



Centre for Criminal Justice Studies
CRIMINAL JUSTICE REVIEW 2005/6
Eighteenth Annual Report

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THE CENTRE FOR CRIMINAL JUSTICE STUDIES

The Centre for Criminal Justice Studies (CCJS) is an interdisciplinary research institute located within the School of Law. It was established in 1987 to pursue research into criminal justice systems and criminological issues. It has since grown in critical mass and become recognised as one of the leading criminological centres of its genre with an established international profile and a range of international networks. It also draws membership from staff outside the School of Law – notably Sociology and Social Policy, Geography, Politics and International Studies and the Leeds Social Science Institute. The Centre fosters an active and flourishing multi-disciplinary academic environment for teaching and research, organizes a seminar programme and hosts national and international conferences. It has developed a cohesive and supportive research environment and attracts international visitors. Staff working in the Centre excel in the production of research that is empirically rich, conceptually sophisticated and policy relevant. The Centre is recognised by the University of Leeds as a ‘peak of research excellence’. Its work is supported by a Board of Advisors drawn from key senior positions within criminal justice research users and sponsors, as well as academics and researchers. The Advisory Board helps to sustain good relations with local and regional research sponsors, attract prospective research students and facilitate knowledge transfer. Further information about the activities of the Centre can be accessed via our web pages at: <http://www.law.leeds.ac.uk/crimjust/>

The CCJS runs both undergraduate (**BA in Criminology and Criminal Justice**) and post-graduate teaching programmes. The **MA in Criminal Justice Studies** has run successfully since 1993. A number of variants have since been introduced. These include **Criminology, Criminological Research, Criminal Justice Studies and Policing** and an **LLM in Criminal Law and Criminal Justice**. All schemes can also be studied at Postgraduate Diploma and Postgraduate Certificate levels. All postgraduate programmes are available on a full-time and part-time basis. The Centre also attracts domestic and international research students registered for a Ph.D, M.Phil or MA by Research. Anyone interested in information about postgraduate opportunities should contact Karin Houkes, Postgraduate Admissions Tutor, lawpgadm@leeds.ac.uk or Tel: 0113 3435009.

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INTRODUCTION

It gives me immense pleasure to introduce this review of the work of the Centre for Criminal Justice Studies covering the period from 1 October 2005 to 30 September 2006. Once again it has been a vibrant and particularly productive period. The large numbers of new research projects and extensive publications as well as the events and activities by staff are outlined in this review. Collectively, we have produced nine significant books and a large number of journal articles, chapters in books and other quality publications. The extent of our knowledge transfer activities is also impressive.

During the period under review we have continued to strengthen and expand our research and teaching staff. One of the most notable developments has been the appointment of two new Research Fellows. Dr. Sam Lewis, who joined us on a two-year lecturing contract funded by the Leverhulme Trust in 2004, has been awarded a five-year RCUK funded Academic Fellowship in 'The Governance of Youth Crime' which commenced 1 August 2006. Her research agenda will explore issues relating to ethnicity and diversity in youth crime and justice. Dr. Philip Hadfield was the successful recipient of a five-year University of Leeds Senior Research Fellowship in 'The Governance of Crime and Security', which commenced 1 September 2006. Philip's programme of research will seek to explore diverse aspects of the administration and governance of the night-time economy. Philip's post is a replacement for Dr. Toby Seddon who left us to take up a Senior Research Fellow post at the University of Manchester. Toby remains involved with members of the Centre in a Joseph Rowntree Foundation funded research project. Lydia Bleasdale (from Manchester Metropolitan University), Vicky Conway (from Queen's University Belfast) and Richard Peake (from the University of Hull) have joined the teaching staff, the last two whilst finishing off their PhDs. In addition, we have appointed a number of research officers to work on a variety of externally funded projects, including Sam Barrett, Christopher Carney, Eleana Kazantzoglou, Keelie Thornton and Peter Traynor. I am pleased to note that in October 2005, both Professors Crawford and Wall were elected Academicians of the Academy of Learned Societies for the Social Sciences.

In April 2006, we held a two-day 'away day' in the Peak District attended by most members of the CCJS. Over two very productive days we planned a strategic vision of development of the Centre for the forthcoming years at the heart of which will be expansion of our international research agendas, fostering of new research networks, recruitment of more research students and development of new taught postgraduate programmes (especially in the international and comparative fields) and the formation of collaborative research endeavours. The 'away day' gave us a wonderful opportunity to identify our core strengths and to target areas for collective development. One of the direct outcomes of our deliberations, which fed into the Law School's Development Plan and was subsequently supported by the University, has been the quest to appoint a Chair in International Criminal Justice, which is currently ongoing. We hope to fill this new post in 2007. We have also sought to update and revitalise our web pages, course publicity and communications material. In October 2006, we re-launched the CCJS Annual Lecture with a well attended presentation by one of our Advisory Board members, Judge Geoffrey Kamil, on 'The Role of a Judge in a Multi-cultural Society'. The CCJS lecture for 2006/7 will be given by Professor Rod Morgan, Chair of the Youth Justice Board, and will take place on Tuesday 8th May 2007. Since the beginning of 2006, members now meet regularly every month to review developments and plan new initiatives. This development has proved particularly successful in ensuring a good exchange of information, providing a vibrant culture of collegiality and integrating research staff. In March 2006 we met with members of the Sentencing Advisory Council and gave them an overview of the work of the CCJS and Anthea Hucklesby gave a presentation on her findings from a research project into offender resettlement.

We have continued to develop our international networks. Under the umbrella of the World Universities Network (WUN) we have facilitated a number of academic exchanges: Crawford to Penn State University (2005); McCartney and Walker to University of Washington at Seattle (2006). Initiatives arising from these visits are being pursued. In addition, Steve Herbert from the University of Washington visited Leeds in June 2006 and contributed to the Leeds Social Science Institute's 'Big Conversation' around the theme of 'Equality, Diversity and Security'. Members of the Centre have been involved in University-wide developments to promote research collaborations in this field and contributed to the formal Launch of the Leeds Social Science Institute. During the last year we have also expanded our Advisory Board and met with Advisors in order to re-established and formalise relationships.

The Centre continues to be an active institutional member of the *Groupe Européen de Recherches sur les Normativités* (GERN), a leading international research network funded by the French *Centre National de la Recherche Scientifique* (CNRS), which organises pan-European research seminars and comparative research. Professor Crawford is a member of its Scientific Committee. In addition, the Centre is a key institutional member of a European Commission funded co-ordination action project entitled 'CRIMPREV: Assessing Deviance, Crime and Prevention in Europe', which began in July 2006 and involves some 30 institutions across Europe. Adam Crawford, Philip Hadfield, Sam Lewis and Teela Sanders are all involved in this collaborative project, as part of which a number of international seminars will be held in Leeds.

Finally, I am particularly pleased to announce that during this review period our colleague Emma Wincup gave birth to her first son and heir, Benjamin, in May 2006. Our congratulations go to Emma, Paul & Son! We look forward to Emma's return from maternity leave in early 2007.

