015.

In assessing these five areas, three broad dynamics have in particular shaped our interpretation. The most recent factor shaping the environment in which criminal justice policy is being formed in 2015-20 is Brexit. The eventual contours of Brexit, and hence its implications for security policy, remain unclear; moreover those in favour of Britain's departure from the EU have claimed that a loosening of our legal commitment to European rights norms (as discussed in the Brexit paper in this series Stewart, Cooper and Shutes, 2019) might strengthen the government's hand in developing security policy, particularly in relation to terrorism (Cownie et al, 2013, pp. 234-5). What is clear, however, is not only that key aspects of current security policy – notably arrangements such as the European Arrest Warrant and a range of cross-border security provisions – are potentially in question, but that both the government and the police have contemplated the risk of a domestic impact on crime and disorder, at least in the short term.<sup>6</sup>

Moreover, one particular upshot of the referendum has already manifested itself in the form of an upswing in *populist and nationalist sentiment*. This

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<sup>6</sup> [https://www.theguardian.com/politics/2018/sep/09/sajid-javid-refuses-to-rule-out-disorder-in-case-of-no-deal-brexite?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/politics/2018/sep/09/sajid-javid-refuses-to-rule-out-disorder-in-case-of-no-deal-brexite?CMP=Share_iOSApp_Other) (accessed 18 September 2018); [https://www.theguardian.com/uk-news/2018/sep/18/police-chiefs-no-deal-brexite-would-mean-loss-crime-fighting-tools?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/uk-news/2018/sep/18/police-chiefs-no-deal-brexite-would-mean-loss-crime-fighting-tools?CMP=Share_iOSApp_Other) (accessed 21 September 2018).

has undoubtedly added intensity to racist and anti-immigrant sentiment across the UK, and this in turn is likely to have both direct and indirect effects on criminalisation. Perhaps the most spectacular direct example is the impact on so-called 'crimmigration' (Strumpf, 2006) – an area already shaped by the 'hostile environment' policy adopted by the Home Office since 2010, and one in which the recent revelations about the 'Windrush generation' have exposed the tip of an iceberg of insecurity experienced by not only those without a right to remain in the UK but also those who may have difficulty presenting the evidence on which such a right is based. The blurring of the boundaries between administrative and criminal law, notably in the case of immigration detention, and of the boundaries between civil and criminal law, as in the use of a range of civil, typically preventive orders whose breach nonetheless implies criminal or quasi-criminal liability, is of particular concern in terms of the threat to migrants' and asylum seekers' human rights: indeed to the rule of law quite generally (Zedner, 2013).

The deployment of criminalisation as a regulatory tool in relation to immigration is also illustrative of the cross-cutting – indeed sometimes conflicting – pressures under which policy is being formed. On the one hand, there is a public outcry about the injustice and cruelty of the 'hostile environment' policy which has formed an important part of the context for the enforcement of immigration laws, as well as discomfort about accumulating evidence of racial disparity in areas such as stop and search (see below). On the other, there is (geographically uneven) public hostility to migrants, and distrust of particular groups, exacerbated by fears of terrorism. In this context, persistent concerns about youth crime, most recently in the form of knife crime and 'gang' violence, become trained onto particular groups, notably young black men, as revealed by the stop and search statistics which drew the attention of the Prime Minister Theresa May when she was Home Secretary (Equality and Human Rights Commission, 2010). Moreover qualitative research into counter-terrorism policing in London between 2008 and 2009 has suggested that Muslim and Asian communities, rather than individual suspects, were targeted (Parmar, 2011). A further complicating factor here is the volatile nature of the public debate about both sexual and racial abuse, which oscillates between vociferous condemnation on the one hand and normalisation and allegations of fabrication or political correctness on the other. In this unstable environment, there is a risk that the impact of safety and security policy becomes unfairly polarised, implying an undermining of any capacity which this policy area might have to redistribute access to the goods of safety and security in a more egalitarian direction. And in this as in other areas of social policy, even progressive reforms are apt to benefit the relatively advantaged among disadvantaged groups. These examples remind us that



criminal justice is a potential source of, as well as a potential solution to, insecurity.

In broad social policy terms, however, the headline issue affecting the context in which safety and security policy is developing in the period 2015-2020 – itself arguably strongly implicated in the Brexit vote and its continuing fallout – has been *the cumulative impact of austerity in public spending since 2010*. In multiple ways, some of which we shall document empirically below, cuts in both criminal justice services such as those provided by the Ministry of Justice, policing and prison spending per capita, and in other public services, notably mental health services and social services preventing and tackling homelessness, have prompted the diversion of many disadvantaged and troubled people into the arms of the criminal justice system. This impact – which has been keenly felt notwithstanding, indeed perhaps in part because of, the relatively generous public provision under the preceding New Labour administrations - has arguably subverted the aspiration to provide a fairly distributed safety and security policy over this period. And these effects have been aggravated by the related – and uneven - impact of austerity on the voluntary, charitable and community sectors (Jones et al, 2016; Clifford, 2017).

A particular concern in this context is the impact of safety and security policy on those with mental health problems. It is, of course, very difficult to estimate the number of people in the criminal justice system who also suffer mental ill health. In terms of people whose lawbreaking is mental health-related, ‘...the degree to which mental health symptoms influence criminal behaviour varies across crimes and within individual offenders. An offender who commits a crime that is directly preceded by symptoms often commits other crimes that are unrelated to symptoms’ (Peterson et al, 2014, p. 446). There is also a definitional overlap between certain mental disorders and certain crimes (Peay, 2011, 2017). Data from 35 police forces in England and Wales and Northern Ireland requested by The Guardian showed a 33% increase in incidents where mental health was a factor between 2011 and 2014. The College of Policing estimated that between 20% and 40% of police time is spent dealing with incidents involving people with mental health problems, while the Metropolitan Police estimated this figure at 20%.<sup>7</sup> Bradley has estimated the number of mentally disordered suspects passing through police stations at between 2% and 20% and calculated that ‘of 698,000 people directed to appear at magistrates’ courts who were arrested and bailed, 9,143 people will have a serious mental

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<sup>7</sup> <https://www.theguardian.com/uk-news/2016/jan/27/mental-health-crisis-huge-increasing-share-police-time-40>; <https://www.theguardian.com/uk-news/2017/apr/20/police-cannot-continue-to-fill-gaps-left-by-mental-health-cuts-report-says> (accessed 21 November 2018)

illness; and of 123,000 people held in custody until their first court appearance, 8,081 people will have a serious mental illness' (Bradley, 2009, pp. 38, 59).

In terms of the prison system, according to Singleton et al (1998), 90% of the male prison population had one or more of the following: psychosis, neurosis, learning disability, personality disorder, drug and alcohol dependence; and 7% of sentenced male prisoners had a functional psychotic disorder. This is considered to be an overestimation because of the broad definition adopted (National Audit Office, 2017). It is difficult to be certain about the extent of the problem because the '[g]overnment does not collect enough, or good enough, data about mental health in prisons (...). NHS England collects information on the number of people in treatment for mental illness, which currently amounts to 10% of the prison population in England, but there may be more people in treatment who are not captured in these data' (National Audit Office, 2017, p. 7).

Following the swift demise in Kenneth Clark's effort as Minister of Justice from 2010 to moderate sentencing and prison policy, the prison population has remained high, while spending has declined, leading to increasing problems of overcrowding and of poor conditions - often apparently produced by inadequate provision of outsourced services. Physical safety and security within prison walls for both prisoners and staff has deteriorated as a result.

Outside the prison, disinvestment in policing, for example, has led to a decline in not only the extent but also to a concern that diminishing resources may be encouraging resort to harder edge tactics targeted at certain groups and communities, or to withdrawal from certain areas, leaving them exposed to the violence and disorder which are a spillover from illegal markets of one kind and another and of competition between alternative groups such as gangs seeking to move into the control vacuum. Diminishing access to justice attendant on the shrinking of legal aid (the title of the key piece of legislation, the 2012 Legal Aid, Punishment and Sentencing of Offenders Act, is instructive here: Amnesty International, 2016; The Secret Barrister, 2018, chapter 7), is another factor which has led to the near breakdown of the criminal justice system's capacity to cater for victims and witnesses, as exposed by the Public Accounts Committee in 2016 (House of Commons Committee of Public Accounts, 2016).

The closure of courts and cuts in the resourcing of prosecution services - the CPS has lost about a third of its workforce - further affect the capacity to provide security. The withdrawal of funding from local youth services and schools in relation to activities such as after school care, local authority cuts which have decimated the provision of refuges and other support to victims

of domestic abuse – all these factors degrade, materially, the infrastructure on which many of the high sounding aspirations voiced in governmental policy areas key to safety and security depend. Moreover they exacerbate hostility towards migrants, including refugees, who are liable to be constructed as ‘outsiders’ taking up scarce resources.

Note, finally, that *the cross-cutting political pressures which structure the environment in which safety and security policies are being developed are not conducive to the formulation of any broad overall, coherent vision of policy in this area.* Doubtless the increasingly fractious and divided political landscape is producing something of this impulse to opportunism and fragmentation in policy making more generally; and it is being exacerbated by the major distraction of the Brexit negotiations. But, as we hope to show, it has had a particular impact in the safety and security field, producing a slate of policy initiatives which do not fit together within a coherent policy stance.

Extrapolating from this broad inheritance, and thinking ahead to how we might assess safety and security policy in 2020, a number of features of the field in 2015 present themselves as useful baselines. First, we have seen that in 2015 England and Wales saw a relatively high baseline of formal criminalisation – as reflected in both criminal offences and hybrid civil/criminal preventive orders – yet marked a continuing downward trend in most forms of crime. Notwithstanding this, second, 2015 saw a high prison population of just over 85,000, reflecting an imprisonment rate of about 140 per hundred thousand of the population (World Prison Brief, 2018) - an incarceration rate which had nonetheless sat alongside a significant reduction in expenditure of about 20% since 2010. Third, 2010 saw a police service whose legitimacy was already under question (Equality and Human Rights Commission, 2010), and which was about to be subjected to a stringent programme of cuts (around 25%) which would lead to significant reductions in personnel. Fourth, amid both a strengthening policy commitment to define and tackle hate crime, yet also a growing concern about this phenomenon in the wake of the EU referendum, underlined in 2016 by the shocking murder of MP Jo Cox, the 2015 baseline shows that police recorded hate crime increased by 29% in 2016/17 compared with 2015/16 (from 62,518 to 80,393) (O’Neill, 2017). Fifth, Theresa May’s tenure as Home Secretary marked a distinctive focus on questions about ethnic disproportionality in criminal justice, against a background of continuing uncertainty about exactly how this widely noted disparity is brought about - issuing in the Lammy Review. And finally, in the field of violence against women and girls, (and in the overlapping yet broader area of human trafficking, which evidently bears also on issues of racial disproportion), significant policy developments were just getting under way,

albeit against a background of continuing disagreement among relevant groups about both the real level of domestic abuse and the capacity of criminalisation to tackle either it or trafficking. Notable legislative developments here included the introduction of the offence of coercive control in 2015 and of the Modern Slavery Act earlier the same year.

## 2. Goals/broad aims from party manifestos

Since we are still some way from the end of the relevant period, and since moreover domestic policy-making has been substantially sidetracked by Brexit, we do not have a very substantial set of governmental materials on which to base our assessment of safety and security policy in the period so far. However, since this period has featured two general elections, we do have the unusual resource of a range of party manifestos, setting out a policy stall to the electorate. What can we learn about safety and security policy goals in this period from the election manifestos of the Conservative party, which won a surprise election victory in 2015, and a further victory in the 2017 election following the Brexit referendum, albeit with a reduced majority?

A comparison of the two manifestos is illustrative of the particularistic and fragmented tenor of this policy field – much of it, of course, overshadowed by the continuing emphasis on fiscal austerity. And, not surprisingly given the context in which the 2017 election was called, the Conservative manifesto that year featured a much less extensive discussion of criminal justice issues than that in the 2015 manifesto. (Ironically, the Labour manifesto made more of the issue, placing particular emphasis on policing and fire service cuts, a rise in violent crime and continuing concerns about both institutional bias against BAME communities and inadequate provision to tackle violence against women and girls).

Significantly, however, some key themes are common across the two Conservative Party manifestos. One of these is terrorism, with the 2015 manifesto promising to update counter-terrorism laws with measures such as new communications legislation data; new Banning Orders for extremist organisations; and new Extremism Disruption Orders – all manifestations of the preventive impulse mentioned above. The manifesto also promised to strengthen Ofcom's role to take measures against channels which broadcast extremist content, and to enable employers to check whether someone is an extremist and stop them from working with children. In the 2017 manifesto, there is a general commitment to respond to the threat of terrorism.

A second shared theme is the focus on domestic violence, with the 2015 manifesto promising a focus on violence against women and girls to 'ensure a secure future for specialist FGM and forced marriage units, refuges and rape crisis centres' as well as the provision of specialist training in this area and- of wider application - a new Victims' Law to enshrine rights of victims, and the 2017 manifesto offering new laws to protect victims of domestic

violence. This swiftly issued in an extensive Home Office consultation, which will be considered in more detail below.

A third shared theme is that of prisons and community sentences – an area in which the shadow of austerity can be discerned, with the 2015 manifesto promising to build new larger modern prisons and close old inefficient ones, as well as to tackle corruption, drug use and mobile phone use in prisons. The goal of efficiency also dominates the manifesto's commitments on sentencing, with a promise to improve the use of technology to monitor offenders; to introduce a new semi-custodial sentence; and to extend the scope of the Unduly Lenient Sentence Scheme to enable challenging a wider range of sentences. In 2017, there is a commitment to reform both prisons and community sentences. And both manifestos include a commitment to review treatment and sentences for women offenders.

A fourth shared theme is the commitment to review the law in relation to hate crime and to extend its scope to include disability, sexual orientation and transgender identity.

On the other hand, in 2017, there was a commitment to expand the role of police and crime commissioners so as to improve the governance and accountability of the police; and to improve online security, in light of studies suggesting that there has been a huge growth in digital crime (Fitzgerald, 2014). This replaced the 2015 commitment to legislate changes to stop and search powers; to scrap the Human Rights Act and introduce a British Bill of Rights; and to 'modernise the court system' and review legal aid.

### 3. Policies

Manifesto commitments, of course, do not necessarily translate into social policies; and the political and civil service energy consumed by both party strife and the UK's negotiations with the EU about the terms of the country's exit from the EU has rendered that connection yet more tenuous than it generally is. When we look at the formal changes in legislation and case law; in rules and practices set by forms of delegated public standard-setting (such as through the Sentencing Council); in the setting of budgets for expenditures at both local and national levels on crime and security-relevant functions; and in the conduct of privatised or contracted out security and criminal justice services, how decisive a development of the relevant social policies do we see; and how does the overall policy picture in this area now look?

There have already been a number of developments in criminal justice policy since the 2015 election. For example, in December 2015 parliament enacted *new legislation on domestic abuse*, introducing the offence of 'coercive control', in the first of over a dozen important pieces of primary legislation bearing on safety and security. And although there has been no legislative change in the field of hate crime, in 2016, a *Hate Crime Action Plan* was unfurled (HM Government, 2016a). The ongoing policy concern with *ethnic disproportion in criminal justice* was reflected in the Lammy Review, whose analysis will be considered below. In 2018, the government published an extensive consultation on its *new strategy on violent crime*, and has recently completed an extensive consultation leading in 2019 to a draft Bill on *domestic abuse*. The *Policing and Crime Act 2017* somewhat extends the remit of Police and Crime Commissioners, strengthens the system of police discipline and complaints against the police, and makes some changes to police powers, while falling well short of the more extensive reform hinted at in earlier policy speeches and manifesto commitments. In relation to *prisons*, 2016 saw a wide ranging 2016 Ministry of Justice review, *Prison Safety and Reform* (Ministry of Justice, 2016), - a 61 page document which envisages a raft of reforms encompassing legal standards for the provision of adequate prison standards, a more empowering framework for governors, better safety and an improved estate, as well as better training and support for staff. Decisive action on this ambitious programme is still awaited. Meanwhile, the government's sweeping programme of probation reform through the creation of twenty-one 'Community Rehabilitation Companies' to handle the sentences of those convicted of less serious offences, has suffered a spectacular collapse. In early 2019 the National Audit Office (2019) issued a coruscating report detailing a 47% rise in the proportion of the relevant offenders being recalled to prison, and in an unplanned additional cost to the

taxpayer of £467 million as a result of a poorly calibrated system of payment by results and the decision to terminate the relevant contracts 14 months early. A major renationalisation of the probation system was announced in May 2019: against the backcloth of the dismantling of a professionalised public service and a collapse in morale, the upshot of this renationalisation must be uncertain.

In most of these fields, the line between policy and input is a fine one, and further discussion will be found below in Section 5. Here, however, it is worth emphasising two areas which have seen the most decisive policy initiatives: those of violent crime - particularly knife and gun crime - and domestic abuse, before summarising key policy developments in other areas of interest.

### *3.1 Interpersonal violent crime*

In 2018, prompted by widespread concern about a rise in certain forms of serious violent crime, particularly among young people and in the context of markets in proscribed drugs, the government published a Serious Violence Strategy (HM Government, 2018b). Like the consultation on domestic abuse, the document emphasises the complex nature of the problem and the need to bring different agencies together to tackle it:

'We want to make clear that our approach is not solely focused on law enforcement, very important as that is, but depends on partnerships across a number of sectors such as education, health, social services, housing, youth services, and victim services.... The strategy is framed on four key themes: tackling county lines and misuse of drugs, early intervention and prevention, supporting communities and partnerships, and an effective law enforcement and criminal justice response. This strategy represents a step change in the way we think and respond to serious violence, establishing a new balance between prevention and law enforcement.'

(HM Government, 2018b, p. 9)

The Strategy document makes a commitment, inter alia, to an £11m investment in an Early Intervention Youth Fund, as well as the establishment of a National County Lines Co-ordination Centre. These initiatives, and that rather modest investment (bear in mind that it must be shared across more than 400 local authorities), however, have to be placed in the context of the educational and local authority cuts, discussed in more detail in section 4 below, as well as in the context of rising rates of school exclusion (Timpson, 2019: 43) , these rates in turn both exacerbated by resource shortages and exacerbating the impact of those shortages. Local



spending cuts have shattered the provision of social work and out of school activities and support for young people, as well as shifting the relative balance of advantage/temptation for young people without good educational qualifications presented by the prospect of substantial short term economic gains from activities such as drug dealing versus the insecurity and lack of intrinsic satisfaction characteristic of jobs in an increasingly casualised low-skills labour market. This indicates the need for a holistic and preventive policy on youth crime – an approach exemplified by the much-praised Scottish scheme which adopted a multi-agency, public health approach through the government-backed Violence Reduction Unit<sup>8</sup>. This approach has been widely credited with producing a reduction in violent crime, particularly in Glasgow where the number of admissions due to assault with a sharp object has fallen by 62% over the ten year period, and is generally regarded as a model of good practice, albeit with some reservations about the broader implications of constructing violence as a matter of health rather than broader social structure and welfare.<sup>9</sup>

The public health approach in Scotland includes a range of different programmes to tackle different types of violence, including offering gang members alternative opportunities, training dentists, hairdressers and vets to identify domestic abuse, and a peer mentoring programme in schools to challenge norms that underpin bullying, gender-based and other forms of violence, amongst other initiatives involving different actors (Scottish Violence Reduction Unit). It is therefore difficult to pinpoint exactly what aspects of the programme have reduced violence.<sup>10</sup> One of the programmes which forms part of the public health approach in Scotland (and elsewhere) was influenced by the Boston Model from the US in the mid 1990's, where gang members were targeted and warned about the serious consequences they would face if they continued behaving violently, whilst at the same time being offered support and training in order to both increase the risks associated with and at the same time reduce the motivation for involvement in violent crime (Silvestri et al, 2009, pp. 46-48). The reduction in youth homicides and non-fatal gun violence has been attributed to this 'focussed deterrence' approach, which has since been replicated in other areas of the US as well as the UK (Ibid). Whilst a Campbell Collaboration systematic review has found that there is evidence that these focussed deterrence approaches do lead to crime reduction, there is less understanding of the

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<sup>8</sup> <http://actiononviolence.org>

<sup>9</sup> see e.g. <https://civilservice.blog.gov.uk/2018/05/24/tackling-knife-crime-in-scotland-10-years-on/>

<sup>10</sup> <https://www.theguardian.com/membership/2017/dec/03/how-scotland-reduced-knife-deaths-among-young-people> (accessed 28 November 2018); See Appendix B table of evaluation evidence for Scottish violence reduction initiatives in Conaglen and Gallimore (2014).

precise mechanisms that explain these effects (Braga and Weisburd, 2012). There are also some factors specific to Scotland which may make it easier to tackle knife crime through a public health approach and which are less transferable to England, for example differences in the relations between police and black and ethnic minority communities and indeed in the broader social policy history and context.<sup>11</sup> A public health approach has been adopted in some areas including the West Midlands (Public Health England, 2015) and London<sup>12</sup>. The evidence so far is that implementation of focused deterrence strategies specifically in London has been less successful: in a recent review of evidence, Grimshaw and Ford conclude that while interventions which fail to tackle broad social issues such as inequality, mental ill health and drug addiction are unlikely to have lasting success in reducing knife crime, the public health approach has not yet been adequately implemented in England and Wales, with criminal justice interventions such as increased stop and search remaining the dominant policy response, despite evidence of their ineffectiveness (Grimshaw and Ford, 2018, p. 18). Their assessment is reinforced by the implications of local authority spending cuts and the impact of austerity on community and voluntary organisations (Jones et al, 2016; Clifford, 2017), with significant implications in terms of reductions in youth services at the local level.