Adam Crawford
Director, November 2006



RESEARCH PROJECTS

POLICING AND CRIME PREVENTION

‘Street Policing of Problem Drug Users’

Funded by the Joseph Rowntree Foundation **Stuart Lister, Sam Barrett, Peter Traynor, Emma Wincup** and Toby Seddon have been commissioned to study the visible street policing of ‘problem’ drug users. This two-year study explores the relationships between police officers and drug users in three police divisions within England and Wales. It aims to provide insights into the way that ‘problem’ drug users experience policing ‘on the streets’, as well as understand the response of police to this group. Whilst the focus of the research is primarily on the role of the public police, the activities of a range of other policing agencies will also be investigated. The research will shed light on the priority afforded to this group by policing personnel when they routinely encounter them in public settings. In so doing, it will consider the range of options available to policing personnel when dealing with ‘problem’ drug users in order to understand how police seek to regulate their conduct. The implications of these actions will be considered for the police, the drug user, the community, and more broadly, the criminal justice system.

The overarching aims of this research are to:

- advance understanding of the nature, processes and outcomes of the day-to-day ‘street’ policing of heroin and cocaine users
- explore the balance between harm reduction and law enforcement within these policing activities
- situate the ‘street’ policing of this group in the broader organisational context of the concurrent demands, priorities, strategic options and costs confronting the police service.

This is a multi-site, multi-method study combining quantitative and qualitative research methods. Data will be collected through mixed methods including interviews with police officers, problem drug users and other policing, community safety and drug treatment agency personnel; observations conducted with police officers on patrol; and accessing police records on the processing of ‘problem’ drug users. The project is due to report its findings in September 2007.

‘Evaluation of the ODPM Programme to Address “Problem” Private Rented Housing in Areas of Low Demand’

Funded by the Office of the Deputy Prime Minister (now the Department for Communities and Local Government) this project involved a research team involving **Sarah Blandy** and led by Professor Ian Cole from the Centre for Regional Economic and Social Research, Sheffield Hallam University. The research aimed to evaluate the effectiveness of seven pilot areas which received funding to tackle problem private rented housing in areas of low housing demand, and to produce a toolkit of resources for use by local authorities and other key agencies. The research combined quantitative data with qualitative approaches, designed to explore the perceptions, relationships, experiences and satisfaction of private landlords, tenants, residents and stakeholders. Scoping interviews were held with key stakeholders in each area to agree the parameters for the evaluation and to help build a relationship of trust. Residents’ panels were set up in each area, and focus groups were held with landlords and managing agents. A formative and developmental approach was adopted, with the pilot local authorities sharing experiences and good practice, which contributed to the production of a web-based resource pack. The research findings highlighted the following:

Anti-social behaviour (ASB)

- Partnership working in order to tackle ASB in the private rented sector was made easier if co-ordinated by a dedicated private rented ASB officer.

- Residents' focus groups were concerned about feeling unsafe and about criminal activities such as drug dealing, whereas the focus of most pilots was on low demand leading to empty properties, misuse of public space and environmental damage.
- Residents' and officers' understanding of ASB aligned more closely over the lifetime of the pilot projects, particularly in clearly defined neighbourhoods where residents had a stronger sense of community.
- It was extremely staff-intensive to provide support to private landlords in tackling their tenants who behaved anti-socially, but necessary to prevent landlords resorting to unlawful eviction or harassment of any tenants causing nuisance.
- The most effective way of dealing with this was through a specialist tenancy relations officer, whose role was advertised to both landlords and tenants.

Poor management and physical standards

- Pilots adopted a variety of approaches along a range between persuasion and strict enforcement, usually reserved for the worst cases.
- Landlords' knowledge of their legal obligations improved through the provision of support and training events, thus lessening the need over time for enforcement action.
- Most pilots had established voluntary landlord accreditation schemes using a self-certification approach, backed up with inspection of sample properties.
- Many pilots quickly developed a backlog of property inspections; some had contracted out this task as a result.
- Some pilots targeted the properties of landlords known to perform poorly.

Further information can be accessed at: http://www.communities.gov.uk/pub/869/228DealingwithProblemPrivateRentedHousing_id1501869.pdf. A web-based *Private Rented Sector Resource Pack* published by the IDEA (the Improvement and Development Agency for local government) is available at: <http://privatesectorhousing.idea.gov.uk/idk/core/page.do?pageId=1>

'Preventing Counterfeiting in the Fashion Industry'

Professor **David Wall** is a partner in the COUTURE project which is exploring vulnerabilities within the fashion market that lead to the counterfeiting of designer ready-to-wear (prêt-à-porter) fashion apparels and accessories. The project is a response to the sixteen fold growth in counterfeited (trademarked) products circulating within the fashion markets in recent years which are impacting upon the legitimate fashion industry's revenues and profits and also stifling future investment and innovation. The project is funded by the EU under the Framework 6 AGIS Programme (€170,000) and is being conducted by a partnership of TRANSCRIME (the Joint Research Centre on Transnational Crime at the Universities of Milan and Trento), the Centre for Criminal Justice Studies, School of Law, University of Leeds, and members of the CNRS (*Centre National de la Recherche Scientifique*) at the Sorbonne in Paris. The project's supporting stakeholders are: Gucci; Chamber of Commerce, Milan and CNPDS (a research centre with extensive experience of research into counterfeiting goods).

'An Evaluation of the Use and Impact of Dispersal Orders'

The Joseph Rowntree Foundation commissioned a project to evaluate the use and impact of dispersal order powers under the Anti-Social Behaviour Act 2003. Professor **Adam Crawford** is leading the research team supported by **Stuart Lister** and research officer, **Christopher Carney**. The research is collecting both national data on the use of dispersal order powers and evaluating their use in a number of case study sites in Yorkshire and London. The aims of the research are to:

- Understand the extent to which dispersal orders help address the problems which give rise to their implementation.
- Provide an understanding of the processes involved in implementing dispersal orders and identify good practice.
- Assess the impact of the use of dispersal orders and their effectiveness in reducing crime and anti-social behaviour.
- Explore the role and use of dispersal orders in regulating anti-social behaviour in the context of, and in relation to, other ASB-related preventative and law enforcement interventions.

The case study sites will involve in-depth analysis of the implementation and impact of dispersal orders drawing upon diverse data – police activity and recorded data, observations, focus group interviews, stakeholder interviews and surveys. Three main perspectives will be explored with regard to the process and challenges of implementation and perceptions of effectiveness:

- the views of police, housing managers and other relevant local agencies;
- the attitudes of local residents and businesses and
- young people living in and using the case study areas, their views and experiences.

The project commenced in April 2006 and a final report is due at the end June 2007.

‘Police National Legal Database Consortium’

A team from the West Yorkshire Police has established a wide-ranging database of legal information of relevance to police officers. The Centre for Criminal Justice Studies has agreed to act as auditor of the data. Professor **Clive Walker** is the principal grant holder, the co-ordinator of the auditing process and the primary researcher. The success of the work has encouraged interest from other police forces, and a similar agreement to provide advice was made in late 1995 with the British Transport Police. A number of academic papers have arisen from the research for the police, for example, ‘Internal cross-border policing’ (1997) 56 *Cambridge Law Journal* 114-146, ‘Fine bandits and powers of entry’ (2005) 169 *Justice of the Peace* 668, while details of the PNLD have been considered in (2005) 169 *Justice of the Peace* 410.

‘Police Accountability in the Republic of Ireland: A Socio-Legal Analysis’

Vicky Conway is in the final stages of completing her PhD thesis which analyses current failings in police accountability and through providing a socio-historic framework for the structural deficits it proposes reforms to the system. The research has involved qualitative interviews with retired members of the Irish police force as well as substantial documentary analysis. Conclusions indicate that there is an historical legacy to current problems in police behaviour and also that an inflated public confidence in the police substantially prevents meaningful reform. The thesis will be submitted early 2007.

‘The Contractual Governance of Anti-Social Behaviour’

Between October 2004 and October 2006 **Adam Crawford** was the recipient of a 2-year Leverhulme Trust Major Research Fellowship. The research is exploring the manner in which anti-social conduct and disorderly behaviour are governed by new forms of contractual instruments and contract-like agreements in diverse fields of social life, including: ‘acceptable behaviour contracts’ in the field of housing; ‘youth offending contracts’ arising from referral orders in youth justice (as introduced by the Youth Justice and Criminal Evidence Act 1999); ‘good behaviour contracts’ as used by schools in governing pupils; and ‘parenting contracts’ arising in relation to both a child’s truancy and exclusion from school and a child’s involvement in crime and anti-social behaviour (under the Anti-Social Behaviour Act 2003). It will draw together empirical research findings and

theorise the connections between these developments to understand the genesis and implications of contemporary 'contractual governance'. The research is analysing the manner in which contractual forms of controlling anti-social behaviour depart from traditional conceptions of security and justice and embody novel notions of crime and deviance. As part of the Leverhulme Fellowship Adam Crawford spent 3 months as a visiting fellow at the Research School of Social Sciences at the Australian National University in Canberra.

'Assessing Deviance, Crime and Prevention in Europe' (CRIMPREV)

This European Commission funded Co-ordination Action project operates under the Framework 6 'Crime and Criminalisation' strand. The CCJS is one of the core institutional partners and Professor **Crawford** is steering committee member in this extensive European-wide project. It is coordinated by the leading French criminological institute CESDIP (*Centre de Recherches Sociologiques sur les Institutions et le Droit Pénale*). The proposal has five core thematic work packages, one of which Professor Crawford is co-responsible for 'Insecurity and Perceptions of Crime'. This work-package comprises a core network of leading European researchers from 14 different European countries. In addition, he is involved in another work packages entitled 'Public Policies in Crime Prevention'. Other members of the CCJS involved in work packages include **Philip Hadfield, Sam Lewis** and **Teela Sanders**. The project commenced in July 2006 and runs for 3 years. The total budget is €1.1 million and the programme involves some 30 institutions representing 11 European countries. An inaugural conference for the programme will be held in Brussels in February 2007 and Leeds will host two workshops in 2007 and 2008.

'Safety and the City: New integration policies in Europe'

Adam Crawford is one of three British contributors - together with Professors Bob Atkinson (University of the West of England) and Dan Finn (Portsmouth University) - to a comparative seminar series organised by Jacques Donzelot. The aim of this project is to analyse, within a comparative framework, relations between safety, governance and the urban environment, as well as the interface between urban, social and crime control policies. Throughout 2006/7 presentations of the findings from each of the six European teams will be presented at the French Ministry of Research and Technology in Paris. The British team gave their presentation in June 2006. The papers will be published in a forthcoming book in both English and French.

'A Critical Assessment of Freedom of Information in Turkey'

As part of his Continuing Policy Fellow of the International Policy Fellowships programme of the Open Society Institute, Budapest, **Yaman Akdeniz** has continued to work on a number of related themes

- ***An analysis of the implementation and application of the Right to Information Act by the local governments.*** This research will analyse approximately 150 municipalities and Mayor's Offices in Turkey and this will be a web-based research study and analysis.
- ***An analysis of the decisions made by the Turkish Freedom of Information Council.*** The Freedom of Information Council began examining appeals in June 2004. In its first 6 months of activity (as of December 2004), the Council received 316 right to information appeals. So far the Council has made about 160 decisions and published 50 of these through its website. This study will examine the decisions made by the Council to make an independent assessment of the Council in terms of its impartiality and also to understand better the functioning of the Turkish Right to Information law. This will also be an important resource for those who request information from public authorities.

- ***An analysis of the implementation and application of the Right to Information Act by the Turkish Ministries:*** Following from the September 2004 research and study I conducted, I intend to test the functioning of the law through the 15 Turkish ministries in August 2005. This will involve lodging a series of access to information requests with a set of standard questions. The responses and data collected will be analysed as part of this report.

Based upon the above research, a final country report will be produced in April 2006 to coincide with the publication of the second annual report of the Freedom of Information Council. All reports will be published through the www.bilgiedinmehakki.org website both in Turkish and English to be of assistance to the local and international community.

CRIMINAL JUSTICE PROCESSES

‘Witness Preparation and the Prosecution of Rape’

Louise Ellison has recently completed a study which examined prosecutorial approaches to witness preparation in the United States and considers the case for adopting similar arrangements in rape cases in England and Wales. This is assessed from both an evidentiary perspective and from a therapeutic jurisprudence standpoint. Drawing upon wide-ranging social science research, this study suggests that there are real benefits to be derived from witness preparation both for individual rape complainants and the fact-finding process.

‘Effective Advocacy and Affective Lawyering’

Louise Ellison is currently engaged in a study that examines the relationship between effective advocacy in rape cases and Affective Lawyering on the part of prosecutors. Analysis centres on the proposed introduction of Pre-Trial Witness Interviews in England and Wales which would allow prosecutors to interview rape complainants and other prosecution witnesses about their evidence in advance of court events for the first time.

‘The Application of Western-Style Mediation to Nigeria’

Lydia Bleasdale is researching the application of mediation to Nigeria. As part of her research she visited the Citizens’ Mediation Centre and the Ministry of Justice in Lagos in July 2006 and met with the Director of Public Prosecutions and the Director of the Citizens Rights Office. She also attended a two-day conference about the Nigerian criminal justice system entitled ‘Justice Delayed’. Lydia is in the process of developing an article about the applicability of mediation styles advocated in developed countries to developing and third world countries. Drawing upon existing cultural and mediation literature, the research will question whether another style of mediation would be more appropriate for countries such as Nigeria. She intends to visit the Citizens’ Mediation Centre again in July 2007, with the aim of gathering research for a larger project.