As the Serious Violence Strategy, which analyses trends in violent crime in some detail, notes, while homicide, gun and knife crimes make up only about 1% of crime known to the police, they are particularly harmful (HM Government 2018b, pp. 17-18); and the paper gives particular emphasis to the likely impact of illegal drug markets:

‘One [important factor] has been the emergence of New Psychoactive Substances like spice which has been linked to serious violence within prisons and homeless communities. Another is the increased involvement of young people in different aspects of the illicit drug market. For example, the latest survey and treatment data suggest that there has been a recent increase in recreational drug use (for example cannabis) among those aged 11-15 years. And while there is no evidence of this age group increasing their use of class A drugs, convictions of young people (10-17s) for class A drug production and possession with intent to supply have increased by 77% between 2012 and 2016, three times the equivalent increase among adult offenders. But perhaps most important is a rise in crack use since 2014, which is

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<sup>11</sup> See [https://www.research.ed.ac.uk/portal/en/clippings/prof-susan-mcvie-comments-on-how-scotland-reduced-knife-deaths-among-young-people\(138110cf-d7e0-4594-87dd-17615922a6cf\).html](https://www.research.ed.ac.uk/portal/en/clippings/prof-susan-mcvie-comments-on-how-scotland-reduced-knife-deaths-among-young-people(138110cf-d7e0-4594-87dd-17615922a6cf).html) (accessed 28 November 2018)

<sup>12</sup> London Councils Briefing note for Serious Youth Violence (SYV) seminar on 8 June 2018 <https://www.londoncouncils.gov.uk/node/34119> (accessed 28 November 2018)

likely to be driven by both supply and demand factors. Columbia, the main source country for cocaine in the UK, has seen coca cultivation surge since 2013, according to a UN report. In line with this, crack-cocaine purity in England rose from 36% in 2013 to 71% in 2016.

Drug markets may also help to explain the geography of the current increases. One of the most striking findings about the rise in serious violence since 2014 is that it has not been limited to the main metropolitan areas. While forces like Essex experienced a marked rise in recorded knife crime from 2012/13, recorded knife crime in London only began rising in 2016'

(Home Office, 2018c, p. 22).

It is too early to say what the upshot of this revised strategy will be; but its implementation is clearly set to become a key safety and security indicator in the coming years.

### *3.2 Violence against Women and Girls: Legislative and Policy Initiatives*

In December 2015, S. 76 of the Serious Crime Act ('s. 76') came into force in England and Wales, for the first time making 'coercive or controlling behaviour' with someone with whom the offender is 'personally connected' and that has a 'serious effect' on the victim a criminal offence, punishable by up to five years in prison. As in existing anti-harassment legislation, a 'serious effect' consists either in the victim having been made to feel, on at least two occasions, that violence will be used against her; or, that the behaviour has caused her alarm and distress such that it has had an impact on her day-to-day activities. 'Coercive or controlling behaviour' is a new criminal law concept which is not defined by the Act (Wiener, 2017). Its introduction followed the criminalisation earlier the same year of 'revenge pornography' (disclosing private sexual photographs and films with intent to cause distress, which disproportionately affects young women), made an offence punishable by up to two years by s. 33 of Criminal Justice and Courts Act 2015.

These legislative interventions were significant steps in a field which has continued to engage policy-makers' attention. In 2017, the Preventing and Combating Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017 was passed to ratify the Istanbul Convention on this issue. In 2017-18, the Home Office and Ministry of Justice held an extensive consultation on domestic abuse (HM Government, 2018a), following on from the Ending Violence Against Women and Girls Strategy 2016-2020 (HM Government, 2016a): The consultation set out some of the

government's achievements in this policy area, including pointing to the offence of controlling or coercive behaviour in an intimate partner or family relationship, which had led to 300 charges reaching a first hearing at the time of the consultation's publication (p.6), as well as domestic violence protection orders, legal aid and training and committed funding including for refuges, with the budget in the Spring of 2017 announcing an extra £20 million for domestic abuse initiatives.

The consultation envisaged a raft of improved educational, preventive and protective strategies, aiming to promote awareness of domestic abuse, to protect and support survivors, to pursue and deter offenders, and to improve the performance of agencies responding to this form of crime. Many of its proposals would depend on well-co-ordinated multi-agency cooperation at the local level. The consultation also envisaged use of revenue from the 'Tampon Tax' to fund further resources including support for specialist accommodation; and a commitment is made for the MoJ to invest £1m in six local areas to develop a 'Whole System Approach' to tackling domestic abuse. The consultation received over 3,000 responses, and was followed in early 2019 by the publication of a Domestic Abuse Bill, which for the first time defines domestic abuse<sup>13</sup> and preserves the consultation's recognition of the need for multi-agency co-ordination. Among its other provisions are a bar on the cross-examination of victims by their abusers; a concern with education and building awareness; the appointment of an independent Domestic Abuse Commissioner to tackle the issue across government; protection orders compelling offenders to take rehabilitation programmes; and a new legal duty on councils to provide secure homes for them and their children. The Bill is published alongside an annex of over a hundred specific policy and action commitments.

The Bill reiterates the Government's pledge to ringfence £100M between 2016-20 to tackle violence against women and girls, with £80m devoted to

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<sup>13</sup> The Bill defines domestic abuse as follows: Behaviour by a person ("A") towards another person ("B") is "domestic abuse" 5 if—

1. (a) A and B are each aged 16 or over and are personally connected, and
2. (b) the behaviour is abusive.

Behaviour is "abusive" if it consists of any of the following—

- (a) physical or sexual abuse; 10
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;
- (d) economic abuse (see subsection (4) );
- (e) psychological, emotional or other abuse.

"Economic abuse" means any behaviour that has a substantial adverse effect 15 on B's ability to— (a) acquire, use or maintain money or other property, or (b) obtain goods or services.

victim services, of which half relates to safe accommodation. There is in addition a commitment to a further £20m over two years for services. But since these commitments are within the context of shrinking MoJ, Home Office, local government and third sector budgets (Clifford, 2017), it is difficult to be confident about the likely upshot. Research published alongside the Bill estimates the annual cost of domestic abuse at £66bn per year (Home Office, 2019). On a brighter note, in 2017 the government announced that it was scrapping legal aid restrictions for victims of domestic violence, after reports that the cuts had had a substantial impact on the number of victims withdrawing their complaints.<sup>14</sup> Finally, in May 2019 the Government announced that it will make it a legal duty for local authorities to guarantee secure accommodation for those experiencing domestic abuse and has promised to provide enough funding for councils to provide necessary services<sup>15</sup>, though time will tell if the funding adequately meets the level of need. As part of the Domestic Abuse Bill, government will also establish a new Domestic Abuse Commissioner.

### *3.3 Hate Crime*

There has been no legislative change in the field of hate crime<sup>16</sup>, defined by the police, Crown Prosecution Service, Prison Service (now the National Offender Management Service) in 2007 as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.' (see further section 6.2 below). The policing and prosecution of hate crime continues to go forward within guidelines set out by the College of Policing in 2014, and implementation of the 2016 Strategy on Hate Crime is ongoing. The 2016 action plan against hate crime (Home Office, 2016) was updated in 2018 (Home Office, 2018c) – an update prompted in part by 'a genuine rise in hate crime around specific events such as the Westminster Bridge terrorist attack' (p. 4). The report emphasises online crime: 'To build upon our progress and respond to emerging challenges such as online hate crime, over the next two years we will take forward a refreshed programme of work under the five themes set out in 2016' (p. 5) and promises a White Paper to tackle it. Online hate crime is a common theme in the two papers.

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<sup>14</sup> <https://www.theguardian.com/society/2017/dec/04/moj-scraps-legal-aid-restrictions-for-victims-of-domestic-violence> (accessed 15 March 2019)

<sup>15</sup> 'Councils to guarantee domestic abuse victims secure accommodation under new legal duty' 13<sup>th</sup> May 2019 <https://www.independent.co.uk/news/uk/home-news/domestic-violence-victims-refuges-accommodation-funding-legal-duty-a8910646.html> accessed 10th June 2019

<sup>16</sup> The Home Office distinguishes three categories of hate crime: (1) incitement to hatred offences on the grounds of race, religion or sexual orientation; (2) specific racially and religiously motivated criminal offences (such as common assault); and (3) provisions for enhanced sentencing where a crime is motivated by race, religion, sexual orientation, disability or transgender identity' (Home Office, 2016, p. 12).

There is in addition an increased emphasis on offences against the LGBTQ community in the 2018 Action Plan. Following a national LGBT survey (July 2018), the Government Equalities Office also published an LGBT Action Plan (Government Equalities Office, 2018), promising, for example, a £3 million programme to tackle homophobic, biphobic and transphobic bullying in 1,200 schools. And in 2018 the Law Commission<sup>17</sup> launched a comprehensive reassessment of the adequacy of the definition and scope of the law on aggravated offences, looking for example at the option of extending their reach to cover factors such as disability and transgender status. Recent research meanwhile has revealed a range of difficulties in the operation of the current law, notably in relation to problems of proof and process, making a number of proposals for reform (Walters et al, 2017).

Political concern with the phenomenon of hate crime has also increased as a result of concern about a spike in hate crime following the Brexit referendum. Moreover the category of hate crime is being steadily expanded, with the Law Commission's current review including crime motivated by misogyny, misandry and ageism.<sup>18</sup> The chairwoman of the National Police Chiefs Council and the head of Scotland Yard, however, have argued that police do not have the resources to treat misogyny as a hate crime and instead should prioritise tackling violence.<sup>19</sup> Recent patterns of hate crime are considered in the section 6.2 below (see also Equality and Diversity Forum, 2018).

### *3.4 Race and the criminal justice system*

Initiatives on hate crime represent an effort to use the criminal law in such a way as to counter and punish prejudice and discrimination. But such initiatives must be set alongside evidence of the ways in which criminal justice protocols and practices themselves reflect, enact or reinforce discrimination. For, in distributive terms, the racially unequal impact of policing, criminalisation and punishment is probably the sharpest empirical illustration of the potential of criminal justice to entrench rather than dismantle existing inequalities. This area has recently been subject to careful scrutiny in the Lammy Review (Lammy, 2017). Noting that the widespread ethnic disparities seen in the Criminal Justice System in the UK parallel those in other countries such as the USA, Australia and New Zealand, Lammy emphasises the interaction between ethnic disproportionality in criminal justice and more general disadvantage (p. 4). But he also shows that disparities in the policing of different ethnic groups,

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<sup>17</sup> <https://www.lawcom.gov.uk/project/hate-crime/> (accessed 15 March 2019)

<sup>18</sup> [https://www.theguardian.com/society/2018/oct/16/review-of-uk-hate-law-to-consider-misogyny-and-ageism?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/society/2018/oct/16/review-of-uk-hate-law-to-consider-misogyny-and-ageism?CMP=Share_iOSApp_Other) (accessed 5 November 2018)

<sup>19</sup> <https://www.theguardian.com/uk-news/2018/nov/02/metropolitan-police-chief-cressida-dick-backs-call-focus-violent-crime-misogyny> (accessed 14 November 2018)

with those from BAME groups three times as likely to be stopped and searched as those from white groups, and Black people over six times more likely to be stopped<sup>20</sup> (Lammy, 2017, pp. 17-19), as well as a disproportionate invoking of joint enterprise laws in relation to BAME groups - have a particularly marked impact in producing the stark inequalities which turn up at every point in the system. Moreover, the problem is not improving: Lammy found that the BAME proportion of young people offending for the first time rose from 11% in the year ending March 2006 to 19% a decade later, with BAME youth reoffending rates rising to the same degree. Arrest and policing practices, as well as patterns of guilty pleas, are singled out for particular comment:

'In both the youth and adult systems, there is no single explanation for the disproportionate representation of BAME groups. For example, analysis of 2014/15 data, shows that arrest rates were generally higher across all ethnic groups, in comparison to the white group – twice as high for Black and Mixed ethnic women, and were three times higher for Black men. Arrests are disproportionate but this does not fully explain the make-up of our youth custody population.

Other decisions have important consequences. For example, analysis of the same 2014/15 data, shows that BAME defendants were consistently more likely than White defendants to plead not guilty in court.'

(Lammy, 2017, p. 5)

It is of course worth acknowledging that this may well be because people from BAME backgrounds are more likely to be arrested and charged compared with their white counterparts, even when innocent. The disproportionate policing of any group is liable to raise the relative numbers from that group in the overall crime statistics and hence to confirm any existing beliefs about the over-representation of the group among offenders. Moreover, insofar as a lack of trust in criminal justice officials and defence lawyers discourages defendants from pleading guilty even in cases where they would be well advised to do so, this has an independent effect, since, as Lammy explains:

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<sup>20</sup> At the time of writing talks are underway between advisers to the home secretary and senior officers who want to expand the use of stop and search by lowering the level of suspicion officers need to use the power [https://www.theguardian.com/law/2018/nov/11/uk-police-chiefs-hold-talks-to-expand-stop-and-search?utm\\_term=RWRpdG9yaWFsX0d1YXJkaWFuVG9kYXIVS19XZWVrZGF5cy0xODExMTI%3D&utm\\_source=esp&utm\\_medium=Email&utm\\_campaign=GuardianTodayUK&CMP=GTU\\_K\\_email](https://www.theguardian.com/law/2018/nov/11/uk-police-chiefs-hold-talks-to-expand-stop-and-search?utm_term=RWRpdG9yaWFsX0d1YXJkaWFuVG9kYXIVS19XZWVrZGF5cy0xODExMTI%3D&utm_source=esp&utm_medium=Email&utm_campaign=GuardianTodayUK&CMP=GTU_K_email) (accessed 15 November 2018).

'Admitting guilt can result in community punishment rather than custody, or see custodial sentences reduced by up to a third. Plea decisions are an important factor in the disproportionate make-up of the prison system.

There is evidence of differential treatment that is equally problematic. For example, analysis of sentencing data from 2015 shows that at the Crown Court, BAME defendants were more likely than White defendants to receive prison sentences for drug offences, even when factors such as past convictions are taken into account. Despite some areas that require further study, such as the role of aggravating and mitigating factors, there is currently no evidence-based explanation for these disparities.'

(Lammy 2017, p. 5)

Moreover, worryingly, Lammy found high levels of distrust among BAME people, with 51% of people from BAME backgrounds born in England and Wales who were surveyed believing that the criminal justice system discriminates (p. 6). This finding Lammy believes to be underpinned by the low representation of BAME people among criminal justice officials – itself a symptom of a more general bias problem. Lammy observes that the low levels of trust in both police and their own lawyers, which amounts to many BAME defendants viewing the system in 'them and us' terms, are a key part of the explanation for disproportionate outcomes, in that they inhibit arrangements such as plea bargains which mitigate the level of conviction and sentence.

Lammy's Review makes a large number of specific policy recommendations, many of them relating to better coordination between the justice system and other services at the local level, as in his proposed Local Justice Panels; placing a burden of proof on criminal justice institutions to justify disproportionate outcomes; and a more imaginative and extensive reliance on the Modern Slavery legislation. The Review is informed by an overall view that greater transparency and more regular monitoring of both decision-making and information have the capacity to deliver more proportionate outcomes. However the Review also acknowledges other factors that contribute to the overrepresentation of people from BAME backgrounds in the CJS, including higher poverty rates for black families and higher rates of permanent exclusion from school (Lammy, 2017). This again highlights the interconnectedness of different policy areas with safety and security policies, and the importance of addressing structural issues rather than taking an isolated approach.



The Government swiftly responded to the Review in broadly positive terms, making several dozen, mainly procedural, recommendations, and committing itself to further consideration in coming months (HM Government, 2017). A year later, the Ministry of Justice published an update, underlining its commitment to embedding a dedicated MoJ team coordinating work on ethnic and racial disparity in the criminal justice system and reviewing action thus far on each of Lammy's 35 recommendations (Ministry of Justice, 2018c). The government has in recent years committed itself moreover to conducting regular race equality audits across the range of policy-making: a valuable idea, although one potentially limited by a lack of existing data. It remains to be seen whether these initial moves will translate into concrete and effective policy initiatives.

### 3.5 Prisons

In 2016 the wide ranging Ministry of Justice review, *Prison Safety and Reform* was published (Ministry of Justice, 2016). The review envisages a raft of reforms encompassing legal standards for the provision of adequate prison standards, a more empowering framework for governors, better safety and an improved estate, as well as better training and support for staff. Notwithstanding these policy aspirations, the combination of overcrowding and budgetary constraints has implied a decline in standards of safety, security, health, hygiene, order and basic decency within prisons which has intermittently seen the light of day in increasingly critical reports by the Prisons Inspectorate, including the issuing of an urgent protocol on the state of HMP Bedford in 2018. It has also attracted publicity as a result of events such as a prison riot (in Birmingham in 2016); prisoner escapes; and, most spectacularly, the Minister of Justice's decision, resulting from a coruscating Inspector's report on the filthy, dangerous and disordered state of HMP Birmingham (HM Inspectorate of Prisons, 2018b), to impose direct Ministry of Justice control and install an entirely new team of management and staff. The scale of the problem is also reflected in a large scale walk-out of prison staff in protest at levels of violence within prisons in September 2018.<sup>21</sup>

Many of these issues – including the barriers to post-custodial rehabilitation posed by inadequate sub-contracting to Community Rehabilitation Companies – were considered by the Lammy Review (2017, Chapter 5). Young black people are nine times more likely to be locked up in England and Wales than their white peers, according to a Ministry of Justice analysis picked up by Lammy. The BAME proportion of youth prisoners rose from

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<sup>21</sup> [https://www.theguardian.com/society/2018/sep/14/thousands-of-prison-officers-to-protest-over-unprecedented-violence?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/society/2018/sep/14/thousands-of-prison-officers-to-protest-over-unprecedented-violence?CMP=Share_iOSApp_Other) (accessed 18 September 2018)

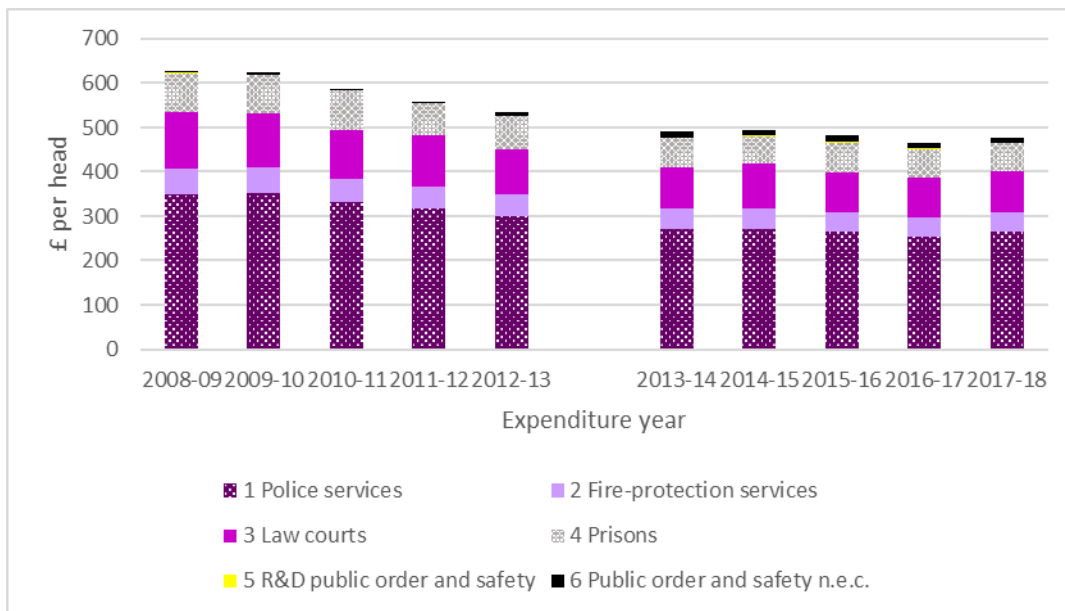
25% in 2006 to 51% in January 2019 in HM Prisons and Probation Service - an increase from 40% at the time the Lammy Review reported. If the prison population reflected the makeup of England and Wales, there would be 9,000 fewer people in prison. The costs to the taxpayer of such disproportionate outcomes has been estimated by the Ministry of Justice as more than £300m a year (Lammy Review p. 3). One particular concern – thus far inadequately understood because of a lack of data and research – is the very marked recent growth in the number of Muslim inmates from around 8,900 to 13,200 over the last decade (Lammy Review, 2017, p. 3). Numerical disproportions are moreover accompanied by poorer relationships between prison staff and BAME as compared with White prisoners; and BAME prisoners are more likely to be held in more secure prison regimes. Once again, the interaction with other areas of social policy is clear: Lammy quotes the Centre for Crime and Justice Studies as pointing out that

‘The prison population largely consists of people from low income backgrounds. Many are dispossessed. For example, a third of the prison population were homeless, half of this group sleeping rough before entering prison.’ (Lammy Review, 2017, p. 47: for a chart setting out the various forms of health, mental health, social and educational disadvantage which prisoners bring in prison with them, see p. 48).

## 4. Resources

As can be seen from Figure 1 overall expenditure on public order and safety in the UK declined between 2008-09 and 2017-18, by which point expenditure was below 2008-09 levels. Expenditure on police services specifically also fell over this period (see Figure 2 for expenditure figures for England). According to an IFS briefing note on police funding in England, spending on the police fell by 14% in real terms between 2010/11 and 2014/15, with central government grants for the police falling by more than 20% in this period (Disney and Simpson, 2017; see also Crawford, Disney and Innes, 2015). This fall in spending was partially offset for some forces by increases in the police precept within the council tax, although the amount the police precept was increased by varied across forces as shown in Figure 4. As well as highlighting important regional variation these figures flag up how inequalities between more and less advantaged areas can be exacerbated by the ability to generate funds through increasing council tax; police force areas that have relied more heavily on central government funding have therefore been more severely affected by funding reductions. The National Audit Office has recommended that the funding formula is reviewed so that it takes account of force's local circumstances more fairly, including the proportion of funding received from local taxation and levels of demand, after finding the funding formula to be ineffective in taking into account need (National Audit Office, 2018). There is evidence that some police forces have been using their reserves to help cope with the reduced expenditure, which of course cannot be a long term strategy as it will only last as long as the reserves (Institute for Government, 2018).

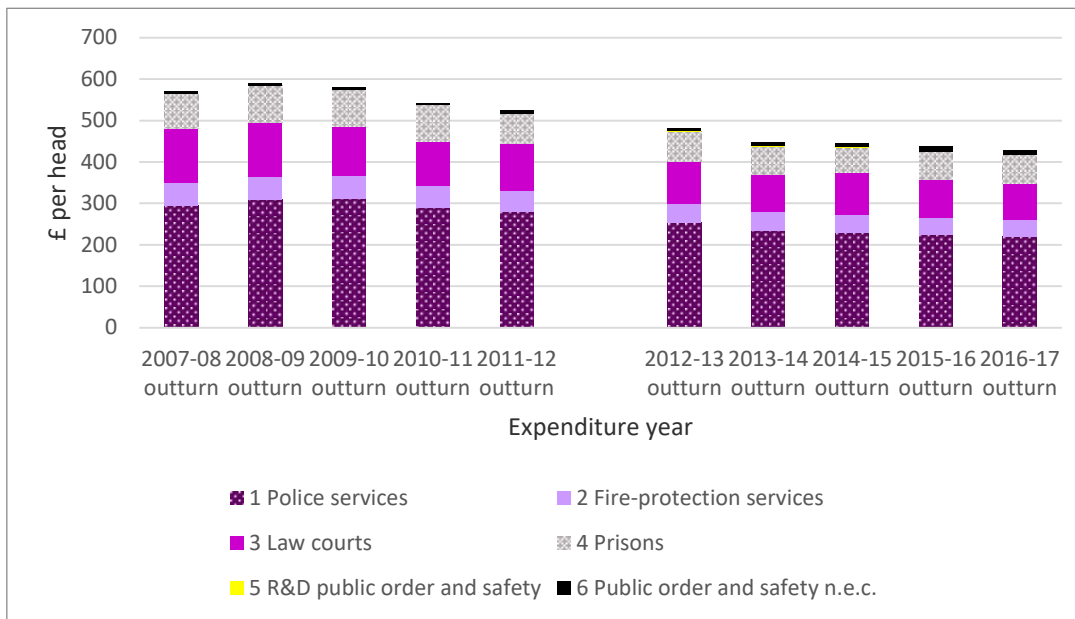
**Figure 1 Total identifiable expenditure per capita on public order and safety in the UK, in 2017/18 prices**



Source: Author's calculations based on the following public expenditure data: HM Treasury (2013) Chapter 5 tables; HM Treasury (2018) Chapter 5 tables

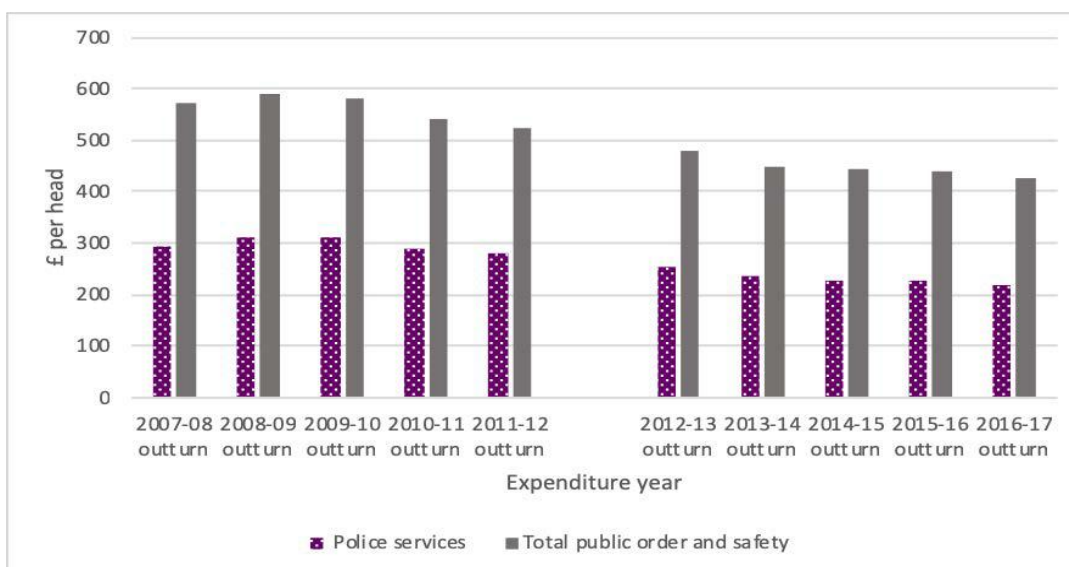
Note: Gap in chart indicates break in data taken from different editions - This is because PESA editions are produced to cover five year time periods and made consistent in terms of coverage and classification within that period, but not made consistent across different editions.

**Figure 2 Total identifiable expenditure per capita on public order and safety in England, in 2017/18 prices**



Source: Author’s calculations based on the following public expenditure data: HM Treasury (2013) Chapter 10 tables; HM Treasury (2018) Chapter 10 tables. Note: Gap in chart indicates break in data taken from different PESA editions which are made consistent in terms of coverage and classification within the five year period they cover. Nevertheless broad comparisons of trends across the periods can still be made.

**Figure 3 Total identifiable expenditure per capita on police services and total public order and safety expenditure in England, in 2017/18 prices**



Source: Author’s calculations based on the following public expenditure data: HM Treasury (2013) Chapter 10 tables; HM Treasury (2018) Chapter 10 tables. Note: Gap in chart indicates break in data taken from different PESA editions which are made consistent in terms of coverage and classification within the five year period they cover. Nevertheless broad comparisons of trends across the periods can still be made.

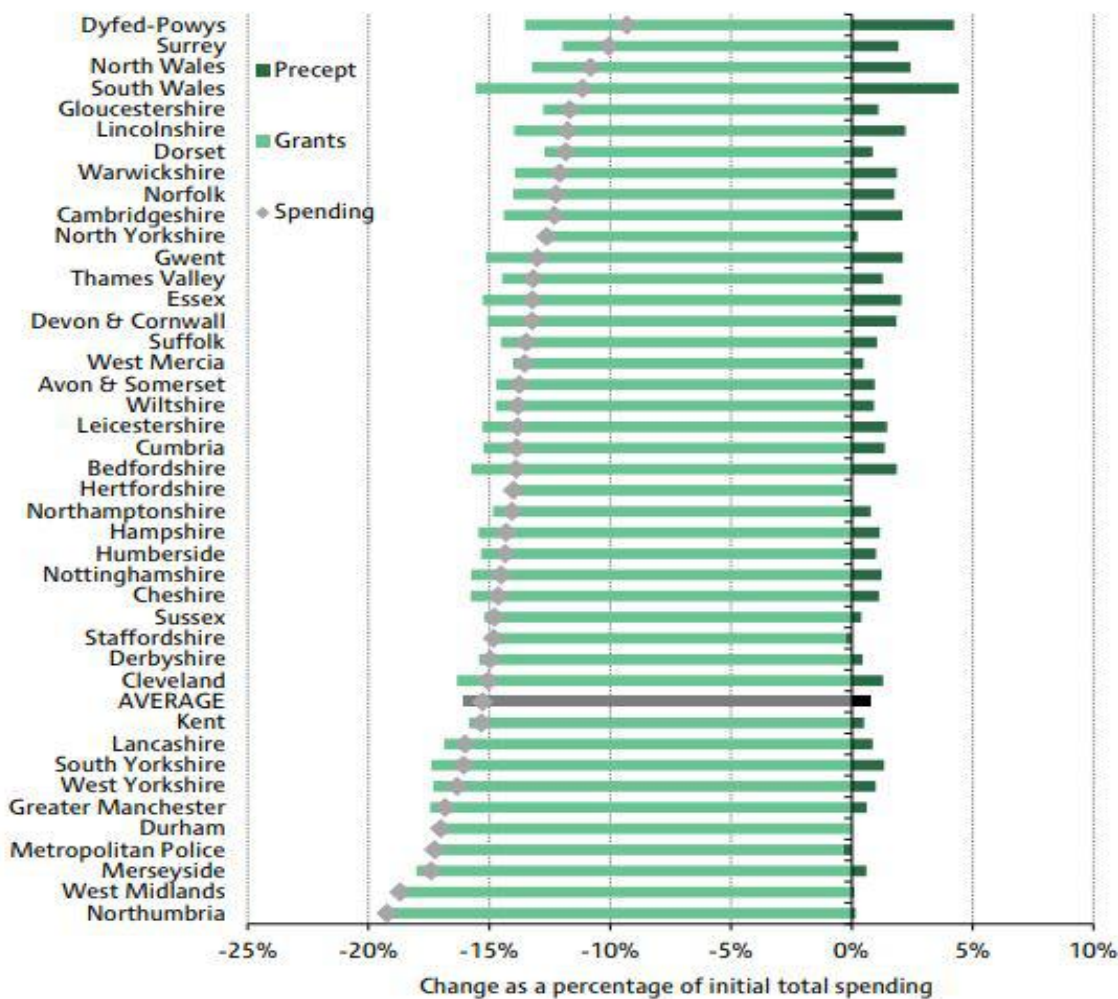
Looking across the slate of public spending over the period, along with projections to 2020, we can see that, notwithstanding particular policy commitments in areas such as hate crime,<sup>22</sup> tackling serious violence and violence against women and girls, very significant resourcing cuts are in place. According to a study published by the Institute for Fiscal Studies in the autumn of 2017 (Emmerson and Pope, 2017), the Ministry of Justice is projected to lose over 40% of its budget in the period 2010/11-2019/20. Even from a relatively high base line, this is an extraordinary reduction, in terms not merely of sheer loss of resources, but also of the attendant need for radical restructuring. And the reduction looks yet more significant when put in the context of substantial cuts – around 30% in the budget for Local Government and Communities, for example – in departments whose operation bears more broadly on the provision of goods and services which underpin and facilitate socially preventive work by the police and other justice agencies. In this context, positive commitments such as that in the Home Office’s 2018 Serious Violence Strategy to multi-agency work at community level and to proactive strategies of early intervention have to be regarded with caution. Public health funding cuts specifically have been identified as a constraining factor for taking a public health based approach to knife crime (Grimshaw and Ford, 2018, p. 17). In the Spring 2019 Statement the Chancellor has promised an additional £100 million funding for police forces in areas worst affected by violent crime, which has been welcomed by senior police figures but still falls well short of the £200-300 million police chiefs asked for.<sup>23</sup>

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<sup>22</sup> <https://www.gov.uk/government/news/new-hate-crime-package-to-target-groups-at-need>

<sup>23</sup> *BBC News* 13<sup>th</sup> March 2019 ‘Extra £100m fund to tackle knife crime – Hammond’  
<https://www.bbc.co.uk/news/uk-47558117> accessed 30th May 2019

**Figure 4: Percentage change in real-terms revenues and spending, 2010-11 to 2014-15**



Source: reproduced with permission from Figure 8 of Crawford, Disney and Innes (2015)<sup>24</sup>

As discussed above safety and security depends on social policies more broadly, not merely those within the criminal justice system. Therefore levels of expenditure beyond those defined within the remit of ‘public order and safety’ are also relevant when considering the resources available in relation to safety and security. Whilst funding for police has declined there have also been a raft of other cuts affecting communities. Local authority cuts will amount to £400 million reduction in funding for youth services between 2010 and 2019, resulting in the closure of 160 youth centres and loss of around 900 youth workers (UNISON, 2018). Central government funding for local government fell by 30.6% in 2017/18 (Women’s Budget Group, 2018, p. 4), leaving less money available to allocate to a range of local government services. A 2018 report by a number of children’s

<sup>24</sup> Data used: CIPFA Police Actuals, DCLG, Home Office Police Grant Reports and Police Force Financial Statements. Excludes City of London. Shown in 2014-15 prices.

charities estimates, for example, that early intervention services provided by local authorities have seen a loss of £1.7bn between 2010/11 and 2015/5, representing a 55% cut. The funding of third sector organisations has also been affected by austerity (Clifford, 2017), with the impact greatest in areas of deprivation (Jones et al, 2016). Furthermore, these changes have taken place against a backdrop of welfare reform which have had larger impacts on lower income households (Portes and Reed, 2018). The implications of these cuts for the distribution of safety and security must be assessed in the broader context of evidence about the disproportionate impact of criminal justice on the disadvantaged (Belis et al, 2011; Duque and McKnight, 2019; Ministry of Justice, 2011; Newburn and Rock, 2006).

Assessing the resources dedicated to addressing violence against women and girls is difficult as women's refuges for instance are funded from a variety of different sources. The Government published its refreshed strategy for ending violence against women and girls (VAWG) in March 2016, announcing £80 million of funding dedicated to this strategy over the remainder of parliament (£20 million per year), to support refuges including services for women from BME backgrounds and with complex needs, rape support services and a 'VAWG Service Transformation Fund to support, promote and embed the best local practice' (House of Commons Library, 2016). However, a freedom of information request to local authorities has revealed that not all local authorities have benefited from the VAWG allocated funding (50 local authorities or equivalent of 15% of the adult female population received nothing) and in areas that were funded there was huge variation in the amount of funding per head of population from £3.52 per woman in Cumbria to 11p in Kent (McClenaghan and Andersson, 2017). Since 2010, government cuts have meant local authorities across England have cut their spending on domestic violence refuges by 24%, with poorer areas being worse affected (McClenaghan and Andersson, 2017). Data provided by 84 of the local authorities showed that council funding for refuges has fallen from £31.2 million in 2010/11 to £23.9 million in 2016/17 (McClenaghan and Andersson, 2017). In addition to the ring-fenced VAWG funding, in the Spring 2017 budget the Government announced an additional £20 million funding over two years for services addressing domestic violence. Whilst the additional funding is welcome, the Women's Budget Group caution that this is still not sufficient funding to meet the level of need. What is more, in only committing to the funding for two years 'the government is creating a 'cliff edge' that threatens the ongoing sustainability of services' (Women's Budget Group, 2017, p. 3).

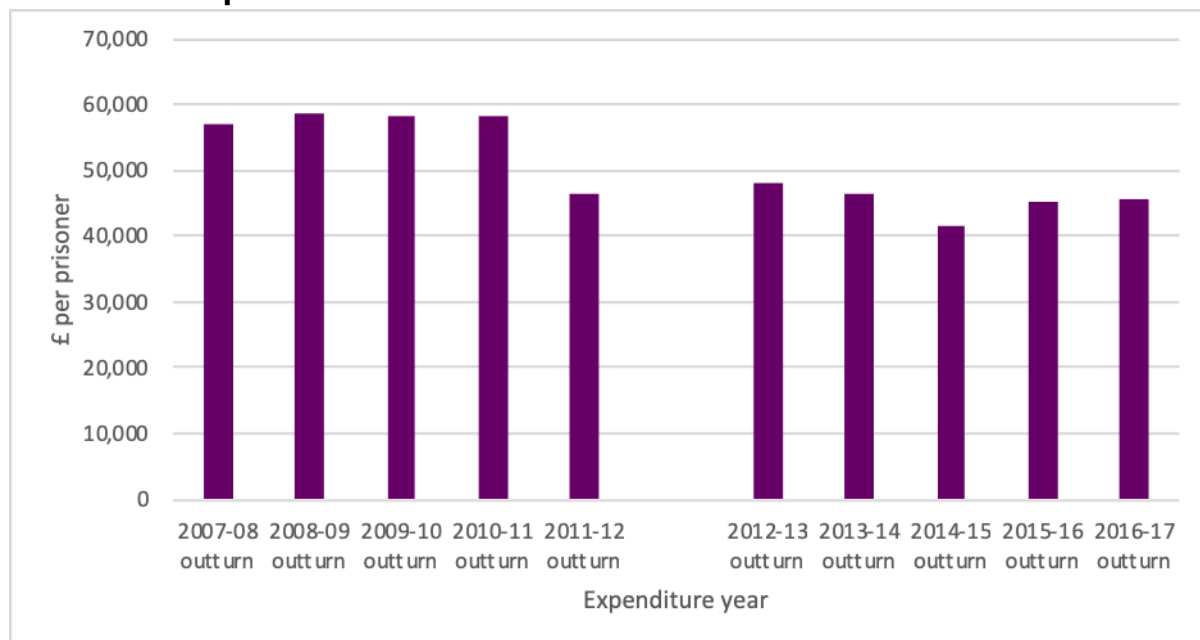
Relatedly, the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) (2012) has had a continued effect on reductions in spend on legal aid (EHRC, 2018, p. 123). Real-terms expenditure (in 2016/17 prices) on



legal aid in England and Wales decreased from £2,499 million in 2010/11 to £1,554 million in 2015/16 (Ministry of Justice, 2018d).

Real-terms expenditure on prisons per prisoner has fallen between 2007/08 and 2011/12, and since recovered slightly (Figure 5) following additional funding of £291 million over three years from the 2016 Autumn Statement in attempts to address the decline in prison safety (discussed below) (Institute for Government, 2018). Still, 2016/17 expenditure was below that of 2007/08 levels. Compared to the EU average however, the UK spends a greater proportion of GDP on the criminal justice system (2.2 per cent compared with EU average of 1.8 percent in 2015) (Côté-Lussier, 2016).

**Figure 5: Expenditure on prisons in England and Wales, per prisoner, in 2017/18 prices**



Source: Author’s calculations based on: HM Treasury (2013) Chapter 10 tables; HM Treasury (2018) Chapter 10 tables and House of Commons (2018) UK Prison Population Statistics. Note: Gap in chart indicates break in data taken from different PESA editions which are made consistent in terms of coverage and classification within the five year period they cover. Nevertheless broad comparisons of trends across the periods can still be made.

In short, a series of cuts across different domains of policy implementation are likely to overlap in their effect on disadvantaged or vulnerable groups, many of them clustered geographically and/or patterned in terms of age, gender and ethnicity. Key examples of inequalitarian distributive outcomes include the impact of policing, welfare and mental health provision cuts in poor communities; cuts in legal which affect the least wealthy; retrenchments in women’s domestic abuse services.

## 5. Inputs and outputs

In this section, we review the main developments so far relating to our exemplary areas, in the form of 'inputs' – how the money described in section 4 was spent (e.g. number of prisons, number of prison staff) – and 'outputs' – what was produced from these inputs (e.g. quality of prisons). In doing so, the diffuse impact of resourcing cuts must constantly be borne in mind. Such cuts, inevitably, affect the scale and quality of policy inputs.

### 5.1 Police

To take one example which is key both to the distribution of safety and security but also to people's subjective sense of safety and confidence in the criminal justice system, there are now fewer police officers than there were in the late 1990s, as the number of full time equivalent officers in England and Wales fell by 20,000 or 14% between 2009 and 2016 (Disney and Simpson, 2017). The impact on police numbers varies significantly by force (Ibid). More recent figures show that the entire police workforce (not just officers) fell by 18% between 2010 and 2018, though not all parts of the police force have been cut at the same rate. Significantly, during this period the number of police community support officers fell by 40% (Institute for Government, 2018). Another position which has seen sharper falls in staff numbers is that of detectives; in their report on police effectiveness Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services warn of a national crisis in the shortage of investigators (HMICFRS, 2018). It is important to highlight that although there have been significant cuts to police staff in the period under consideration in this paper, when taken in the context of longer term trends in police numbers, recent police staff levels may appear less extraordinary.<sup>25</sup> Under the Labour administration there was in fact significant expansion in police numbers from the late 1990's until it reached its peak in 2009 before starting to decline again (Allen and Zayed, 2018). One could make the case therefore, that the recent decline actually represents a return to more reasonable police staff numbers, especially given the long-term decline in overall crime (discussed in section 6). Nevertheless, it is also true that police face new challenges in terms of the types of crime they deal with, such as the increase in crimes committed online (Williams et al, 2019) and also, as discussed below, face additional pressures from spillover effects from insufficient supply of other services such as mental health services (though the solution to these pressures is arguably to better fund these other services rather than increase police numbers to cope with spillovers).

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<sup>25</sup> With thanks to Tim Newburn for raising this point.

In terms of how police numbers translate into outputs, i.e. whether the recent reduction in the officers has affected the quality of the service police forces are able to deliver, (given these cuts have taken place alongside the longterm downward trend in overall crime as measured by CSEW discussed below), there are some difficulties in assessing this as we do not have complete data on how police spend their time (Institute for Government, 2018). What is more, to focus on police-recorded crime misses all the non-crime related incidents that police respond to and all the incidents that are investigated but not ultimately recorded.

Piecing together the information that is available, there is some evidence that police clear up rates have remained stable, after a period when police spending was increasing, but it is not possible to tell whether this is because of increased efficiency by police forces; or whether the clear up rates would have continued to increase without the spending cuts (Disney and Simpson, 2017, p. 8; NAO 2018). Data published by the Home Office (2018) reveals that between March 2015 and March 2018 the proportion of charge/summons applied within the year a crime is recorded declined from 15.5% to 9% and there is evidence to suggest this is due to not only an increased caseload for police but the fact that a higher proportion of crimes being recorded are for offences that are more difficult to investigate (ibid). More recent data from the Metropolitan Police shows that the sanction detection rate has declined overall from 13% in 2017/18 to 9% in 2018/19, though it varies for different crimes.<sup>26</sup>

Another difficulty in assessing policing outputs is that police activity has changed over time as the nature of crime has changed, for example with an increase in online crime: according to the Crime Survey for England and Wales (CSEW) there were nearly 3 million incidents of cyber crime in 2017/18 (Institute for Government, 2018). Additionally police are spending an increasing amount of their time on non-criminal matters related to factors such as mental health. Complete data on non-criminal incidents is not available, but Metropolitan Police data gives an indication of this issue, recording that in 2017 an average of 315 calls per day related to concern about a person's mental health, which is an increase from the 237 recorded in 2012. The police have suggested that this is due to cuts to mental health services (Institute for Government, 2018) - illustrating how cuts to other social policy areas can compound the effect of cuts in safety and security spending.

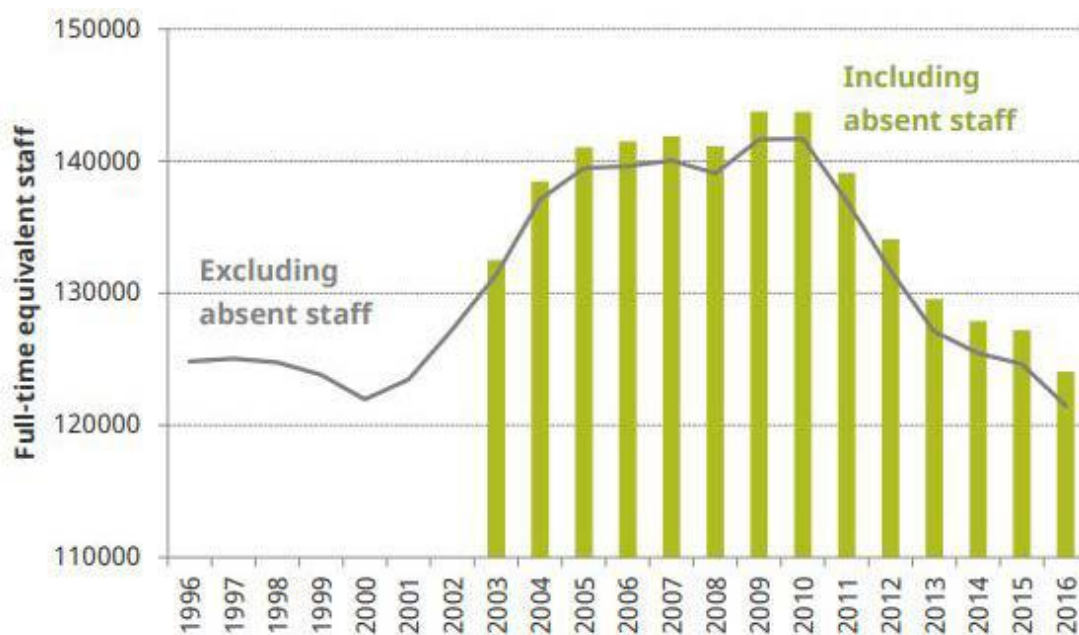
At the time of writing a number of senior police figures have suggested the decrease in the police force is a contributing factor to the rise in knife crime,

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<sup>26</sup> Metropolitan Police Crime Statistics <https://www.met.police.uk/sd/stats-and-data/met/year-end-crime-statistics> accessed 30th May 2019

though this is disputed by Government.<sup>27</sup> There is some causal evidence based on data from London that an increase in police numbers is related to reductions in crime and vice versa (Draca, Machin and Witt, 2011). However, it is difficult to say how generalisable these short term results are and the complexity of the number of factors at play that have likely contributed make it difficult to draw firm conclusions about the link between police numbers and violent crime.