RESETTLEMENT OF OFFENDERS

‘An Evaluation of the Restriction of Bail Pilots’

Anthea Hucklesby and Toby Seddon completed the evaluation of the pilots of the restriction on bail for the Home Office in January 2006. Restriction of bail enables the courts to make attendance for drugs assessment and compliance with subsequent follow up a condition of bail. The final report included a process evaluation, an assessment of effectiveness including the number of defendants accessing and receiving treatment and its effect on offending as well as views from defendants and practitioners about restriction on bail. The report is due to be published by the Home Office.

‘An Evaluation of the Pyramid Resettlement Project’

Anthea Hucklesby and **Emma Wincup** are continuing their evaluation of the Pyramid resettlement project for prisoners in the North East of England. The project is run jointly by the Depaul Trust and Nacro and is funded by the Northern Rock Foundation. The aim of the project is to provide resettlement services to a range of prisoners in order to reduce re-offending. The project will evaluate different methods of resettlement work in order to gauge their effectiveness. The research continues until June 2007 when the final report is due. Two researchers, **Eleana Kazantzoglou** and **Keelie Thornton**, are working on this project.

‘Compliance with Electronic Monitoring’

Anthea Hucklesby was commissioned by Group Four Securicor to undertake research into compliance and electronic monitoring. The research aimed to investigate the factors which effect compliance. In particular, it focused on whether treatment of offenders by field officers and offenders’ experiences of the criminal justice process more generally effected compliance. It also examined whether the training of fieldworkers in pro-social modelling affected the way they dealt with offenders and, therefore, offenders’ compliance. The fieldwork for this project was completed during 2005 and a final report was submitted in October 2005. A conference is being organised to present the findings in November 2006.

‘An Evaluation of the ROTA Resettlement Project’

Anthea Hucklesby and **Emma Wincup** were commissioned to evaluate the ROTA resettlement project. This project is based in the North East of England and is run by Citizen’s Advice and funded by the Treasury. It aims to provide debt and legal advice to prisoners in order to increase their chances of being resettled effectively on release. The project also aims to work with prisoners’ families. A number of research methods are being used including the collection of administrative data, interviewing prisoners in prison and on release and interviews with key stakeholders and workers. The project runs for a three year period and the final report is due in May 2007. Two researchers, **Eleana Kazantzoglou** and **Keelie Thornton**, are working on this project.

‘Evaluation of the Approved Premises Pathfinder’

Additional funding was received by **Emma Wincup** from the Home Office to finalise the end of evaluation report for the Approved Premises Pathfinder. The multi-method process and outcome evaluation was completed in collaboration with the University of Kent and Dr Mark Oldfield (freelance researcher) and had the following aims:

1. to identify the most effective ways of introducing new regimes into approved premises and to identify lessons for good practice;
2. to evaluate the effectiveness of the Pathfinder project and assess its ‘added value’; and
3. to evaluate the cost-effectiveness of the Pathfinder project in terms of promoting successful completions of residence, statutory orders and licences, and reducing further offending.

The report was accepted by the Home Office in May 2006 and there are plans to publish a summary of the key findings.

PUBLICATIONS

Books

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Sanders, T., 'The Risks of Street Prostitution: Punters, Police and Protesters', in Collins, A. (ed.) *Cities of Pleasure: Sex and the Urban Socialscape*, pp. 73-88, 2006.

Sanders T., 'Behind the Personal Ads: The Indoor Sex Markets in Britain', in M. O'Neill and R. Campbell (eds) *Sex Work Now*, Cullompton: Willan, pp. 92-115, 2006.

Wall, D.S. 'The Internet as a Conduit for Criminals', in Pattavina, A. (ed.) *Information Technology and the Criminal Justice System*, Thousand Oaks, CA: Sage, pp. 77-98, 2005.

Wall, D.S., 'Surveillant Internet technologies and the growth in information capitalism: Spams and public trust in the information society', in Haggerty, K. and Ericson, R. (eds) *The New Politics of Surveillance and Visibility*, Toronto: University of Toronto Press, pp. 340-62, 2006.

Refereed Articles

Calverley, A., Cole, B., Kaur, G., **Lewis, S.**, Raynor, P., Sadeghi, S., Smith, D., Vanstone, M. and Wardak, A., 'Black and Asian probationers: Implications of the Home Office Study', *Probation Journal*, 53, 24-37, 2006.

Crawford, A., 'Networked Governance and the Post-Regulatory State?: Steering, Rowing and Anchoring the Provision of Policing and Security', *Theoretical Criminology*, 10(4), 449-79, 2006.

Crawford, A., 'Fixing Broken Promises?: Neighbourhood Wardens and Social Capital', *Urban Studies*, Review Issue '(In)civility and the City', 43(5/6), 957-76, 2006.

Crawford, A. and **Lister, S.**, 'Additional Security Patrols in Residential Areas: Notes from the Marketplace', *Policing & Society*, 16(2), 164-88, 2006.

Hobbs, D., **Hadfield, P.**, **Lister, S.** and Winlow, S., (2005) 'Violence and Control in the Night-Time Economy', *European Journal of Crime, Criminal Law and Criminal Justice*, 13(1), 89-102.

McCartney, C., 'The DNA Expansion Programme and Criminal Investigations', *British Journal of Criminology*, 45(2) 175-192, 2006.

McCartney, C., 'Liberating Legal Education? Innocence Projects in the US and Australia', *Web Journal of Current Legal Issues*, Legal Education Special Issue, 3, 2006.

Ormerod, D. and Fortson, R., 'Drugs Suppliers as Manslaughterers (Again)', *Criminal Law Review*, 819-833, 2005.

Ormerod, D. and Roberts, A. J., 'Expert Evidence: Where Now? What Next?', *Archbold News*, 5, 5-9, 2006.

Sanders, T. and Campbell, R., 'Designing Out Violence, Building in Respect: Violence, Safety and Sex Work Policy', *British Journal of Sociology*, 2006.

Sanders, T., 'Sexing Up the Subject: Methodological Nuances in Researching the Female Sex Industry', *Sexualities* 9(4), 449-68, 2006.

Sanders, T. 'Female Sex Workers as Health Educators with Men who Buy Sex: Utilising Narratives of Rationalisation', *Social Science and Medicine*, 62(10), 2434-44, 2006.

Other articles in journals

Lister, S., 'Painting the town blue: the pluralisation of policing' *Criminal Justice Matters*, 63, 22-23, 2006.

McCartney, C. and Naughton, M., 'Innocence Projects in the UK: the story so far', *The Law Teacher*, 40(1), 74-80, 2006.

Sanders, T., 'Getting the Green Light for Red Light Research', *Association for Research in the Voluntary and Community Sector*, 100, 7-8, 2006.

Taylor, N. and Roberts, A., 'Genes on Record – One Size Fits All?', *New Law Journal*, 156, 1354, 2006.

Taylor, N., 'Covert Policing and Proportionality', *Covert Policing Review*, 22, 22-34, 2006.