**Figure 6 Number of police officers in England and Wales (full time equivalent), 1996 to 2016**



Source: reproduced with permission from Figure 1 of Disney and Simpson (2017)<sup>28</sup>

There is some evidence that police have responded to cuts in resources and changing demands on police time by having less of a proactive approach, for example, carrying out fewer breathalysing tests since 2010 (National Audit Office, 2018, p. 28). Additionally, the number of days taken to charge an offence has increased from 14 days in the year ending March 2016 to 18 days in the year ending March 2018. There has also been internal guidance issued in the Metropolitan Police directing officers to focus investigations on more serious incidents that are more likely to be solved (Institute for Government, 2018).

<sup>27</sup> The Telegraph 5<sup>th</sup> March 2019 'Met chief links knife crime rise to police cuts in challenge to Prime Minister' <https://www.telegraph.co.uk/politics/2019/03/05/uks-top-police-chief-links-rise-knife-crime-cuts-officer-numbers/> (accessed 8 March 2019)

<sup>28</sup> Data used: Tables H3 and S1 of Home Office, 'Police workforce England and Wales statistics', March 2016.

The Institute for Government (2018) concludes that police have responded to considerable funding cuts by becoming more efficient but warn that this has taken place alongside a decline in victim satisfaction with the police, as well as a reduction in charges, a decline in staff morale as measured by the Police Federation's latest survey, and an increase in long-term sick leave.

These various indicators suggest that the material reduction in resources is having a significant impact on the delivery of quality community policing – a key concern given the central role of effective and trusted intelligence-led policing at the community at the local level in tackling issues such as knife crime and the role of gangs (Roberts, 2011). A report by the Police Foundation (2017) on neighbourhood policing at a time of austerity suggests that it is generally accepted by those in the policy field that with current staffing levels and pressures on police, neighbourhood policing in its traditional form cannot continue and that the model of local officers engaging with local residents is unrealistic. Equally worrying, the National Audit Office has recently concluded, in a review of the Home Office's oversight of the police service, that

'The Home Office's light touch approach to overseeing police forces means it does not know if the police system is financially sustainable. It lacks a long-term plan for policing and significant gaps remain in its understanding of demand for police services and their costs. The way the Department chooses to distribute funding has been ineffective and detached from the changing nature of policing for too long, and it cannot be sure overall funding is being directed to the right places. With plans to reform the funding formula on hold, and no systematic approach to ensuring forces are financially sustainable, we cannot conclude that the Home Office's oversight of the police system is value for money.'

(National Audit Office, 2018, p. 11)

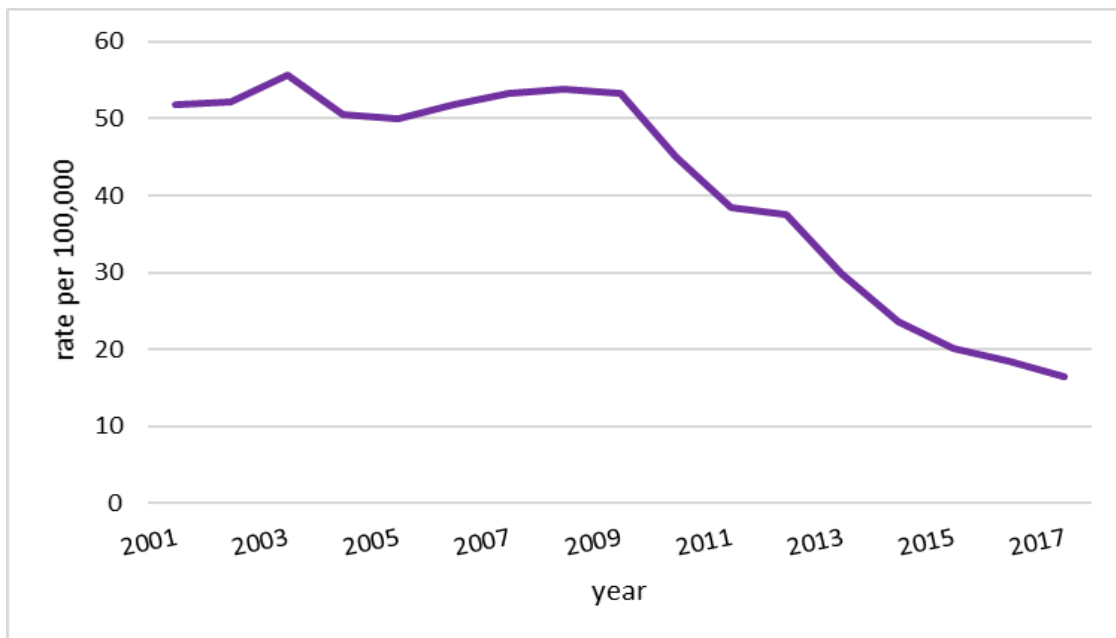
In the context of retrenchments in public policing, the skewed distribution of private security towards those with greater resources, hard though it is to quantify, must be a significant concern.

## *5.2 Prisons*

The prison system, like the court system and the probation service, has felt a significant impact of the resourcing cuts outlined above. In the summer of 2018, the prison population stood at 82,867, a figure which included 239 people held in immigration removal centres, but excluded a further 253 juveniles held in secure centres. This level represented a slight drop from the 2012 peak of 86,634; but it represents nonetheless the highest

imprisonment rate, alongside Scotland, in Western Europe, and implies a prison population well above the official capacity of the estate (which is 75,859) (World Prison Brief, 2018). The number of prisons in England and Wales has fallen since 2009/10; however overall capacity is roughly the same in 2017/18 due to the larger size of new prisons (Institute for Government, 2018). Note however that, within this broad picture, patterns of youth imprisonment are a welcome exception, having declined substantially during this time, and standing in 2017 at less than half its rate at the start of the millenium as can be seen in Figure 7 (Youth Custody Service, 2019). This fall has been achieved amid an overall youth justice policy geared towards diversion (McAra 2017).

**Figure 7 Youth custody rate per 100,000 of the population aged 10 - 17 years in England and Wales**



Source: authors' own calculations based on Youth Custody Service (2019) Monthly Youth Custody Report April 2019 and Office for National Statistics (2018) Population Estimates for the UK and constituent countries by sex and age. Note: Youth custody statistics refer to March of each year and ONS population estimates refer to June of each year.

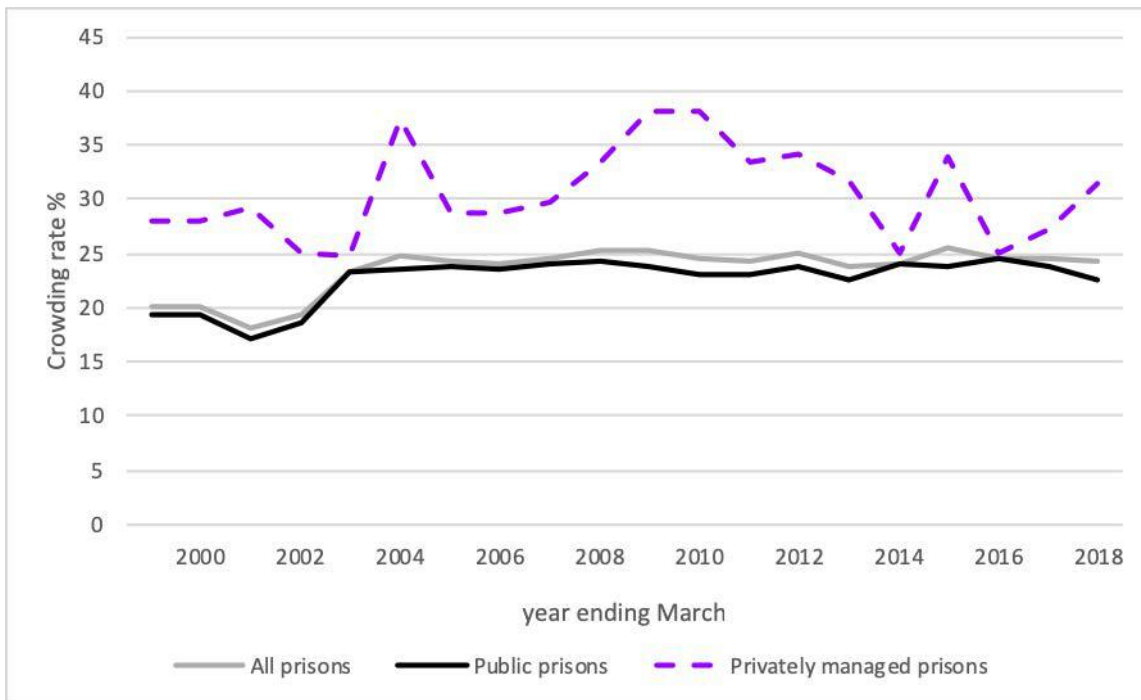
In March 2018 the number of prison officers stood at 21,041 (Ministry of Justice, 2018a) – figures which do not however reflect broader questions concerning problems of morale and in particular of the attrition of senior, experienced staff within each service. Reducing staff numbers has been a primary strategy in dealing with the cuts – with a decrease of 21% in real-terms spending on prison staff between 2012/13 and 2016/17 (Institute for Government, 2018). No information is publicly available on staffing levels at private prisons, but in public prisons staffing numbers have more recently increased, with the Government exceeding its target set at the end of 2016 to recruit an extra 2,500 prison officers by the end of 2018. Since March

2017 the number of prison officers has increased by 3,205 or 17%. However, staffing levels are still below those of 2009/10 (Institute for Government, 2018). Furthermore, retention of officers is low. Whilst there were 4,933 new officers in 2016/17, 2,088 officers left during the same period (Ibid). Importantly, experience levels of prison officers have fallen: in June 2018 a third of prison officers had less than two year's experience (up from just 7% in March 2010) and the number of prison managers has fallen by 37% between March 2010 and June 2018 (Ibid).

A complicating and doubtless relevant factor here – and one which has also been at issue in relation to the probation service and a range of court services – is the cumulative effect of outsourcing combined with austerity. Of the 122 prisons in England and Wales 14 are private prisons, which tend to be larger than public prisons; in 2018 19% of the total prison population were in privately owned prisons, which is a 15% increase since 2012/13 (Institute for Government, 2018). While private prisons remain part of the public system and are subject to the same regime of inspection and ombudsman review, there is a risk that companies undercut one another in bidding for contracts; very restricted access to prisons reduces their accountability; and the squeeze on resources combined with a lack of transparency can lead to devastating outcomes such as that in Birmingham. Prisons are generally thought of as institutions which serve the ends of public safety and security; but even assuming that they deliver perimeter security, conditions within their walls are of crucial importance to safety and security, even leaving aside concerns about human rights and indeed sheer humanity. This is both because of the impact of insecurity within the prison on both vulnerable inmates and staff; and because the overwhelming majority of prisoners will – most of them sooner rather than later – rejoin the public community, bringing with them the impact of their experience in custody.

Overcrowding has declined slightly since 2017 but is still a problem, with 20,695 prisoners being held in crowded conditions in the year ending March 2018. This equates to an overcrowding rate of around 24% (Ministry of Justice, 2018e). However, in private prisons the overcrowding rate is higher and has increased in the last year to a rate of around 31% (Ministry of Justice, 2018e).

**Figure 8: Percentage of prisoners held in crowded conditions across Public and Privately**

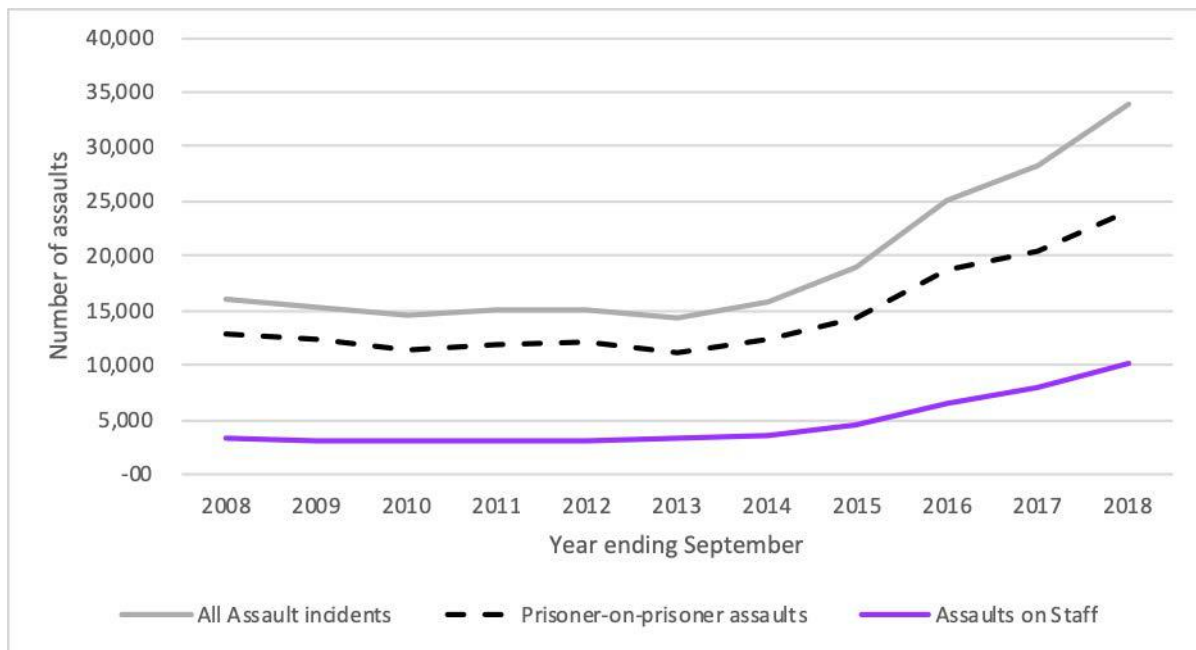


Source: Ministry of Justice (2018) HMPPS Annual Digest 2017/18 Statistical Bulletin, Table 2.2. Chapter 2 Tables – Prison Crowding

In terms of safety, prisons have become more dangerous for both prisoners and staff, with the frequency of assaults on staff and prisoners increasing and serious assaults on staff and prisoners increasing even more steeply (Institute for Government, 2018). There were more than 9,000 assaults on prison staff in 2017/18 – a figure which has tripled since 2009/10 (Ibid). Assaults on prisoners by other prisoners are even more common, with 22,374 prisoner-on-prisoner assaults recorded in 2017/18, which is almost double the number in 2009/10 (Ibid). This trend is not explained by an increased prisoner population, as *Figure 10* shows, assaults per 1,000 prisoner have increased even more steeply. Furthermore these figures are likely to be an underestimate as a government audit found assaults within prisons were under-recorded by 10% in 2017 (Ibid). The rates of violence amongst youth offenders are even higher still with 2.77 assaults per prisoner recorded in 2017/18 (Ibid).



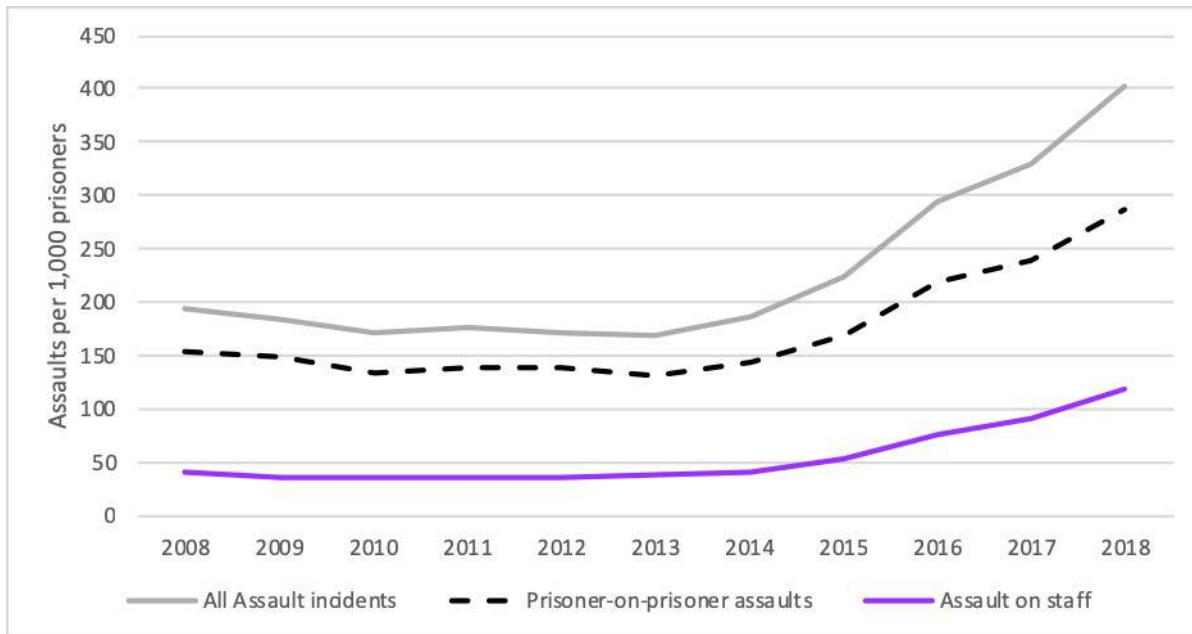
**Figure 9: Number of assaults in prisons in England and Wales**



Source: Ministry of Justice (31 January 2019) Safety in Custody Statistics; Self-harm and assaults to September 2018, Table 4: Annual Assaults Summary Statistics, England and Wales available at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/774892/safety-in-custody-summary-tables-2018-Q3.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774892/safety-in-custody-summary-tables-2018-Q3.ods)

**Figure 10: Assaults in prisons per 1,000 prisoners, in England and Wales**

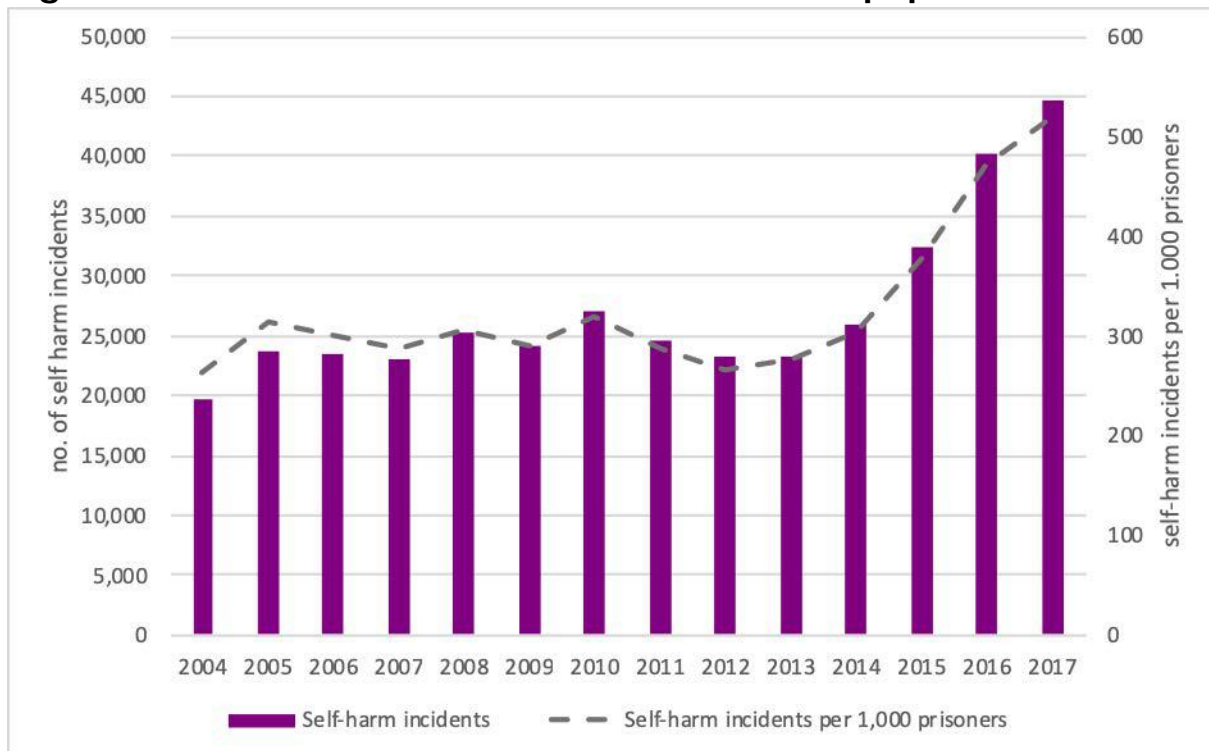


Source: Ministry of Justice (31 January 2019) Safety in Custody Statistics; Self-harm and assaults to September 2018, Table 4: Annual Assaults Summary Statistics, England and Wales available at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/774892/safety-in-custody-summary-tables-2018-Q3.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774892/safety-in-custody-summary-tables-2018-Q3.ods)

Against a background of some improvements in mental health care provision in prisons but persisting high levels of mental illness among those admitted to prison (Offender Health Research Network, 2010), NHS England records show mental health treatment was provided to 7,917 people in prison in March 2017, while 31,328 people in prison (37% at any given time) reported mental health issues (National Audit Office, 2017). Self-harm is also on the increase (see Figure 11) but with a clear differential impact by gender. Self-harm is almost five times more common for female compared to male prisoners, with 2,244 incidents per 1,000 female inmates as compared to 467 per 1,000 male inmates in the year ending March 2018 (Ministry of Justice, 2018b, p. 4). One indicator of prisoner safety outputs that have improved is the number of self-inflicted deaths in prison which fell in 2017/18 to their lowest levels since 2012/13 after a steep increase between 2015/16 and 2016/17 (Institute for Government, 2018). Nevertheless there were 69 self-inflicted deaths in prison in 2017/18 (Ibid). Taken in the context of longer time trends the overall trajectory has been an upward slope in the number of self-inflicted deaths since 2008 (Ministry of Justice, 2018g:2).

**Figure 11: Self-harm in the sentenced offender population**



Notes: 1. Figures include incidents at HMPPS operated Immigration Removal Centres and during contracted out escorts. 2. Figures do not include incidents at Medway STC.

Source: Ministry of Justice (26 April 2018) Safety in Custody Statistics; Self-harm in prison custody 2004-2017, Table 2.1 Annual self-harm summary statistics, England and Wales, 2004 – 2017 available at <https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-march-2018>

As well as prison safety another important ‘output’ is prisoner rehabilitation. Fewer prisoners have been completing accredited courses – this has declined by 22% since 2014/15 and there has been a clear decline in the number of academic qualifications achieved by prisoners, with a 43% decline in the number of prisoners achieving a level 1 or 2 (pre-GCSE and GCSE level) qualification in English and a 38% decline in achieving level 1 or 2 in maths between 2011/11 and 2016/17 (Institute for Government, 2018).

In addition to rehabilitative activities, reoffending rates provide an additional measure of the quality of prison outputs and a way to evaluate how far the reduction in resources may have affected prisoners’ outcomes once released from prison. The ONS provide a quality adjusted measure of reoffending which takes into account the severity of the crimes committed (ONS, 2017b). They find that between 2009 and 2014 not only does the rate of reoffending increase, but when adjusted for the severity of crimes the

increase becomes even steeper, indicating an increase in the share of more serious crimes committed by reoffenders (ONS, 2017b, p. 5).<sup>29</sup>

Again these issues have a disproportionate effect on those with particular characteristics: according to a House of Commons Library Briefing on the UK prison population those from a non-white background are over-represented in the prison population. At the end of March 2018 26% of the prison population identified as being from a non-white ethnic background, compared with 13% in the general population (Sturge, 2018, p. 11). People who are black/black British are particularly overrepresented relative to the general population. People of different religions are also overrepresented in the prison population; in particular there has been an increase in the number of Muslims since 2002, from 8% to 15% in 2018 (compared to 4% of Muslims in the general population) (Sturge, 2018, p. 12).

### *5.3 Services in relation to Violence against Women and Girls: Women's Refuge Services*

The offence of coercive control under s. 76 of the Serious Crime Act clearly has the potential to change the way in which violence against women and girls is countered; but in assessing its likely impact, it must be borne in mind that while there were 59 successful prosecutions under section 76 in its first year of operation, this contrasted with a CPS estimate of over 75,000 cases of violence against women and girls over the same period (Wiener, 2017).

The Home Office and Ministry of Justice consultation on domestic abuse discussed above (HM Government, 2018a), reported that

'In the ten-year period between 2007/08 and 2016/17, the Crown Prosecution Service has reported that the volume of convictions secured for domestic abuse related crimes have risen by 61% to 70,853 per year. This has been achieved by prioritising the prosecution of domestic abuse cases and providing comprehensive guidance, training and support for prosecutors across England and Wales.'

However, a recent report on police response to domestic abuse highlights that a main concern is that there 'weren't always enough officers to respond as quickly as they should' (HMICFRS, 2019). Delays to response were found in just over a quarter of forces in some cases putting victims of domestic abuse at serious risk of harm (HMICFRS, 2019). Data from the Crown Prosecution Service (not classified as official statistics) also shows there has

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<sup>29</sup> It is not possible to accurately compare this with more recent reoffending rates as in 2015 changes were made to the measurement of reoffending (see Ministry of Justice 2017).

been an increase in the average number of days for a decision to charge to be made in domestic abuse related cases – The average number of days for a decision to charge to be made was 6.6 days on the year ending March 2018, representing an increase of roughly 2 days in the last three years (ONS, 2018d, p. 26).

As well as the concerns about the criminal justice response to domestic abuse relevant pressure groups in the area continue to register deep concerns about service provision, with Women's Aid (2018) reporting that 60% of services cited funding cuts as their biggest challenge in 2016-17, with more than 10% having had to decrease staffing levels and 13% withdraw the offer of counselling services. The End Violence Against Women coalition referred in a 2012 report to a 'growing crisis of unmet need' (Women's Aid, 2013); while Sisters Uncut continues to track the disproportionate impact of cuts on disabled and BAME women. Moreover data obtained by the Guardian in March 2018 found – unsurprisingly, in light of the public spending cuts already discussed - that millions of pounds have been cut from council spending on refuges for vulnerable women and children. Of 178 authorities that responded to the Guardian's request for information, 65% had cut funding in real terms since 2010,<sup>30</sup> amounting to an average fall for each of £38,000, or £6.8m in total.<sup>31</sup>

The Women's Aid Annual Survey of domestic abuse services for female victims in England (N.B. Women's Aid Wales also carries out a similar survey), reveals that of the refuge services that responded, half of the total 19,764 referrals made to the services were declined, and of those declined around 30% were declined because there was no space or capacity to support them (ONS, 2018c). Results for Wales showed a lower proportion of referrals were declined (32% of the 2,481 referrals) and of those declined 31% were due to lack of space to support the victim (Ibid).

According to Routes to Support, a UK online database of services related to domestic abuse and other violence against women, refuge services have reduced in number, from 294 services in 2010 to 274 in 2017, although over the same period there was an increase in the number of bed spaces from 3,467 to 3,798 (ONS, 2017a, pp. 45-6). However the number of bed spaces varies across the UK (Ibid) and this database does not include information on whether services meet specific needs, such as disabilities. Moreover a number of domestic abuse-related charities such as Women's Aid and Sisters Uncut have highlighted that of the refuges that have been closed the

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<sup>30</sup> <https://www.theguardian.com/society/2018/mar/23/council-funding-womens-refuges-cut-since-2010-england-wales-scotland> (accessed 21 November)

<sup>31</sup> [https://www.theguardian.com/society/2018/may/23/mps-back-campaign-to-strengthen-domestic-abuse-bill?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/society/2018/may/23/mps-back-campaign-to-strengthen-domestic-abuse-bill?CMP=Share_iOSApp_Other) (accessed 21 November)

majority have been for women of Black and Ethnic Minority (Women's Aid, 2013). Note that these cuts in provision undermine the effort effectively to criminalise violence against women and girls. There are analogies here with criticisms of the Modern Slavery Act, to the effect that its criminalisation strategy was not accompanied by adequate provision to protect victims of trafficking. 1658 potential victims of modern slavery were reported to the National Crime Agency through the National Referral Mechanism between April and June 2018, with over 300 ongoing police investigations in 2017.

#### *5.4 Legal aid*

As mentioned above, between 2010/11 and 2015/16 real terms expenditure on legal aid decreased from around £2.5 billion to £1.5 billion. In their latest report the Equality and Human Rights Commission conclude that on justice and personal security there has been regression after finding improvements in their 2015 review. In particular, restrictions on legal aid have curtailed people's access to justice, particularly among disadvantaged groups (2018, pp. 11, 124). The Commission concluded that:

'The decrease in legal aid provision for both criminal and civil cases in England and Wales, since LASPO came into force in 2013, indicates a potential deterioration in access to affordable and impartial legal advice over the period. Combined with low uptake for Exceptional Case Funding (legal aid for cases that are not in the scope of LASPO), it is likely that there is legitimate demand that is not being met under current legal aid provisions.'

(EHRC, 2018, p. 133)

## 6. Outcomes 2015-2020

We now turn to the question of how we might assess the broad direction of these various policy initiatives, trends and, where possible to identify, outcomes. One obvious way of trying to evaluate the impact of government safety and security policy would be in terms of crime rates. Of course, any such effort must come with a significant health warning: even leaving aside the various limitations of the data (considered below) and the very significant time lag in effects of expenditure and policies on social outcomes, the very complex and varied nature of the social phenomena of crime (Newburn, 2018, pp. 5-23; 39-51) mean that it is difficult to make valid inferences about the relationship of particular policy initiatives to changing rates of crime. Crime trends are, nonetheless, an indispensable reference point in any assessment of safety and security policy. This section therefore considers trends in crime, alongside data on outcomes for both prisoners and staff in prisons, as well as the use of stop and search. Where possible the various measures of types of outcomes are broken down by characteristics to consider not just the overall pattern but also any social patterning of these outcomes.

### *A note on crime statistics*

There are two main sources of crime data: *The Crime Survey for England and Wales (CSEW)* and *Police Recorded Crime*. Police Recorded Crime no longer has designated official statistics status following variations in reliability across different forces (ONS, 2018b, p. 4). Importantly, Police Recorded Crime can change in response to changes in recording practices (there has been a drive to improve police recording practices), changes in police priorities and activities as well as changes in victims' willingness to report crimes (Ibid). It is important to note that a large proportion of crime does not get reported to police – the CSEW estimates only 41% of CSEW comparable crime was reported to police in the year ending March 2017, with considerable differences in reporting rates for different types of offences and some changes in reporting rates over time (ONS, 2018a, p. 33). Therefore, Police Recorded Crime is not always a good source for measuring prevalence of certain crimes as well as measuring trends over time (as it can be affected by changes mentioned above). Police Recorded Crime can still provide useful information, however. ONS describes Police Recorded Crime as 'principally a measure of the level of crime-demand on the police and are useful in assessing how caseload has changed both in volume and nature over time' (ONS, 2018b). Furthermore for some crimes that tend to be well reported and well recorded (such as homicide, knife crime and gun crime) Police Recorded Crime is thought to provide more reliable estimates and in some cases the only estimates (Ibid).

The Crime Survey for England and Wales (CSEW) data are classed as official statistics and are the ONS's preferred data source for measuring trends in crime, as the CSEW has used a consistent method over time (ONS, 2018a, pp. 8-9). The CSEW is based on individuals' experiences of crime, including those not reported to police (ONS, 2018a, p. 39). It covers most crimes, but because it is victim-based it does not cover for example, homicides or crimes committed against people living in institutions or public order offences (ONS, 2018b). Furthermore because the sample size is relatively small the CSEW may not be able to detect changes in prevalence of less frequently occurring (including high harm) offenses (ONS, 2018b, p. 4). Which of the two sources offers a more reliable estimate partly depends on the type of crime in question; the ONS provides a guide to which source provides a more reliable estimate for which crimes (ONS, 2018a, p. 39), and draws on both sources in their statistical bulletins, comparing the two where possible (ONS, 2018b).

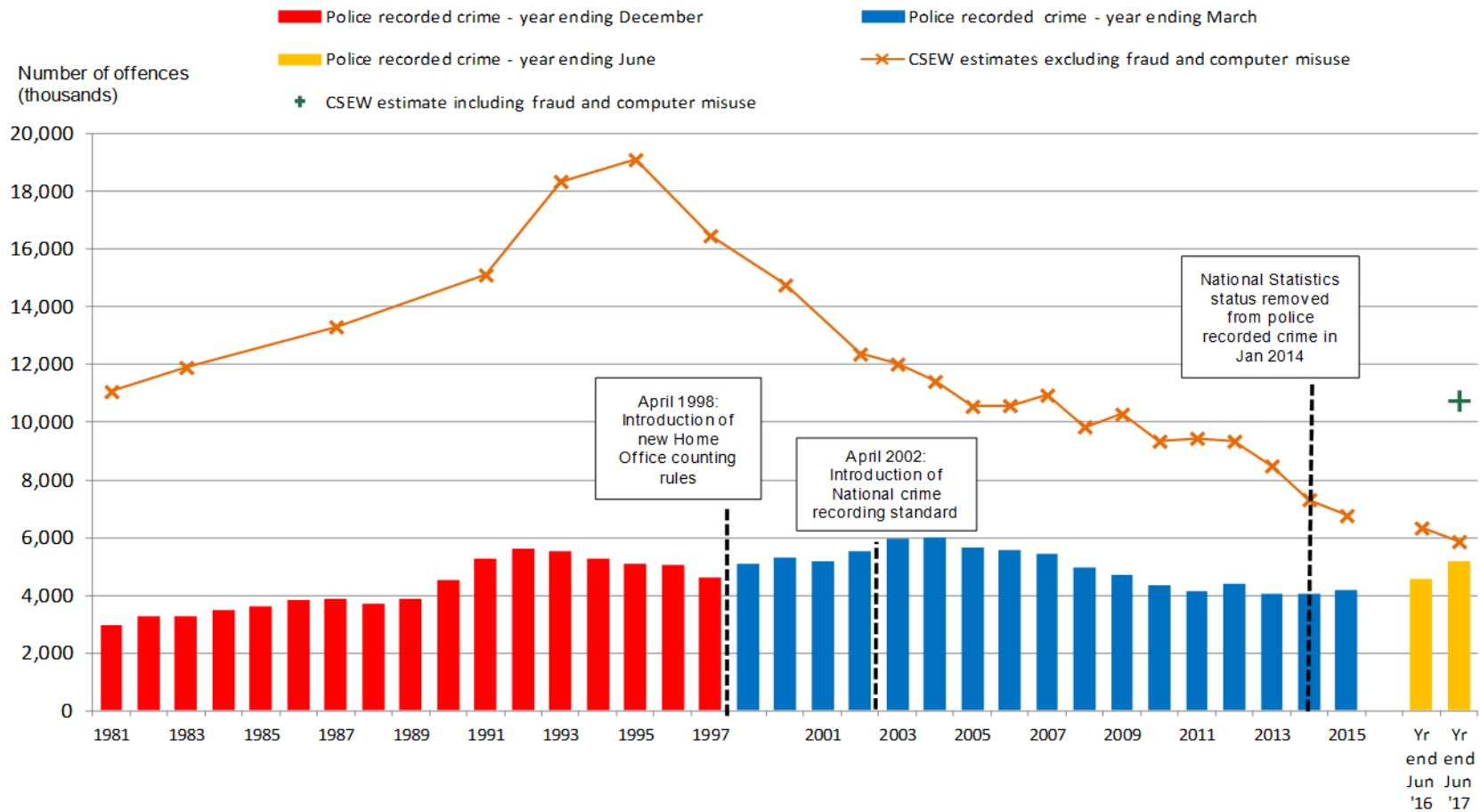
### *6.1 Trends in overall crime*

Overall crime levels, (excluding fraud and computer misuse), have continued to decrease, which has been the trend since the 1990s (see *Figure 12*). Despite a modest recent rise, overall crime today stands at a level lower than 40 years ago. In addition, the ONS extrapolates trends in concern about crime, and these see a concomitant decline from the 1990s on, with, for example, anxiety about both burglary and violent crime halving between 1998 and 2018 (ONS, 2018g). The Crime Survey for England and Wales (CSEW) shows that after a long period of decline, the level of overall crime has remained stable since the previous year, though there is variation across different types of crime (ONS, 2019a).

It is important to note that although overall levels of crime have stabilised there are still important differences in the chances of being a victim depending on a person's characteristics. The decline in overall crime in Scotland, for instance, has been driven by a decline for those least at risk of crime in the first place. It has not been felt by those most at risk of experiencing frequent crime, suggesting that crime has become more concentrated, indicating increasing inequality between victims and non-victims (McVie et al, 2015).



**Figure 12: Trends in Police Recorded Crime and crime recorded in the Crime Survey for England and Wales**



Source: reproduced with permission from ONS, (2017) Crime in England and Wales bulletin tables for year ending June 2017, Figure 1 accessed at <https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesbulletintables/yearendingjune2017/bulletintablesyearendingjune2017.xls>

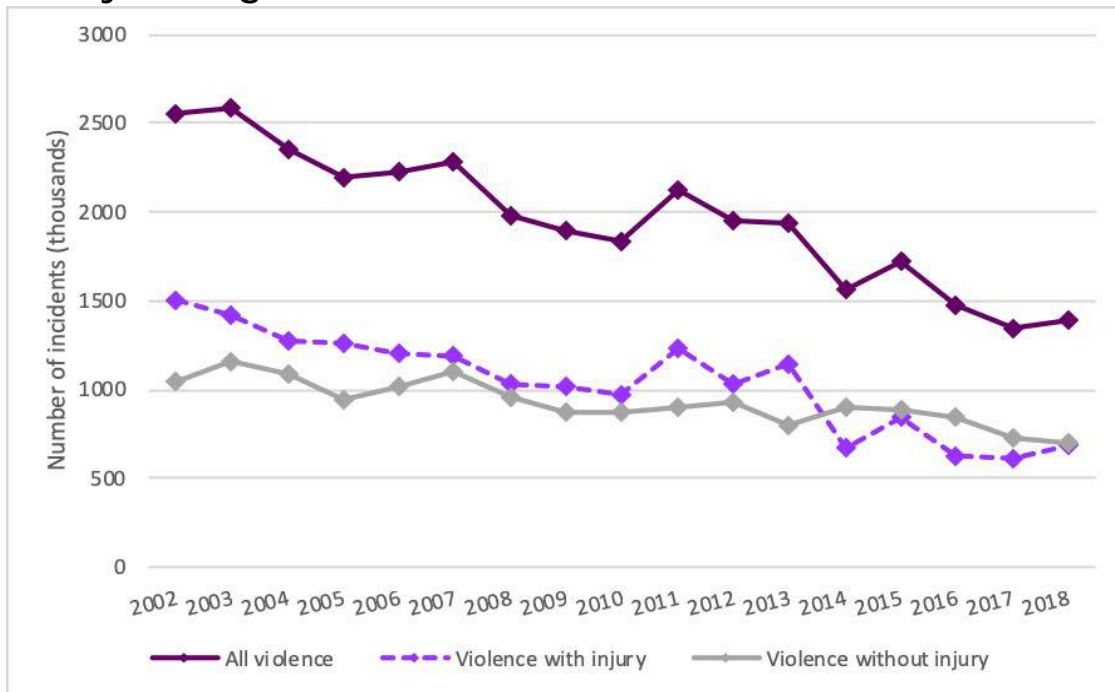
## *6.2 Trends in violent crime*

CSEW is considered the best measure of overall violent crime. It shows no change in levels of overall violent crime in the last four years, following a long term decline in violent crime (ONS, 2019b). It is significant to note that although overall violent crime has not increased, the CSEW data does indicate a turning point where violent crime has stopped declining. For more serious low volume violent crime, which is well recorded by police, we see an increase over recent years. Following long-term decline homicide has increased since March 2014, with an increase of 14% between September 2017 and September 2018, (this is excluding exceptional events such as the Manchester arena bombings and London terror attacks) (ONS, 2019a, p. 36). Firearm offences have been on the increase since 2014 but show a 4% decline between September 2017 and 2018, though it is too early to know whether this is the start of a downward trend (ONS, 2019a, p. 47). In contrast, crimes involving a knife or sharp instrument have continued to increase, with with 39,818 recorded offences in the year ending September 2018, an 8% increase compared with the previous year<sup>32</sup> and the highest number of recorded since the earliest point of comparable data in 2011 (ONS, 2019a, p. 39).

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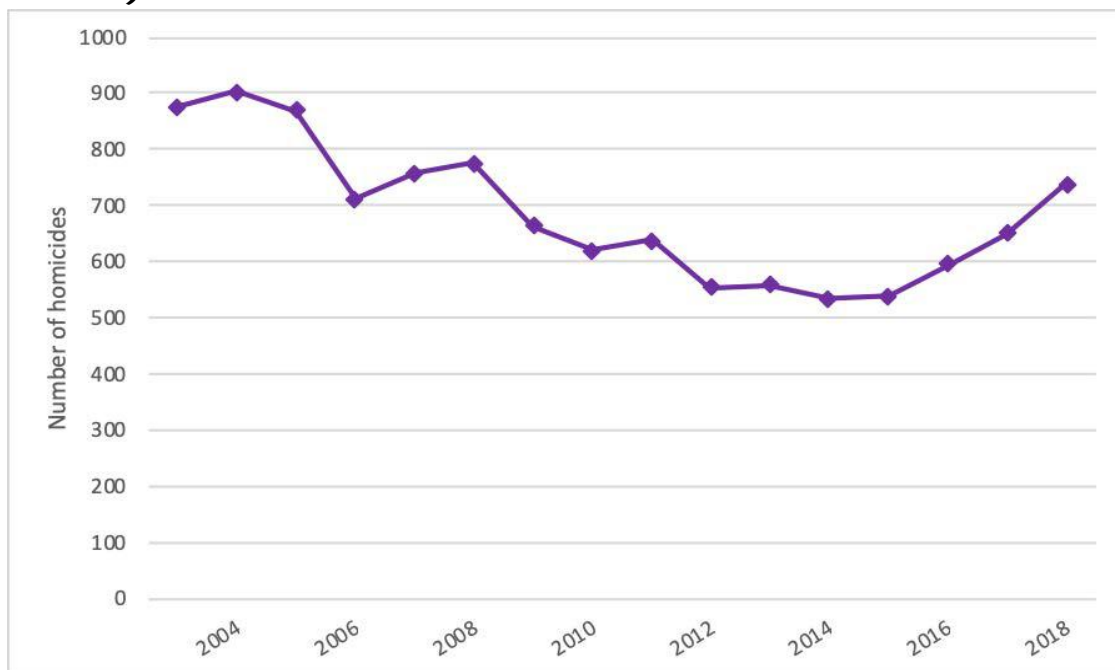
<sup>32</sup> These figures exclude Greater Manchester Police (GMP) as there was a technical issue which resulted in undercounting of knife offences for GMP. GMP were therefore excluded so that trends were comparable over time. See ONS (2019b, p. 39) for more information on this. Including GMP the number of recorded offences using a knife or sharp instrument in the year ending September 2018 was actually 42,957.