Walker, C., 'Prisoners of "war all the time"', *European Human Rights Law Review*, 50-74, 2005.

Walker, C. and Whyte, D., 'Contracting out war? Private military companies, law and regulation in the United Kingdom', *International & Comparative Law Quarterly*, 54, 651-689, 2005.

Walker, C., 'Reforming the crime of libel', *New York Law School Law Review*, 50169-203, 2005-2006.

Walker, C., 'Cyber-terrorism: Legal principle and the law in the United Kingdom', *Penn State Law Review*, 110, 625-65, 2006.

Walker, C., 'Intelligence and anti-terrorism legislation in the United Kingdom', *Crime, Law and Social Change*, 44, 387-422, 2006.

Walker, C. and Harlow, D., 'The Police National Legal Database: A farewell to the Ways and Means Act?', *Justice of the Peace*, 169, 410-11, 2005.

Walker, C., 'Fine bandits and powers of entry', *Justice of the Peace* 169, 668-70, 2005.

Walker, C. and **McCartney, C.**, 'Commentary on *R v Cannings*' *Criminal Law Review*, 126-130, 2005.

Walker, C., 'The criminal courts online' *Criminal Justice Matters* 58, 32-33, 2005

Walker, C., 'Counter-terrorism laws and the Gulf States' *Security & Terrorism Research Bulletin*, 2, 6-8, 2006.

Book Reviews

Blandy, S., 'Review of Burney, E. "Making People Behave"' *Howard League Magazine*, 24(1), 18, 2006.

Walker, C., 'Review of Ramraj, V. 'Global Anti-Terrorism Law and Policy''', in *Law and Politics Book Review*, 16, 457-61, 2006.

Wincup, E. 'Review of Barton, A. "Fragile Moralities and Dangerous Sexualities: Two Centuries of Semi-Penal Institutionalisation for Women"', *Probation Journal*, 53(2): 178-9, 2006.

Wincup, E. 'Review of Newburn, T. and Shiner, M. "Dealing with Disaffection: Young People, Mentoring and Social Inclusion"', *Vista*, 10(3), 189-90, 2006.

Case Notes

Taylor, N.,

R v Hounsham *Criminal Law Review* 991, 2005

R v Hampton and Brown *Criminal Law Review* 60, 2006

Jones v Whalley *Criminal Law Review* 66, 2006

R v Ayres *Criminal Law Review* 62, 2006

R. v Teesside Crown Court *Criminal Law Review* 157, 2006

R. v Abdroikov *Criminal Law Review* 245, 2006

R v S and Another *Criminal Law Review* 247, 2006

R v Appleyard *Criminal Law Review* 339, 2006

R v Prigmore *Criminal Law Review* 445, 2006

R v Rosenberg *Criminal Law Review* 540, 2006

Re Times Newspapers *Criminal Law Review* 757, 2006

R v Russell *Criminal Law Review* 863, 2006

R v Buttle *Criminal Law Review* 840, 2006

R v Neaven *Criminal Law Review* 909, 2006

R v O'Hare *Criminal Law Review* 950, 2006

R v Cheong *Criminal Law Review* 1089, 2006

R v Haw *Journal of Criminal Law* 70(5), 383, 2006

Research Report

Akdeniz, Y., *Stocktaking on efforts to combat Racism on the Internet*, Background report for the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, Fourth session, United Nations High Commissioner for Human Rights Office: Geneva, 2006. Available at: http://www.cyber-rights.org/reports/ya_un_paper_int_06.pdf

Cole, I., **Blandy, S.**, et al. *Dealing with 'Problem' Private Rented Housing*, Housing Research Summary 228, Department for Communities and Local Government, 2006.

Hucklesby, A., Eastwood, C., Spriggs, A. and Seddon, T., *The Restriction on Bail Pilots: interim report*, London: Home Office, 2005.

Hucklesby, A. and Swain, D., *Compliance with electronic monitored curfew orders*. Group Four Securicor, 2005.

Hucklesby, A., Eastwood, C, Spriggs, A. and Seddon, T., *The Restriction on Bail Pilots: final report*, London: Home Office, 2006.

Hucklesby, A. and **Wincup, E.**, *Pyramid Resettlement Project: interim report*, Depaul Trust/Nacro, 2006.

Patel, N. and **Traynor, P.**, *Developing Extra Care Housing for Black and Minority Ethnic Elders: an overview, examples and challenges*, Department of Health, 2006. Published online at: <http://www.changeagentteam.org.uk/index.cfm?pid=157>

Wincup, E. Netten, A., Oldfield, M., Buckland, G., Saunders, R., Cockcroft, T. and Fenyo, A., *Evaluation of the Approved Premises*

Pathfinder, Final Report to the Home Office, 2006.

CONFERENCE PRESENTATIONS AND PUBLIC SEMINARS

Akdeniz, Y., 'The Road to Athens, The Internet Governance Forum: a UK perspective', Invited panelist at the Openness Panel, expert meeting organised by Nominet UK, London, 9 October, 2006.

Akdeniz, Y., 'UK and European approaches to Racist Content on the Internet', plenary speech, at the 3rd International Symposium on Hate on the Internet, organised by Bnai Brith Canada, in Toronto, Canada, on 11 September, 2006.

Akdeniz, Y., 'UK public order laws and the difficulty of applying them to the Internet', workshop on "How to access existing protections" at the 3rd International Symposium on Hate on the Internet, organised by Bnai Brith Canada, in Toronto, Canada, on 11 September, 2006.

Akdeniz, Y., 'Combating Racist Content on the Internet,' Hate Speech from the Street to Cyberspace: Cases and Policies in Specific Contexts Conference, invited speaker, 31 March-1 April, 2006, Central European University, Budapest, Hungary.

Akdeniz, Y., 'Child Protection or Thought Policing? The Dilemma of Regulating Indecent Pseudo-Photographs of Children', Keynote Speech to the Forensic Psychology – Technology & Crime Conference, the Manchester Metropolitan University, 4 February, 2006.

Akdeniz, Y., Keynote speech to the Seminar on 'Racism and the Internet', Fourth Session meetings of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action Geneva, 16-27 January 2006.

Akdeniz, Y. and Tansug, A., 'A case study on the application and implementation of freedom of information law in Turkey', invited speaker, Seminar on Freedom of Information in Morocco, organised by National Democratic Institute for International Affairs (NDI) & Socialist Union of Popular Forces (U.S.F.P), Rabat, Morocco, 8 December 2005.

Akdeniz, Y. and Tansug, A., 'Regulation of Internet Child Pornography in Turkey,' invited speaker Combating Child Pornography: Greece, Turkey, Romania and Bulgaria Conference, organised by The International Centre for Missing & Exploited Children and INHOPE: The Association of Internet Hotline Providers, Athens, Greece, 18 October, 2005.

Akdeniz, Y. and Tansug, A., 'A Critical Assessment of Freedom of Information Law in Turkey', invited speaker, National Integrity Conference: Best Practices for Ministries, Baku, Azerbaijan organised by ABA/CEELI, OSCE Office in Baku, and US Embassy, 14 October 2005.