**Figure 13: Trends in overall violent crime as measured by Crime Survey for England and Wales 2002 - 2018**



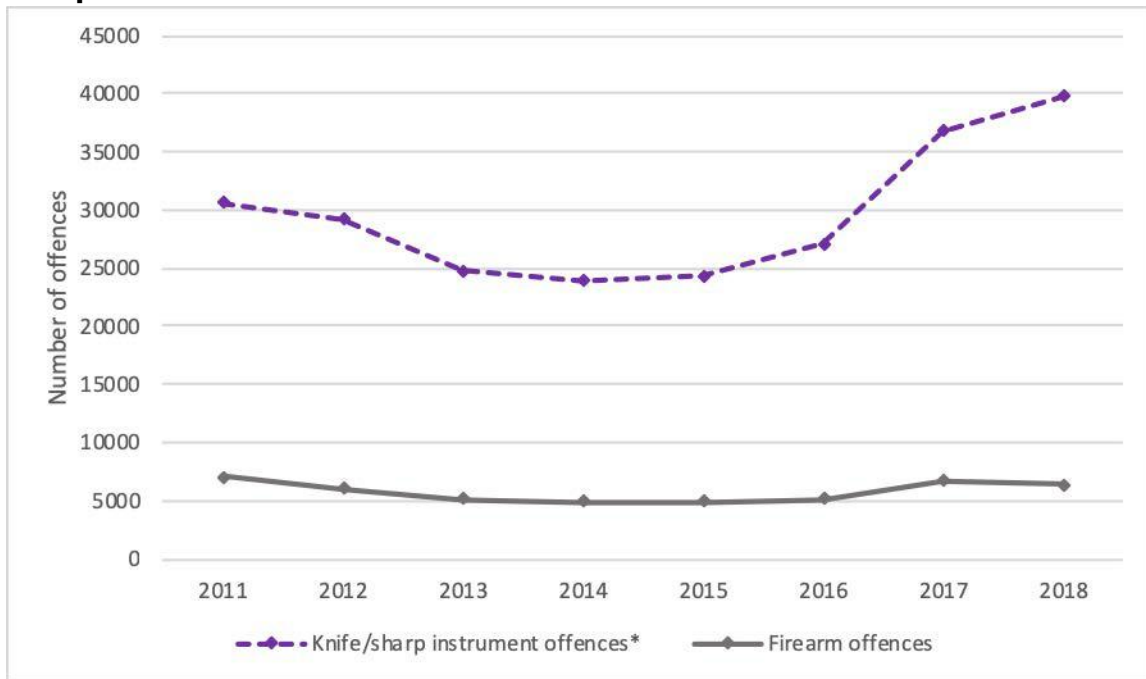
Source: ONS (2019) Crime in England and Wales: year ending September 2018 produced using data for Figure 6. Note: All years are ending in March apart from 2017 and 2018 which are to the year ending September

**Figure 14: Homicides (excluding exceptional events with multiple victims) based on Police Recorded Crime**



Source: ONS (2019) Crime in England and Wales: year ending September 2018 produced using data for Figure 4. Note: All years are to March apart from 2016-2018 which are to the year ending September

**Figure 15: Police Recorded Crime on offences involving a knife or sharp instrument and firearms**



Source: ONS (2019) Crime in England and Wales: year ending September 2018 produced using data for Figure 3. \*Excluding knife/sharp instrument offences recorded by Greater Manchester Police Force. Note: All years are to March apart from 2017, 2018 which are to the year ending September

Knife crime has received much attention in the media in recent years. Of course, we should be cautious about media hype and misrepresentations, and in particular about sensationalist reporting that perpetuates stereotyping of young people from ethnic minority backgrounds can have damaging consequences:<sup>33</sup> the Guardian's 'Beyond the Blade' project to count the number of young people killed by knife crime highlights that whilst ethnicity is an important factor in London, this is contrary to the pattern outside of London.<sup>34</sup> Nonetheless, there has been a genuine increase, and this is a matter of concern. Corroborating the police recorded data, admissions to hospital for assault by sharp instrument increased between 2015/16 and 2016/17 (Grimshaw and Ford, 2018, p. 3).

It is also worth noting, however, that despite the increase knife crime remains a relatively rare crime. To put this in context – and underlining the key importance of mental health issues to safety and security – in 2017 there were 5,821 suicides in the UK, as compared with 285 homicides where a knife or sharp instrument was used<sup>35</sup> (ONS 2018e; 2019e). More broadly, the RAC foundation estimates that young people between the ages of 15 and 24 are twice as likely to die from a road traffic accident than be fatally assaulted by a sharp/blunt instrument, firearms, intentional self harm or hanging combined (RAC Foundation, 2017). Nevertheless, the nature of knife crime is different to traffic accidents, involving intentional threat or harm between the perpetrator and the victim, arguably giving us reason to be particularly disturbed about an increase in this type of crime, even if numbers are still small compared to deaths by other causes. Furthermore we cannot ignore the fact that the risk of being a victim of knife crime falls more heavily on some than others; whilst the majority of the population are not at risk, the risk is much higher for those living in particular areas and with particular characteristics as can be seen in Figures 15 – 17.

As shown in Figure 17 those from a mixed ethnic background are more likely to experience violent crime compared with those in all other ethnic groups. Those with a longstanding illness or disability and those aged sixteen to twenty-four years are also more likely to experience violence than those without a disability or in older age groups. In terms of household characteristics (Figure 18) those living in a household with income below £10,000, single parents living with children, private and

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<sup>33</sup> <https://www.theguardian.com/membership/2017/mar/28/irresponsible-reporting-of-knife-alienating-young-people> accessed (11 December 2018)

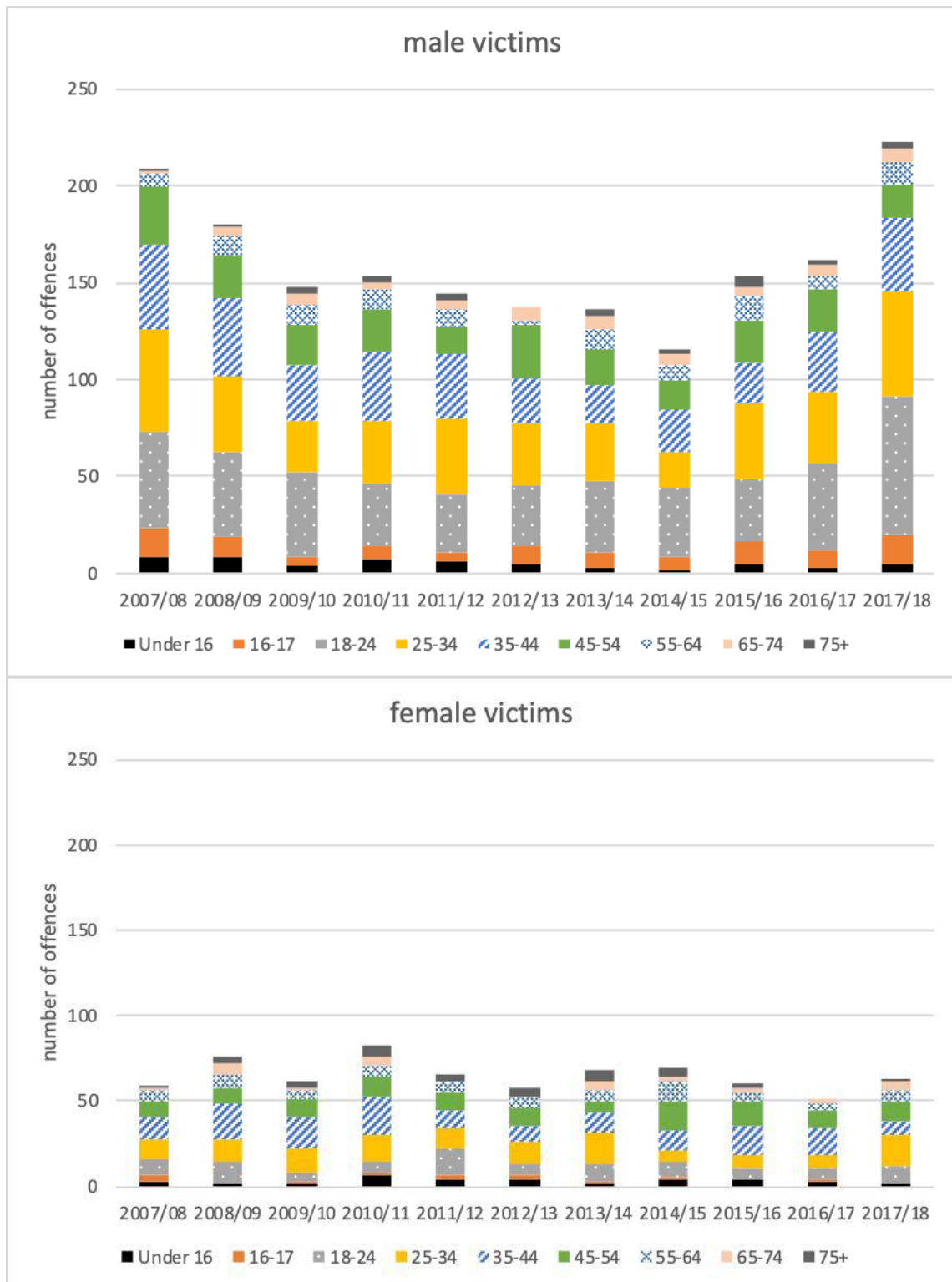
<sup>34</sup> <https://www.theguardian.com/membership/2017/nov/28/beyond-the-blade-we-finally-know-how-many-youths-are-killed-by-knives> accessed (11 December 2018)

<sup>35</sup> These figures cover a slightly different time period: to the year ending March 2018.

social renters and those who live in the 20% most deprived areas are all at greater risk of experiencing violent crime. While household income effects might be smaller than expected, looking across the many measures it is clear that those in less advantaged positions are facing a higher risk of violence – a finding which confirms emerging research insights about the links between violence and concentrations of poverty: (Peterson and Krivo 2010; Miller 2016).

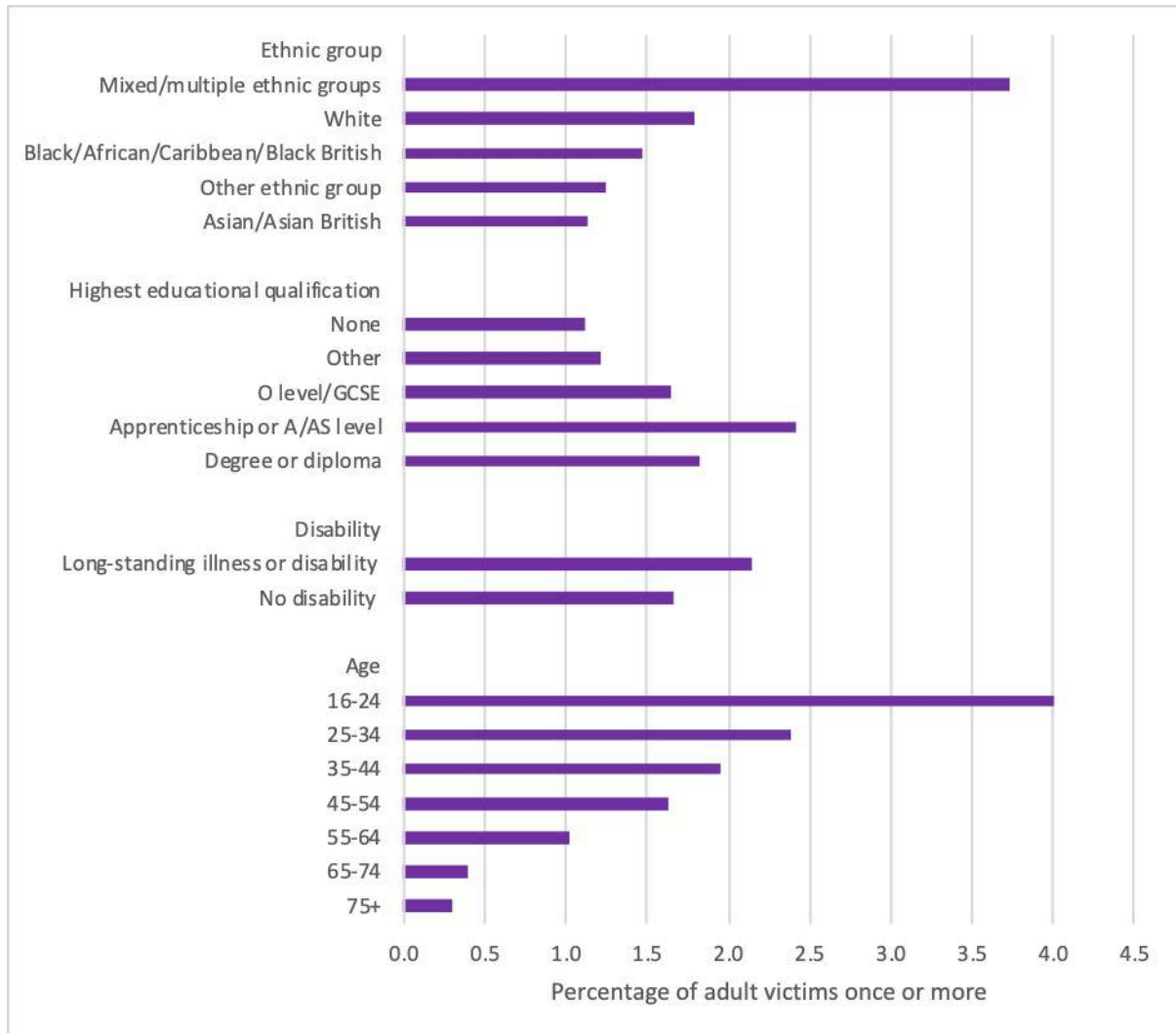
Some of these figures may seem counterintuitive, for example those with an apprenticeship, AS/A levels or a degree are at greater risk of violent crime than those with no qualifications; however it is important to highlight that these are purely descriptive patterns and do not control for other relevant factors. We would expect for example the education results to be a function of age as well (those who are younger are at greater risk of violent crime and also may not have yet finished their education).

**Figure 16: Offences recorded as homicide by a sharp instrument by age and sex of the victim, based on police recorded crime**



Note: all years run from April-March. Source: ONS (7 February 2019) Appendix tables: homicide in England and Wales Year ending March 2018, Table 5, available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/appendix-tableshomicideinenglandandwales>

**Figure 17: Experience of violence\* by personal characteristics of the victim, Crime Survey for England and Wales year ending March 2018**

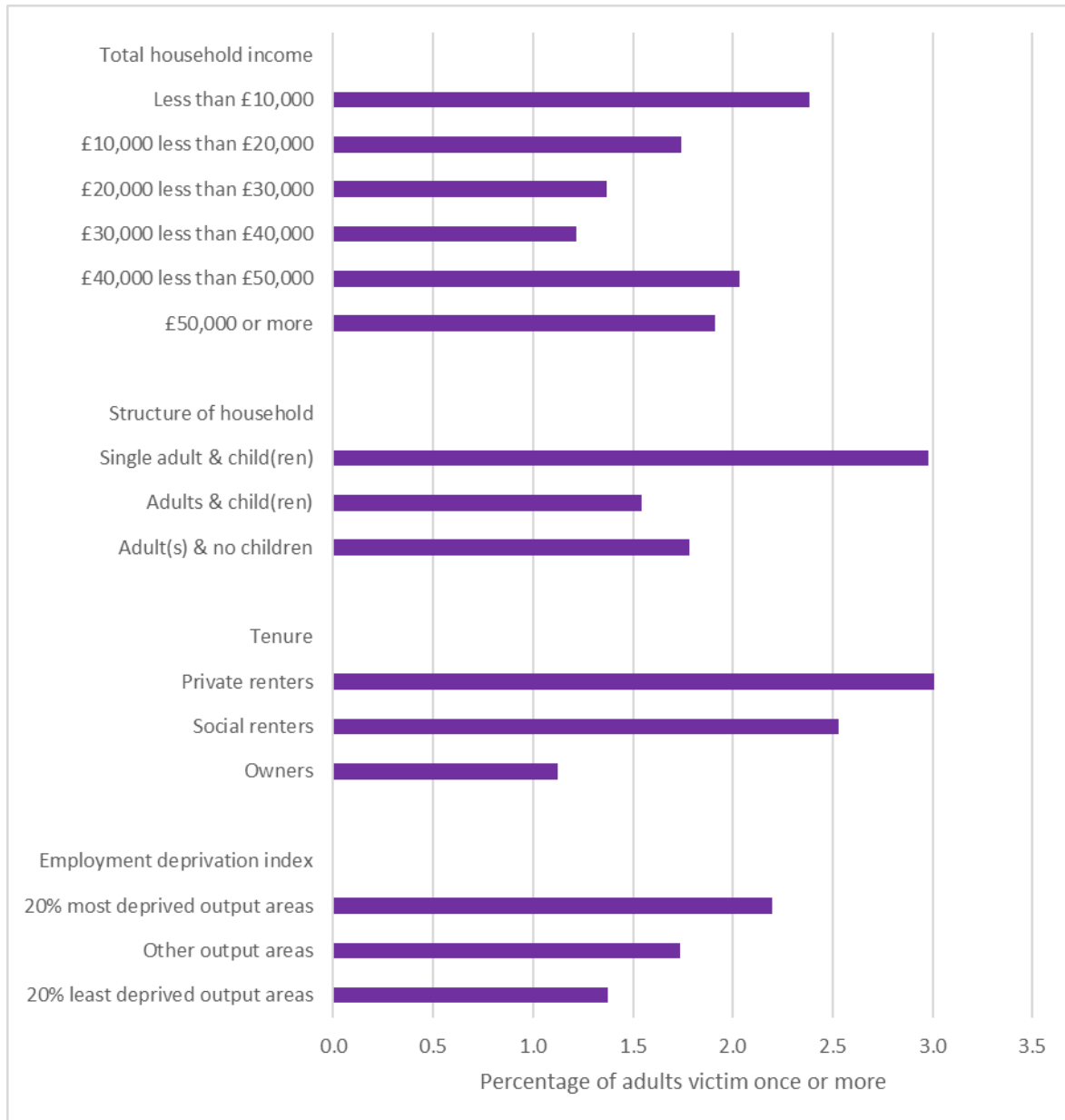


\* Violence includes wounding, assault with minor injury and assault without injury.

Source: ONS (7 February 2019) Appendix tables: homicide in England and Wales Year ending March 2018 Table 1 available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/appendix-tableshomicideinenglandandwales>



**Figure 18: Experience of violence\* by household and area characteristics of the victim, Crime Survey for England and Wales year ending March 2018**



\* Violence includes wounding, assault with minor injury and assault without injury.

Source: ONS (7 February 2019) Appendix tables: homicide in England and Wales Year ending March 2018 Table 2 available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/appendix-tables-homicide-in-england-and-wales>

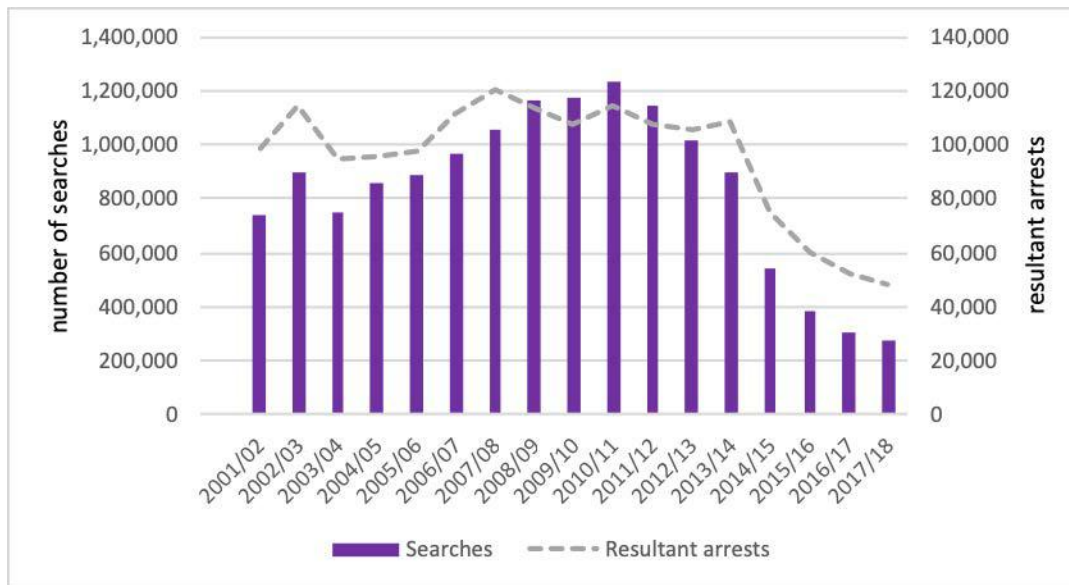
### *6.3 Stop and Search*

#### *Stops and searches, and subsequent arrest*

Another significant way in which age, geographical location or personal characteristics are likely to dictate a person's experiences of criminal justice is through the use of stop and search. This area has been subject to some particularly detailed research, and close public scrutiny, not least because of concerns about its racially patterned use. We accordingly give it some emphasis in this assessment of safety and security outcomes.

Section 1 of the Police and Criminal Evidence Act (PACE) is the police power used for almost all stop and searches, accounting in the year ending March 2017 for 99.8% of all stops and searches in England and Wales' (Home Office, 2017b, p. 19). Stop and searches conducted in 2017/2018 under section 1 PACE (and associated legislation, including s. 47 of the Firearms Act 1968, s. 23 of the Misuse of Drugs Act 1971, s. 43 of the Terrorism Act 2000 as well as other legislation) fell by 8% compared to 2016/2017, continuing a downward trend since the peak in 2010/2011, and are currently at the lowest number of searches under this power since data collection started in 2001/2002 (See Figures 18 and 19). However, the accelerated decrease which started in 2014 was not as visible in the latest year. This is thought to be due in part to the Metropolitan Police Commissioner's encouragement to make greater use of such powers in response to knife crime in the capital (Home Office, 2018b, p. 20).