Blandy, S. and Atkinson, R. 'Panic room: The rise of defensive homeownership' Housing Studies/ESRC Centre for Research on Socio-Cultural Change Symposium, 'A Chance for Dialogue', Manchester 22-23 February 2006.

Blandy, S. and Atkinson, R. 'Domestic Revenge and the Sovereignty of Homeownership' paper to 'Revenge and Renewal' conference, Newcastle, 10-11 August 2006.

Crawford, A., 'Situating Restorative Youth Justice in Crime Control and Prevention'. Plenary presentation to 'The Politics of Restorative Justice in South Africa and Beyond' University of Cape Town, 21-22 September 2006.

Crawford, A., 'Safety and Urban Governance Through Prevention in the UK'. Key-note presentation to the 'Safety and the City' conference, French Ministry of Research and Technology, Paris, 16 June 2006.

Crawford, A., 'The Paradoxes of Great Expectations'. Plenary to the 'Policing Society Who Decides?' Conference, Cumberland Lodge, 21-23 April 2006.

Crawford, A., 'Networked Governance and the Post-Regulatory State'. Closing plenary presentation to the RegNet Conference, Australian National University, 7/8 December 2005.

Crawford, A., 'Restorative Youth Justice as Contractual Governance: Excavating the Consumer-Citizen' invited key-note presentation to the 'Celebrating 30 Years of Criminology at the University of Sheffield' conference, Sheffield, 11-12 September 2006.

Crawford, A., 'Acceptable Behaviour and Responsive Regulation: From Manners to Rules?', British Society of Criminology Conference, Glasgow, 5-7 July 2006.

Crawford, A., 'The Mixed Economy of Visible Patrols, Public Reassurance and Policing Futures', presentation to ESRC Seminar Series on 'Policing Diversity', Leeds Social Science Institute, 28 February 2006.

Crawford, A., 'Governing Behaviour through Contracts', Regulatory Institutions Network, Australian National University, 11 November 2005.

Crawford, A., 'Some Reflections on the Changing Face of British Policing and Security Provision', Security 21, Research School of Social Sciences, Australian National University, 28 October 2005.

Crawford, A., 'The Contractual Governance of Deviant Behaviour', School of Law, University of New South Wales, 18 October 2005.

Crawford, A., 'Governing the Future?: The Contractual Governance of Youthful Behaviour', Department of Criminology, University of Melbourne, 4 October 2005.

Crawford, A., 'The Contractual Governance of (Anti-)Social Behaviour: The Impotency of the Penal Sanction?', Guest Lecture, Institute of Criminology, University of Sydney, 22 September 2005.

Crawford, A., 'Plural Policing: The Mixed Economy of Visible Patrols in England and Wales', Institute of Criminology, University of Sydney, 20 September 2005.

Crawford, A., 'Police Reform: National and International Developments', University of Public Security, Beijing, 6 September 2005.

Ellison, L., 'Preparing Rape Complainants for Trial', University of Edinburgh, 28th April 2006.

Hadfield, P., 'How' We Gettin' Back?: Public Transport and the Night-Time Economy – Some Important Questions for Policy and Research, Institute of Licensing National Conference 2005, York, November, 2005.

Hadfield, P., Chair of session on 'Crime and Consumption' Second International Conference of Cultural Criminology, London, May 2006.

Hadfield, P. and Elvins, M., 'Bars Wars: Criminology, Licensing Trials, and the Shaping of the Night-time City', British Society of Criminology Conference, University of Glasgow July, 2006.

Hadfield, P., 'The Informal Economy and the Night-time Public Realm', CRIMPREV European Informal Economy Workshop, Old Hall Hotel, Buxton, September 2006.

Hucklesby, A., 'Models of Resettlement for short term prisoners', Invited presentation to British Society of Criminology, Prisoner Resettlement Conference, University of Leicester 7 December 2005.

Hucklesby, A., 'Exploring Compliance: a case study of electronic monitoring', American Society of Criminology Annual Meeting, Toronto, November 2005.

Hucklesby, A., "'Out after Curfew": offenders' views of electronic monitoring and compliance', Crime, Justice and Surveillance Conference, University of Sheffield, 6-7 April 2006.

Hucklesby, A., 'Compliance with electronically monitored curfew orders', Invited presentation to the Sentencing Advisory Council, Metropole Hotel Leeds, March 2006.

Hucklesby, A., 'Offenders' perspectives on compliance: a case study of electronic monitoring', British Society of Criminology Annual Conference, Glasgow, July 2006.

Lewis, S., 'Responding to the Needs of Short-Term Prisoners', Invited presentation to British Society of Criminology Conference on Prisoner Resettlement, December 2005.

Lewis, S., "'Race", Risk and Desistance', British Society of Criminology conference, Glasgow, July 2006.

Lister, S., 'Community Support Officers: Role, diversity and legitimacy', Invited presentation to Capita conferences, 'The Recruitment and Retention of Black and Ethnic Minority Groups in the Police Service', 18 July 2006.

Lister, S., 'The reassurance agenda: citizen-focused policing or policing focused citizens?', presented to American Society of Criminology Conference, Toronto, 18 November 2005.

McCartney, C., 'Throwing Stones in a Glass Laboratory? Forensic Scientists and the Legal System' Invited plenary presentation to FORREST conference, UCLAN, 12-14 September 2006.

McCartney, C., 'Law Student as Social Entrepreneur?: The Promise of Innocence Projects in England and Wales', International Journal of Clinical Legal Education Annual Conference, 12-13 July, London.

McCartney, C., 'Liberating Legal Education? The Innocence Project as Social Entrepreneur Incubator', 14 July, Clinical Legal Education Organisation Annual Conference, London.

McCartney, C., 'Innocence Projects and Social Entrepreneurship', Invited plenary presentation to UKCLE 'Enterprise in Law' Conference, Leicester, 11 May 2006.

McCartney, C., 'Innocence Projects in England and Wales: Q & A' Invited plenary presentation to the Innocence Network Conference, Seattle, USA. 16-19 March 2006.

McCartney, C., 'The Educational Benefits of Innocence Projects' Invited presentation to the University of Bristol Innocence Project Open Day, Bristol. 30 September 2005.

McCartney, C., 'Liberating Legal Education? Innocence Projects in the US and Australia', Society of Legal Scholars Annual Conference, Glasgow. 6- 9 September 2005

Ormerod, D., 'Expert Evidence: Where Next?', Criminal Bar Association, Central Criminal Court, November 2005.

Ormerod, D., 'Annual Criminal Law Review Lecture', Criminal Law Review, Leeds, November 2005.

Ormerod, D., 'Recent Developments in Criminal Law', Criminal Bar Association, North Eastern Circuit, Leeds November 2005.

Ormerod, D., 'Bad Character and Hearsay Reform', Judicial Studies Board, London December 2005.

Ormerod, D., 'Annual Criminal Law Review Lecture', Criminal Law Review, London, December 2005.

Ormerod, D., 'Criminal Law in Review', St Bride's Institute Lecture, London, December 2005.

Ormerod, D., 'Prosecution Appeals' Sweet and Maxwell Conference, London, March 2006.

Ormerod, D., 'Entrapment Evidence' Informers Conference, London, March 2005.

Ormerod, D., 'Covert Surveillance and Entrapment' Launch of SOCA, British Library, London March 2006.

Ormerod, D., 'Developing Trends in Criminal law', The Reform Club, London April 2006.

Ormerod, D., 'The Fraud Bill', Midlands and Oxford Circuit, Birmingham, June 2006.

Ormerod, D., 'Evidence in Sexual Offence Cases', Judicial Studies Board, July 2006.

Ormerod, D., 'Criminal Law', Judicial Studies Board, September 2006

Ormerod, D., 'Developments in Bad Character and Hearsay', 18 St John Street Manchester, September 2006.

Ormerod, D., 'Fraud Reform', Kingsley Napley, London, September 2006.

Sanders, T., 'UK Research on Men who Buy Sex' Keynote presentation Working with and Challenging the National Strategy for Prostitution UKNSWP Annual Conference Manchester, 6 October 2006.

Sanders, T. and Campbell, R. 'What's Criminal About Sex Work?' Sex As Crime. British Society of Criminology, The Birmingham Conservatoire, University of Central England, 5 April 2006.

Sanders, T., 'Socio-Psychological Impact of Sex Work: Findings from an Ethnographic Study' Keynote presentation to 'Buying and Selling Sex', British Psychological Society, 31 March 2006.

Sanders, T., 'The Implications of the Coordinated Prostitution Strategy on Adult Female Prostitution in the UK', Keynote presentation The New Prostitution strategy – Implications for Practice, Nexus Conference, Ambassadors Hotel, London, 29 March 2006

Sanders, T., 'Men Who Buy Sex: Criminals, Abusers or Scapegoats?', British Society of Criminology, Glasgow University 4-7 July 2006.

Sanders, T., 'Breaking the Yo-Yo Effect: Becoming an ex-Sex Worker' British Sociology Association Conference, Harrogate, Social Order and (Dis)Order, April 2006.

Sanders, T., 'Policing Pleasure: What Kind of Police Service Do we Want?', British Sociology Association Conference, Harrogate, Social Order and (Dis)Order, April 2006.

Taylor, N., 'Widespread Use of Intrusive Surveillance', London, January 2006.

Taylor, N., 'The National DNA Database', Louisville University, USA, April 2006.

Taylor, N., 'The Use of Directed Surveillance', Birmingham, May 2006.

Walker, C., 'Assuring against terrorism by law', Malaysian Bar Council, Universiti Teknologi MARA, Fourth International Lecture Series, Kuala Lumpur, Malaysia, 2005.

Walker, C., 'Assuring against terrorism by law', Indonusa University, Jakarta, Indonesia, 2005.

Walker, C., 'Intelligence and the anti-terrorism legislation', In the Shadow of 9/11, University of Wolverhampton, 2005.

Walker, C., 'Key Issues and Challenges in UK Anti-Terrorism Law' Royal United Services Institute, Security and Intelligence Studies Group, London, 2006.

Walker, C., 'Public and private interests in English libel law', Association of American Law Schools Annual Meeting, Washington DC, 2006.

Walker, C., 'We won't make a drama out of a crisis: The organisation and performance of emergency planners in the UK and USA' CLASS/Law, Societies, and Justice Program, Department of Politics, University of Washington, 2006.

Walker, C., 'Cyber-terrorism', Universiti Teknologi Malaysia, Faculty of Law seminar, Kuala Lumpur, 2006.

Walker, C., 'Know thine enemy: discerning friend from foe under anti-terrorism laws' South East Association of Law Schools, Annual Conference, West Palm Beach Florida, 2006.

Walker, C., 'Libelocracy', INTI Inaugural Law Conference, Kuala Lumpur, 2006.

Wall, D.S. 'Policing Elvis 'in the shadow of law': the governance of (dead) celebrity cultures as information capital', paper given at 'The Second International Conference on Cultural Criminology', 12-13 May 2006, The Goodenough College, Mecklenburgh Square, London, 2006.

Wall, D.S., 'Ubiquitous cybercrime and ubiquitous policing: The increasing role of networked technologies and surveillance in automating offender-victim engagement, crime control and also law enforcement', paper given to the 'Crime, Justice and Surveillance' Conference, University of Sheffield, April 5-6, 2006.

Wall, D.S., 'Security in a World of Ambient Intelligence (SWAMI)', Chaired and acted as discussant, International Conference on 'Safeguards in a World of Ambient Intelligence', Brussels, 21-22 March, 2006.

Wall, D.S. 'Cybercrime, Cybercrime Waves and the invasion of the Botnets', British Society of Criminology South West Division, University of Cardiff, 29 November 2005.

Wall, D.S. 'Situating the public police in networks of security within cyberspace', *American Society of Criminology Conference*, Toronto, November 16th, 2005.

Wall, D.S., 'Policing celebrity: the paradox of dissemination and control', ESRC/AHRC Cultural Industries Seminar Series 'The Effects of Intellectual Property on the Organisation of Cultural Production', Bournemouth University, 16 September, 2005.

Wincup, E. 'Evaluating a New Development in Approved Premises in England and Wales: the LiHMO programme', Annual Meeting of the American Society of Criminology, Toronto, November 2005.

CONFERENCE ORGANISATION

Sarah Blandy was a Member of the Scientific Committee organising biennial conferences of the Gated Communities and Private Governance International academic group.

Adam Crawford and **Stuart Lister** organised a workshop as part of an ESRC funded seminar series on 'Rethinking Community Policing in an Age of Diversity' at the Leeds Social Science Institute, 28 February 2006.

In March 2006 **Vicky Conway** organised the first North-South Postgraduate Criminal Justice Conference in Ireland. It was hosted by Queen's University Belfast and funded jointly by the Northern Ireland Office and the Law School at QUB. The conference gave postgraduate students from all over Ireland an opportunity to present papers on their research over two days. It also involved presentations on the various stages of the PhD process as well as trying to publish work and securing employment after the PhD.

Anthea Hucklesby was instrumentally involved in the organisation of two conferences under the auspices of the British Society of Criminology. The first was on the subject of 'Prisoner Resettlement' and was held at the University of Leicester, 7th December 2005. She was also Chair of the national organising committee for the British Society of Criminology 2005 Annual Conference, University of Glasgow.

Carole McCartney was the Co-Convenor of the 'Miscarriages of Justice' Stream at the Socio-Legal Studies Association Annual Conference, Stirling University, April 2006.