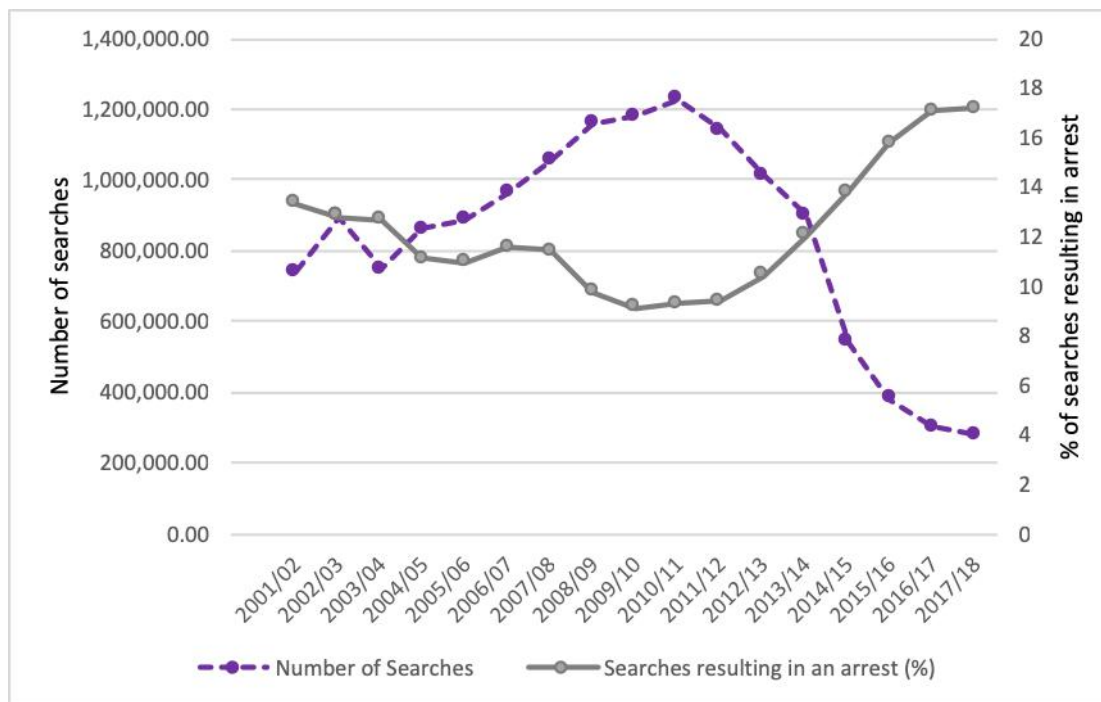
**Figure 19: Stop and searches and resultant arrests under section 1 of PACE (and associated legislation), England and Wales, 2001/02 to 2017/18**



Note: Data from 2009/10 onwards includes the British Transport Police (BTP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period are not directly comparable with more recent years. However, BTP account for less than 1% of stop and searches in 2016/17. Source: Home Office (25 October 2018) Stop and search statistics data tables: police powers and procedures year ending March 2018 table SS\_02

As presented in *Figure 20*, the number of arrests following a stop and search under s.1 of PACE generally follows the trend in stop and searches. However, between 2010/2011 and 2013/2014, the number of arrests remained rather constant, against the background of a significant reduction in the number of searches, suggesting that the power was better targeted (Home Office, 2018b, p. 21). In addition, even though the volume of arrests is at its lowest since 2001/02, the proportion of stops and searches under these powers leading to an arrest were at a peak of 17% in 2017/18 (Home Office, 2018b; Figure 2).

**Figure 20: Stop and searches and arrest percentage under section 1 of PACE (and associated legislation), England and Wales, 2001/02 to 2017/18**



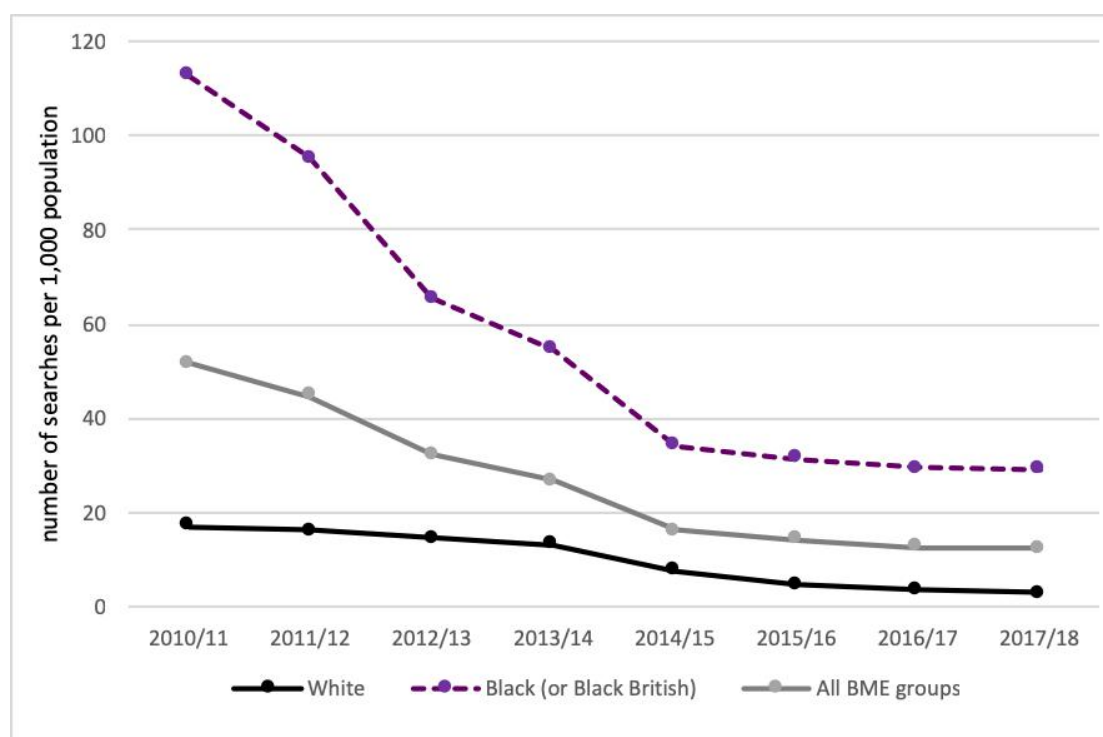
Note: Data from 2009/10 onwards includes the British Transport Police (BTP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period are not directly comparable with more recent years. However, BTP account for less than 1% of stop and searches in 2016/17 (Home Office, 2017b). Source: Home Office (25 October 2018) Stop and search statistics data tables: police powers and procedures year ending March 2018 table SS\_02

The proportion of arrests is lower for police powers that do not require reasonable suspicion for the search, for example, searches under s. 60 of the Criminal Justice and Public Order Act 1994. The Metropolitan Police Service’s practice influenced the first increase in searches under s. 60 since 2008/2009. Yet the utility of these searches remains in question. The proportion of section 60 searches resulting in an arrest in the year ending March 2018 was 8%, representing a fall of 3 percentage points compared with the previous year; over a 13 year period to 2016, the arrest rate fluctuated between a paltry 2% and 6% (Home Office, 2018b, p. 26). This arguably represents rather a modest potential crime control impact as compared with a significant and certain intrusion with individual liberty, particularly of certain demographic groups, strongly patterned on lines of age, ethnicity and urban location.

## Stop and search by ethnicity

Claims about the disproportionate use of stop and search usually describe an imbalance in targeting different ethnic groups, with reference to a neutral indicator (Bowling and Phillips, 2007). For example, in 2017/2018, Black people were nine and a half times more likely than White people to be stopped and searched under PACE, in comparison to their distribution in the resident population, as measured in the 2011 census (Home Office, 2018b). Claims of disproportionality based on such figures are criticised for not considering the demographic characteristics of people 'available' in the public space at the time and place stop and search powers were being used (Waddington et. al., 2004). However, it has been argued that 'availability' is neither a neutral criterion nor a justification for the disproportionate impact on ethnic minorities (Bowling and Phillips, 2007).

**Figure 21: Stop and searches per 1,000 population, by self-defined ethnicity, 2010/11 to 2017/18**



Notes:

1. Includes searches under section 1 PACE and section 60 of the Criminal Justice and Public Order Act 1994. 2. Excludes vehicle only searches. 3. Population breakdowns are based on the 2011 census. It is likely that ethnicity breakdowns have changed since 2011, so figures in this table should be considered estimates only. 4. Includes British Transport Police.

Source: Home Office (25 October 2018) Stop and search statistics data tables: police powers and procedures year ending March 2018 table SS\_13

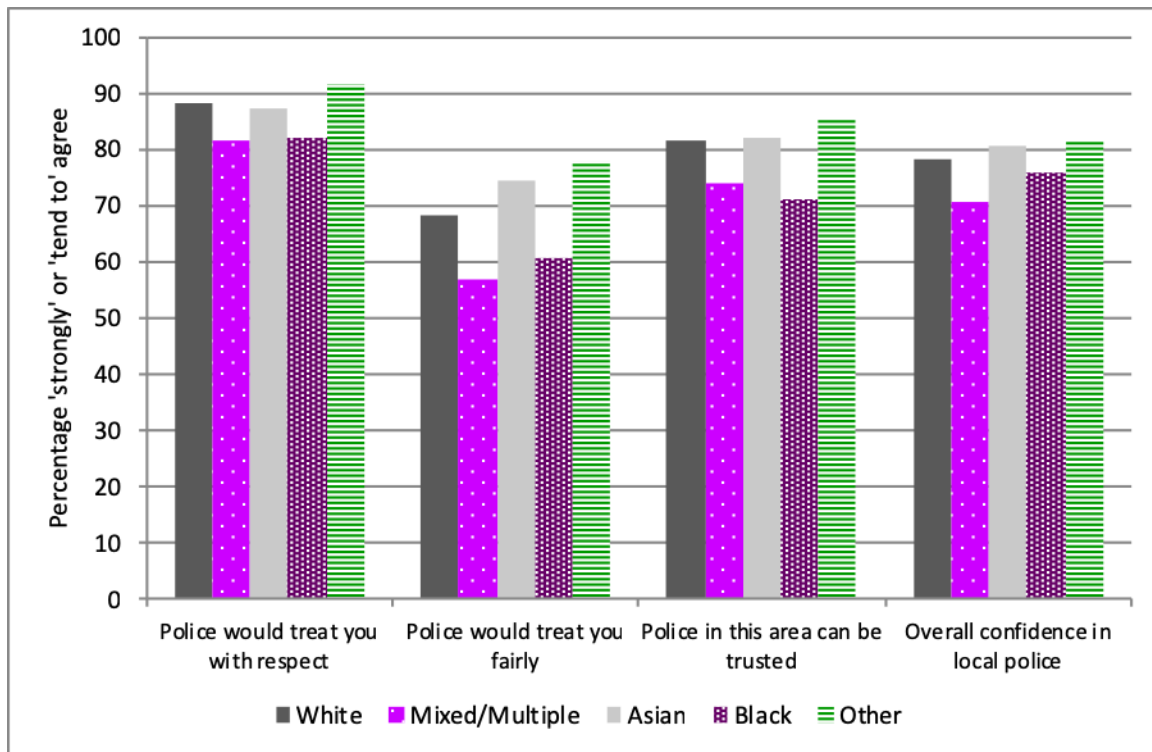
The Home Office has reported that those who regard themselves to be from BAME groups were four times as likely to be stopped, in the year to March 2018, as those regarding themselves as White. A particular disproportion attaches to the Black/White ratio of arrests, with those considering themselves Black nine and a half times as likely to be stopped in this period as those considering themselves to be White (Home Office, 2018b, p. 29). However, in interpreting these figures, it is important to note that almost half (48% in 2017/2018) of all stop and searches in England and Wales are conducted by the Metropolitan Police Service (MPS), the force having a larger BME population than the rest of England and Wales, namely 40% as compared to 10% (Home Office, 2018b, p. 28). However even taking this into account there is still evidence that people from a BAME background in London are overrepresented in stop and searches in relation to their numbers in the population: in fact despite the overall decline in stop and searches over recent years analysis by the Guardian has found that the Metropolitan Police actually increased their use of stop and search in 2018 and with increased disproportionality.<sup>36</sup> According to figures from the London Mayor's Office for Policing 43% of searches were of black people, while 35.5% were of white people when the respective shares in the London population are 15.6% and 59.8%. The Guardian analysis also found that searches of Black people were less likely to detect crime than searches of white people, suggesting in the case of London at least that stop and searches have not become more effectively targeted after all.

Unsurprisingly perceptions of local police are patterned by ethnic group also: according to CSEW data from 2018 respondents from a mixed or Black ethnic background tended to be less likely to agree with the positive statements about police shown in Figure 22 compared to respondents who are White, Asian from an 'other' ethnic group.

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<sup>36</sup> *The Guardian* 26<sup>th</sup> January 2019 'Met police 'disproportionately' use stop and search powers on black people'  
<https://www.theguardian.com/law/2019/jan/26/met-police-disproportionately-use-stop-and-search-powers-on-black-people> (accessed 10th March 2019)

**Figure 22: Perceptions of local police by ethnic group in CSEW year ending March 2018**



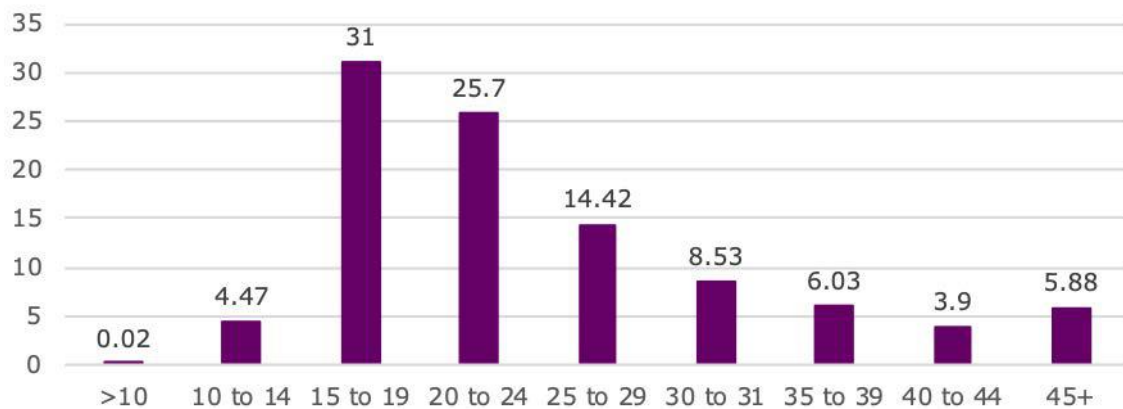
Source: ONS (2018) Crime in England and Wales: Annual supplementary tables 2018 available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/crimeinenglandandwalesannualsupplementarytables>

### Stop and search by age

National data on the relationship between age and likelihood of being stopped and searched is to our knowledge not yet analysed (raw data from individual police forces is available at <https://data.police.uk/data/>).

According to data from the Metropolitan Police that undertakes almost half of the stop and searches in England and Wales, the most likely age group to be stopped and searched is 15-19 (See Figure 23).

**Figure 23: Percentage of Stop and Searches conducted by the Metropolitan Police Service between October 2017 and September 2018**



Source: Calculated using data from Metropolitan Police (2018) Stop and Search dashboard.

### The effectiveness of stop and search

In terms of recording the required ‘reasonable grounds’ it has been argued that:

‘Rates of compliance with the requirement to record grounds for the stop have improved in recent years, with only 6 percent lacking such a record in the 2017 legitimacy inspection; but a further 7 per cent recorded the relatively flimsy reason of ‘a smell of cannabis’ – something explicitly specified as not normally being a reasonable ground in APP training guidelines’

HMICFRS, 2017, p. 22



The latest report of Her Majesty's Inspectorate underlined some continuing concerns about the general proportionality of the use of this power:

'In 2017/2018, 22% of stop and searches resulted in an outcome linked with the initial search, with the rate varying for example from 12% for offensive weapons to 28% for drugs (Home Office, 2018b).... Relatedly, it was highlighted since 2013 (HMIC, 2013, pp. 5-6) that almost half of stop and searches were conducted to tackle drug-related suspicions, especially low-level possession. This is surprising in the context of decrease in policing resources since 2010. Findings from 2017 (61% were searches for drugs and 70% of these were for possession only) suggested stop and search powers are not frequently used for priority crimes.'

HMICFRS, 2017, p. 26

However, searches for both firearms and offensive weapons increased in 2017/2018 as compared to 2016/2017, by 19%, while other searches decreased (e.g.: stolen property by 13% and drugs by 11%). 2017/2018 was the first year since 2004/2005 when the proportion of drugs as a reason for stop and search under s.1 of PACE and associated legislation decreased (Stop and Search table SS\_05 'Proportion of searches and resultant arrests under section 1 of PACE (and associated legislation), by reason for search/arrest,' Home Office, 2018b).

Such questions about fairness and proportionality – in terms of both patterned impact and appropriateness of stop and search as a policing tactic – look set to continue. At the time of writing the overall decline in stop and searches is being discussed as another possible contributing factor to the rise in knife crime, and some police figures are calling for Section 60 powers to be extended nationally, as had been the case in Birmingham following multiple teenage stabbings.<sup>37</sup> Similar questions about the patterned impact of allegedly neutral regulatory and classification mechanisms – notably the Offender Assessment System used by the Prison and Probation Services which measures offenders' risk based on a number of factors including the offenders' socioeconomic status (Duque and McKnight, 2019) – arise across the criminal justice system. In recent parliamentary scrutiny, the Joint Committee on Human Rights has questioned clauses in the current Counter Terrorism and

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<sup>37</sup> *The Telegraph* 4<sup>th</sup> March 2019 'Police officers call for emergency stop and search powers to stem knife crime epidemic'  
<https://www.telegraph.co.uk/news/2019/03/04/police-officers-call-emergency-stop-search-powers-stem-knife/> (accessed 10<sup>th</sup> March 2019)

Border Security Bill which proposes broad powers for border guards to stop and search individuals without suspicion on the grounds of tackling “hostile state” activity, which would potentially criminalise travel to ‘terrorist hotspots’ and the viewing of terrorist-linked material online.<sup>38</sup>

#### *6.4 Hate crime*

Hate crimes cover any offence that is perceived to have been motivated by a hostility or prejudice towards a personal characteristic (or perceived characteristic), such as ethnicity (ONS, 2018a, p. 69). Hate crime has been centrally monitored (flagged by police) since 2008 in relation to the following five categories:

- Race or ethnicity
- Religion or beliefs
- Sexual orientation
- Disability
- Transgender identity

Other crimes can be investigated as a hate crime (e.g. in relation to age) but these are not centrally monitored so will not appear in the statistics. The latest Home Office data includes a review of hate crime as assessed by the CSEW (Home Office, 2018a, p. 21-29) as well as on repeat victimisation (ibid, p. 24) and victim satisfaction with the police (ibid, p. 27).

Of the 94,098 hate crimes committed in 2017/18:

- 76% were race hate crimes,
- 12% were sexual orientation hate crimes
- 9% were religious hate crimes
- 8% were disability hate crimes
- 2% were transgender hate crimes

These add up to more than 100% as a hate crime can have multiple motivations: around 7% were estimated to have had more than one motivating factor, the majority of which related to both race and religion (Ibid). In terms of the types of offences committed, 90% of hate crimes

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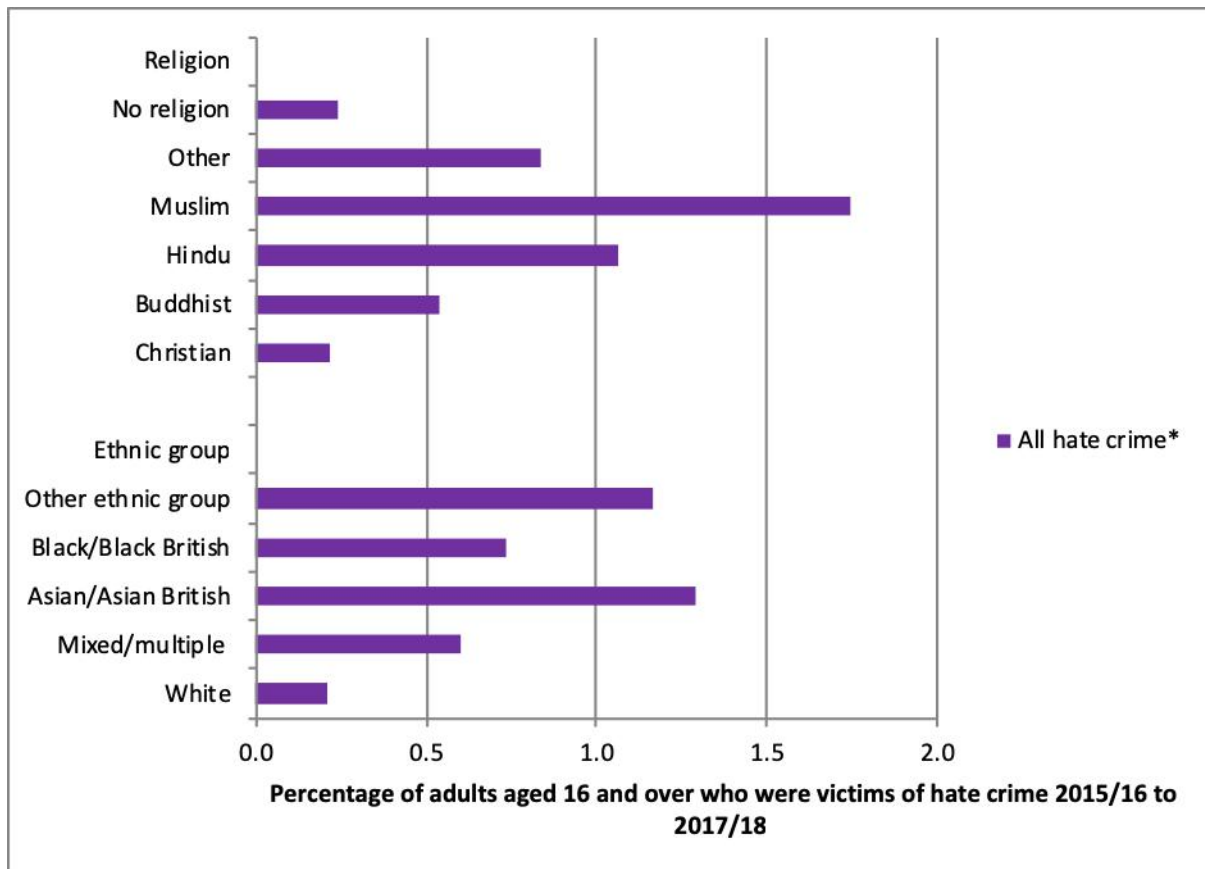
<sup>38</sup> [https://www.theguardian.com/politics/2018/oct/12/uk-counter-terrorism-plans-cross-line-on-human-rights-say-mps?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/politics/2018/oct/12/uk-counter-terrorism-plans-cross-line-on-human-rights-say-mps?CMP=Share_iOSApp_Other) (accessed 5 November 2018)

in 2017/18 were either for public order or violence against the person offences (Ibid, p. 13).

The latest figures on police recorded hate crime show an increase of 17% in 2017/18 compared with 2016/17, from 80,393 to 94,098 (Home Office, 2018a). The large percentage increase in hate crime relating to sexual orientation, disability and transgender identity (approximately up 30% each since 2016/2017) may suggest an improvement in reporting, police identification and recording rather than a genuine increase in these crimes (Idem, p. 14). However there is evidence of spikes in racially and religiously motivated crimes around particular events such as the EU referendum, which has engendered a generally anti-outsider climate, as well as spikes following the London and Manchester terrorist attacks, which are thought to be reflective of genuine increases in these types of hate crime (see Figure 25). It is not possible to compare police recorded crime with year on year trends from the Crime Survey for England and Wales (CSEW) as it is necessary to pool three years of data in order to get robust estimates from this source, however according to this data the number of hate crimes reported in the survey for the combined years from 2015/16 to 2017/18 was 40% lower than the estimates for 2007/8 to 2008/09, suggesting a decline in hate crime.

Again the risk of being a victim of hate crime varies according to a person's characteristics. The risk of experiencing hate crime was highest for men aged 16 – 24 (compared with older men), those who are Muslim compared to those who are Christian; and people with Asian backgrounds compared with White adults.

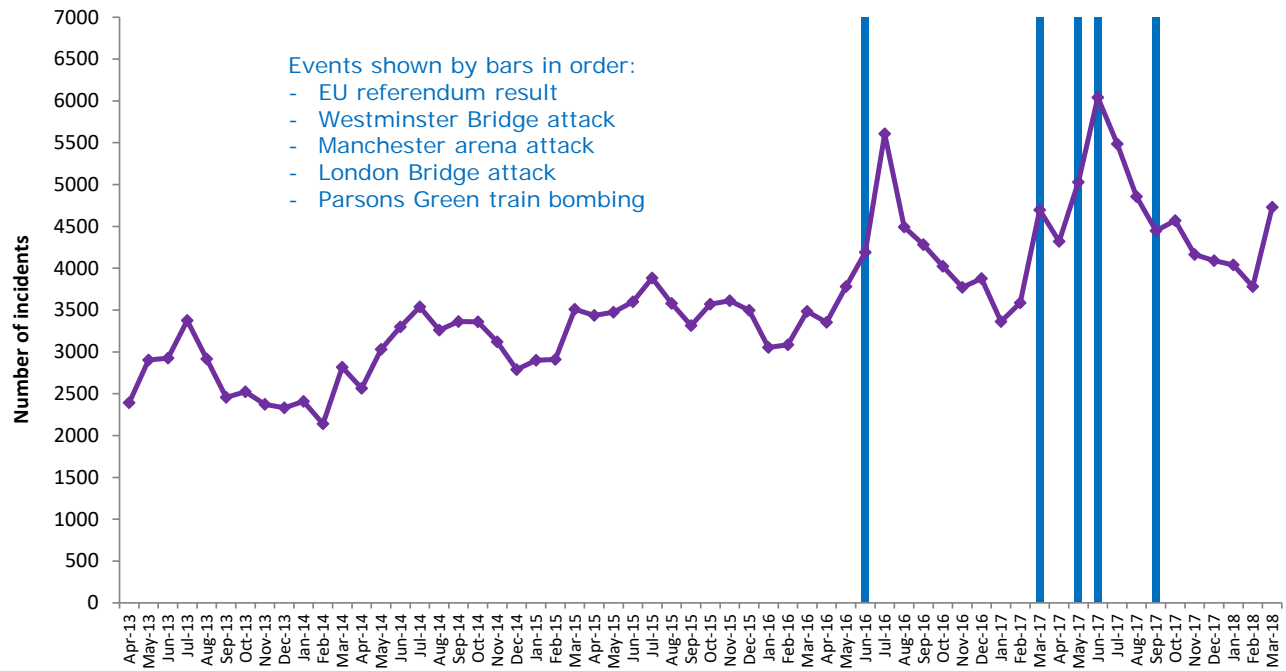
**Figure 24: Experience of hate crime by victim's religion and ethnic group based on CSEW 2015/16 - 2017/18**



\*All hate crime includes personal and household hate crime

Source: Home Office (16 October 2018) Hate crime, England and Wales, 2017 to 2018  
 Appendix tables available at <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2017-to-2018>

**Figure 25: Number of racially or religiously aggravated offences recorded by police**



Source: adapted from Figure 2.2 p14 Home Office (2018) Hate Crime, England and Wales, 2017/18 Statistical Bulletin 20/18

## *6.5 Trends in domestic abuse*

The current cross-governmental definition of domestic violence is:

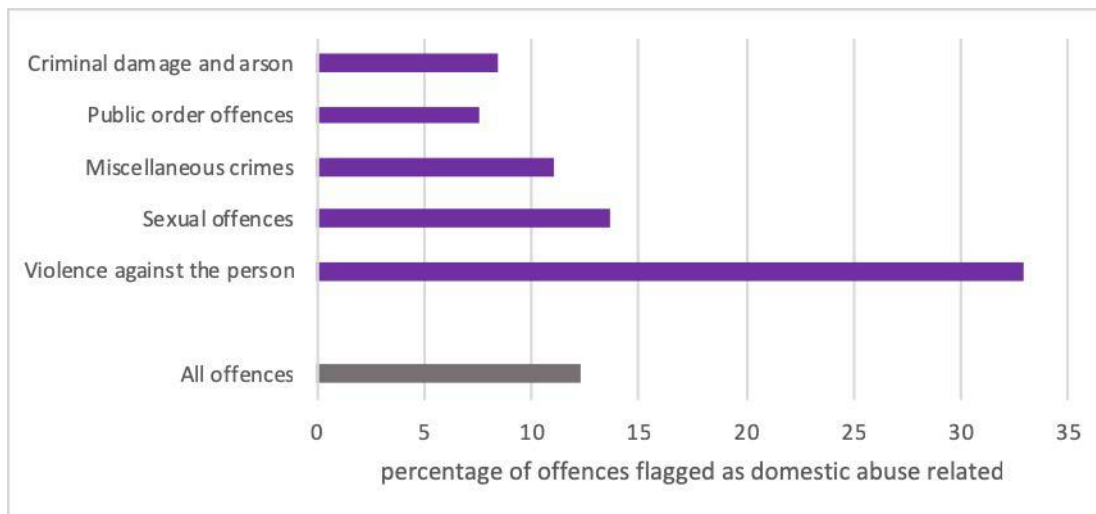
'Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can encompass but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional'

ONS, 2017a, p. 5

It is also important to note that, with the exception of coercive and controlling behaviour, domestic abuse is not a specific criminal offence – domestic abuse related offences will be recorded under the offence(s) that were committed, and then flagged by police as domestic-abuse related (ONS, 2018d, p. 11). For instance, for the year ending March 2018 the offence most likely to be flagged as domestic-abuse related was violence against the person offences (33%) followed by sexual offences (14%) (ONS, 2018d, p. 13).

**Figure 26: Proportion of offences recorded by the police in England and Wales that were flagged as domestic abuse-related, year ending March 2018**



Source: ONS (22 November 2018) Domestic abuse in England and Wales Appendix tables Year ending March 2018 available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/domesticabuseinenglandandwalesappendixables>

Prevalence and trends of domestic abuse are difficult to estimate as these offences are underreported to police: estimates from the CSEW show that 83% of victims of partner abuse did not report the abuse to the police (ONS, 2018b, p. 4). When domestic abuse-related offences are reported to police many ‘fall short of notifiable offences’ and are not recorded as crimes; around half of domestic abuse related crimes recorded by police do not result in arrest and a large proportion have problems with prosecution, often because the victim does not support the prosecution (ONS, 2017a, p. 3). Finally, because identifying offences as being domestic abuse-related requires police officers to manually flag the offences as such, the quality of the data may vary across forces and be susceptible to more fluctuations than the underlying number of recorded offences by crime type (ONS, 2018d, p. 42).

There are therefore many caveats with police recorded domestic abuse-related offences. In addition to the caveats already outlined there are a couple of changes that have consequences for police recorded domestic abuse-related offences:

1. As discussed above, in December 2015 a new offence was introduced, “coercive and controlling behaviour”, as part of the Serious Crime Act 2015, which captures offenses that are not necessarily related to physical violence (ONS, 2017a, p. 3) and relates to patterns of repeated behaviour rather than a single

incident (ONS, 2018d, p. 12). This offense will of course not be captured in Police Recorded Crime prior to when it was created so it is not possible to look at long-term trends for this type of offense.

2. The Home Office has been collecting information from police on whether recorded offences are related to domestic abuse only since April 2015; it is not possible to determine the prevalence of domestic-abuse related offenses before then (ONS, 2017a, p. 12).

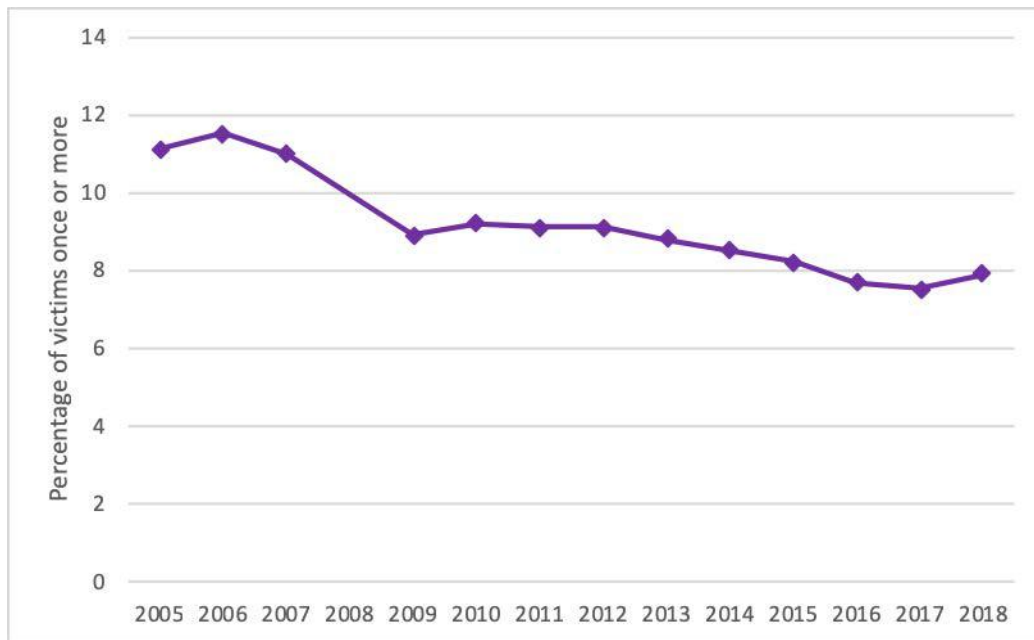
With these caveats in mind, the police recorded 599,549 domestic abuse-related crime in the year ending March 2018, representing a 23% increase from the previous year (ONS, 2018d). This increase is thought to be largely explained by improvements in police recording practices as well as more victims coming forward to report these offences (Ibid).

The CSEW includes questions on experiences of domestic abuse via self-completion and provides a more reliable estimate of both prevalence and trends in domestic abuse than Police Recorded Crime, as it avoids the caveats discussed above in relation to unreported crimes and changes in recording practices (ONS, 2018d, p. 7). However, the CSEW questions do not entirely capture the offence of coercive and controlling behaviour, though new survey questions have been introduced from April 2017 to better estimate these types of offences (ONS, 2017a, p. 3).

The more reliable CSEW estimates that 2 million adults aged 16 to 59 experienced domestic abuse in the year ending March 2018, which equates to around 6 in every 100 adults (ONS, 2018d, p. 8). Although these figures include everyone, women are around twice as likely to experience domestic abuse compared with men and the difference is even bigger when coercive and controlling behaviour is taken into account (ONS, 2018d, p. 8). Over time the CSEW estimates show little change year on year but overall a gradual long term downward trend (ONS, 2018d, p. 8). There was no significant change between 2017 and 2018.



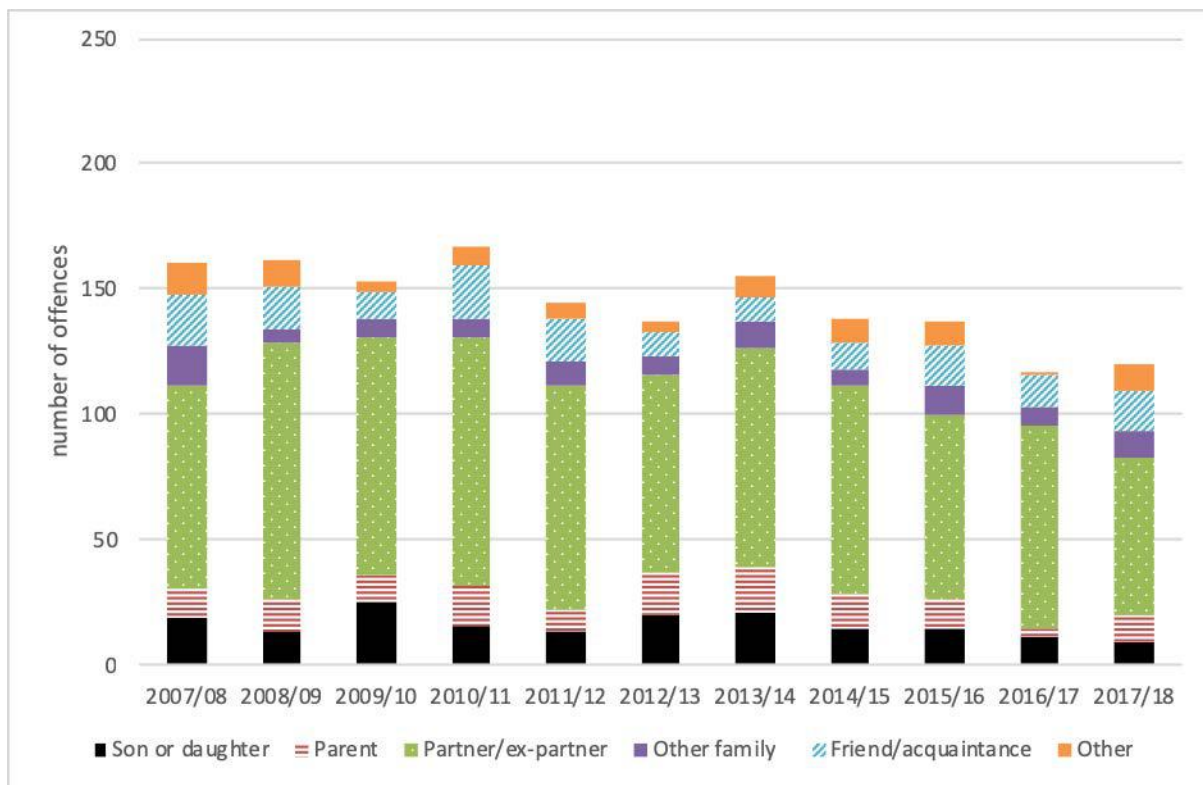
**Figure 27: Trends in domestic abuse for women aged 16 to 59, based on the Crime Survey for England and Wales**



Source: ONS (22 November 2018) Domestic abuse in England and Wales : year ending March 2018 Note: no data available for 2008

As can be seen from Figure 28 the majority of homicide offences for female victims are committed by a partner or ex-partner. The latest femicide census (which uses a different methodology and so produces a different kind of estimate) reveals that in 2017 three quarters of women killed by men were killed by someone they knew, around 60% were killed at their home and almost half were killed by a current or former partner (Long et al, 2018). According to the femicide census, in 2017 139 women were killed by men, an increase on 2015 and 2016 which saw 119 and 113 women killed by men (Long et al, 2018, p. 10). Taking all available (though imperfect) data on violence against women, although CSEW estimates of domestic abuse show gradual decline, the femicide census demonstrates that little progress has been made at the extreme end of violence against women despite the government’s recent VAWG strategy, with the number of women being killed by men showing a recent increase.

**Figure 28: Number of offences currently recorded as homicide for female victims by relationship of victim to principal suspect, based on police recorded crime**



Note: all years run from April-March

Source: ONS (7 February 2019) Appendix tables: homicide in England and Wales, Table 7, available at <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/appendixtableshomicideinenglandandwales>

Whilst there are many caveats in attributing outcomes to policy inputs and outputs, including time lags and the complex range of other factors that contribute to such outcomes, there is some convincing evidence that policies and resources do make a significant difference to outcomes in the way one would expect (see Dean and Wallace, in Needham and Heins, 2018 on evaluating the impact of New Labour’s policies on disadvantage, including youth crime). Overall the outcomes considered in this paper do not give any cause for celebration. Progress in declining violent crime seems to have stalled and homicides and knife crime have been increasing over the last four years. As cyber crime – until now, poorly measured - comes increasingly into view, new threats to safety and security seem likely to emerge. Whilst stop and searches have been declining over a number of years the latest data reveals that in London they have increased and with increased disproportionality. Overall hate crime is thought to have declined but there is evidence of peaks in racially and religiously motivated offences around key events such as the EU referendum. Domestic abuse overall has changed little in recent years but

as the femicide census shows violence against women is still shamefully prevalent. Again where data is available it shows that violent crime, hate crime, and homicide by knife or sharp instrument is a much greater risk for some people than others.

## **7. Conclusion: the distributional implications of safety and security policy in the longer term**

Taking our five key areas of focus in turn, and acknowledging that there are real limits to what can be concluded given the complex range of factors at play, that there are limitations to some of the available data, and that undoubtedly many of the effects of the policies under consideration in this paper are yet to surface, we can draw out some tentative patterns of safety and security policies and their distributional consequences.

This paper has applied the analytical schema for public expenditure and social policy analysis used throughout the SPDO research programme, evaluating policies (both goals and those actually brought into effect), resources, inputs and outputs and, where possible, outcomes. In applying this framework to the five key areas of: interpersonal violence; the prison system; hate crime; race and criminal justice; and violence against women, some broad patterns emerge.

In terms of policies there have been a number of important developments across each of the five key areas of focus. The government has published a Serious Violence Strategy, acknowledging the complex multifaceted nature of the problem and the need to coordinate across different agencies to address the problem of serious violence. It also published a Violence Against Women and Girls Strategy, and for the first time coercive and controlling behaviour became a criminal offence. The 2016 action plan against hate crime was updated in 2018 and discussions about expanding the categories of hate crime are underway following the Law Commission's review which includes misogyny, misandry and ageism. In the area of race and criminal justice a number of specific policy recommendations have been made following the Lammy Review and the Ministry of Justice has committed to embedding a dedicated team to review action on each of Lammy's 35 recommendations. Finally, the Prison Safety and Reform review was published in 2016 and details a raft of reforms in relation to adequate prison standards, better safety and better training and support for prison staff.

However, these policy developments have not necessarily been met with adequate resources. Police forces, prisons, and women's refuges have all seen their funding cut, amidst a wider context of austerity with less funding for local authorities, and inadequate funding of mental health services, which has led to additional pressure and spill over effects in other areas of policy delivery. The impact has been uneven across the country, with poorer areas being worse affected by cuts to policing for instance as they are more reliant on central government grants and less

able to offset cuts with increases in the police precept within the council tax.

In terms of how resources have been spent – ‘inputs’ – and what was produced from this – ‘outputs’ – there is some evidence that resource constraints have had a negative impact on the quality of policy inputs over these five areas. The number of police officers has declined and at the same time demands on police time have increased. There have been increases in the number of days taken to charge an offence and there is some evidence that police have responded to the cuts in resources and increased demands by taking a less proactive approach to policing. There has also been speculation about how far a reduction in the number of officers could be a contributory factor to the rise in violent crime. In relation to violence against women there is evidence that there are not always enough officers to respond as quickly as they should to reports of domestic abuse, in some cases putting victims at risk of serious harm. Due to budget cuts there has been a decline in the number of women’s refuges, with the effects being felt more strongly in particular areas and with specialist services more likely to close, with women from black and minority ethnic backgrounds and women with disabilities more likely to be affected. Related to this, the Equality and Human Rights Commission concluded that the decrease in legal aid provision has curtailed people’s access to justice, particularly among disadvantaged groups. In prisons, overcrowding remains a persistent problem as the number of prisons has not increased to match the imprisonment rate in England and Wales, which is amongst the highest in Western Europe. Staffing levels in prisons have decreased, mainly as a response to dealing with cuts, retention of prison officers is low and experience levels of staff has declined. At the same time, prisons have become more dangerous for both prisoners and staff with assaults on both staff and prisoners increasing. Rehabilitative activities in prisons have also declined.

Whilst it is still very early to attempt to measure how all this may have translated into outcomes, we have attempted to draw on early indicators where available. Crime statistics, though an imperfect measure, provide an important contribution to our assessment of safety and security outcomes. In recent years we have seen an increase in knife crime and homicides which disproportionately affects those from less advantaged backgrounds. The latest estimates of the number of women killed by men has shown a worsening of violence against women rather than progress. Stop and search has most recently raised concerns about a stalling of progress that was underway, with a recent increase in searches and in their ethnic disproportionality. Whilst estimates of hate crime overall suggest some improvement in this area, recent events appear to have caused temporary spikes in religiously and racially motivated hate crimes.

Again, when it comes to who experiences stops and searches, and who experiences hate crime and violent crime, disadvantaged individuals are at greater risk.

Overall then the story is one of important policy goals and developments, such as the Serious Violence Reduction Strategy or the Violence Against Women and Girls strategy, that are not yet fully institutionalised or supported by adequate resources, with declining funding across many key areas and a noticeable impact on the kinds of policy inputs and outputs that are achievable. This has arguably led to a decline in redistributive outcomes as variously (and imperfectly measured), with those who are least advantaged faring considerably worse.

Writing in mid 2019, it is too early to make any final assessment of the distributional implications of the direction of safety and security policy from 2015-20. For the reasons set out at the start of this paper, trends in this area are shaped by complex dynamics, and can only be properly assessed over a relatively long period. Certainly, however, several of the key current policy preoccupations aspire to develop policy in progressive ways which would counter forms of inegalitarianism and distribute the protection of criminal justice more fairly. Notable examples include the intended multi-agency and preventive approach to serious violent crime among young people; the initiatives coming out of the Lammy Review in relation to tackling ethnic disproportionality; and the signals that the government intends to maintain its focus on domestic abuse. But these positive developments must be set in the context of the polarising dynamics of a criminal justice system in which the disadvantaged are disproportionately on the receiving end of state control, as well as receiving lower quality protective services in terms of goods such as policing, access to refuges, mental health provision or access to justice. The cumulative impact of public spending cuts over nearly a decade has significantly affected the capacity of the central and, particularly, local state to underwrite physical safety and security. And the medium term development of the more progressive policies currently under discussion is threatened by both the economic consequences and the pervasive distraction across government and the civil service of Brexit. Our provisional view is therefore that the general tenor of criminal justice – strongly reinforced by the continuing, and increasingly devastating, impact of the public spending squeeze since 2010 – is likely, overall, to reduce - even to efface - the egalitarian dynamics at work in specific policy areas and reform initiatives.

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