KNOWLEDGE TRANSFER

Work for Government departments, statutory agencies, NGOs

Yaman Akdeniz

- Appointed as an expert to the Home Office Task Force on Child Protection on the Internet, August 2005.
- Appointed as an expert to the United Nations High Commissioner for Human Rights (UNHCHR) Office in relation to racist content on the Internet in November 2005.
- Appointed as an expert to the Organisation for Security and Co-operation in Europe, The Representative on Freedom of the Media Project on Guaranteeing Freedom of the Media on the Internet, 2004-2006.
- Akdeniz, Y., Response to the Home Office Consultation Paper on Investigation of Protected Electronic Information, August 2006.
- Akdeniz, Y., Response to the Home Office Consultation Paper on Possession of Extreme Pornographic Material, December 2005.

Sarah Blandy

- Invited attendance at a workshop, *Ensuring Compliance: The Case of the Private Rented Sector*, organised by the Law Commission and the Centre for Market and Public Organisation, University of Bristol, London, 23 March 2006.

Adam Crawford

- International assessor for the Australian Research Council (ARC) *Centre of Excellence in Policing and Security* under the National Research Priority Area of ‘Safeguarding Australia’ (2006).
- Commissioning panel member for a joint ESRC/Commission for Racial Equality (CRE) research tender ‘Ethnic Minority Young People: Differential treatment in the Youth Justice System’ (2006).
- Advisory Group member for the Joseph Rowntree Foundation research ‘Promoting Young People’s Contribution to their Communities’ (2005-6).

Phil Hadfield

- Expert witness in licensing appeal trials for the City of Westminster (November 2005 and February 2006).
- Licensing policy/crime reduction advice to the City of Westminster, Essex Police, Merseyside Community Safety Partnership and Safer Sunderland Partnership.

David Ormerod

- Consultant to the Law Commission on a number of projects and one of a team of academics reviewing preliminary drafts of the Criminal Code.
- Expert advisor to the Commonwealth Secretariat on amendments to the Harare Scheme of mutual assistance and extradition to deal with the gathering of evidence relating to interceptions of communications and computer data (2005).

Carole McCartney

- Member of FORREST (FORnsic RESearch and Teaching) Annual conference 2007 organising committee.
- Membership of the Forensic Institute Research Network (FIRN).

Teela Sanders

- Invited witness to Scottish Parliament, to give evidence to the Justice 2 committee on Prostitution (in Public Places) (Scotland) Bill, October 2006.

Nick Taylor

- Nuffield Council on Bioethics, providing expert evidence on the legal regulation of the National DNA Database.

Clive Walker

- Submission to the Home Office, Exclusions Policy Consultation, 2005.
- Submission and oral evidence to Canadian House of Commons, Sub-Committee on Public Safety and National Security, Review of Terrorism Laws, 2005.
- Submission and Oral evidence to the Joint Committee on Human Rights, Counter-Terrorism Policy and Human Rights (2005-06 HC 75).
- Submission and oral evidence to Lord Carlile on the Statutory Definition of Terrorism, 2006.
- Submission to the Home Office report on ‘New powers Against Organised and Financial Crime’ (Cm.6875, 2006).
- Submission to Northern Ireland Office, Consultation on Replacement Arrangements for the Diplock Court System, 2006.

David Wall

- Assessment panel for the ESRC first grants scheme 2006.

Media-related work

Yaman Akdeniz

- 'Childcare expert threatens to have website shut down: Pro and anti-strict rearing row ends in legal move: Controversial Ford alleges postings were defamatory', *The Guardian*, 8 August, 2006.
- 'Websites should classify their content like films, says censor', *The Times*, June 19, 2006.
- 'Google may be forced to hand over details of your searches', *The Daily Telegraph*, January 21, 2006.
- 'Google resists U.S. government on search data', *Kingston Whig-Standard (Ontario)*, January 21, 2006.
- 'Google resists U.S. government on request to release search data', *Ottawa Citizen*, January 21, 2006.

Sarah Blandy

- BBC Radio 4 'Thinking Allowed' with Laurie Taylor, 7 December 2005.

Phil Hadfield

- BBC Radio 4 'Thinking Allowed' with Laurie Taylor, 22 February 2006.
- Interviewed for front page feature in *Times Higher Education Supplement*, 15 June, 2006.

Teela Sanders

- BBC Radio 4 'Thinking Allowed 'Becoming an Ex-Sex Worker', August 2 2006
- Featured article: 'Kerbs On Behaviour' *Community Care*, 9-15 March pp 36-37, 2006.
- Sanders, T., 'Debating Prostitution', *Socialist Worker* 28th January Issue 1985 pp. 12, 2006.

Clive Walker

- Panorama, Countdown to Killing, 8 March 2006.

David Wall

- Participated in Radio 4's 'You and Yours' programme on Internet Auction Fraud. Broadcast 22 February 2006.

Editorial Work

Yaman Akdeniz

- *Computers, Law, & Security Report* Advisory Board Member
- *Journal of Information Law and Technology* Editorial Board

Sarah Blandy

- *Housing, Theory and Society* International Advisory Board

Adam Crawford

- *British Journal of Criminology* Editorial Board
- *European Journal of Criminology* International Advisory Board
- *Criminology and Criminal Justice* Editorial Advisory Board
- *Déviance et Société* Editorial Committee
- *Les Cahiers de la Sécurité Intérieure* Editorial Board
- *Crime Prevention and Community Safety* Editorial Advisory Board

David Ormerod

- *Criminal Law Review* Editor, Case and Comments
- *Blackstone's Criminal Practice* Editorial Advisor
- *International Journal of Evidence & Proof* Editorial Board
- *Covert Policing Review* Editorial Board

Teela Sanders

- *Sociology* Editorial Board

Clive Walker

- *Civil Liberties* Editorial Board
- *International Journal of Risk Management* Editorial Board

Emma Wincup

- *Journal of Social Policy* Editor
- *Criminology and Criminal Justice* Reviews Editor (until May 2006) and Editorial Advisory Board
- *Social Policy and Society* Editorial Board
- *Qualitative Research* Editorial Board

VISITING FELLOWSHIPS

Adam Crawford

- Visiting Fellow, Regulatory Institutions Network (RegNet), Research School of Social Sciences, Australian National University, September - December 2005.
- Parsons Visiting Fellow, Institute of Criminology, Sydney University, September 2005.
- Visiting Fellow, Chinese People's University of Public Security, Beijing, August - September 2005.

Nick Taylor

- University of Louisville, March - April 2006.

Clive Walker

- Stanford University, January 2006.
- University of Washington (Seattle), March 2006.

VISITING SCHOLARS

The following visiting scholars spent extended research visits at the Centre:

- **Francesca Farruggia**, University of Rome La Sapienza, 'Urban Safety and Prevention Programmes in Italy and England: A Comparative Study', January – June 2006.
- **Akila Taleb**, University of Lyon III, 'The Pre-Trial Guilty Plea: A Comparative Study of the Common Law and the French Criminal Justice System', June – September 2006.
- **Sara Martocchia**, Transcrime, Joint Research Centre on Transnational Crime, Catholic University of Milan and University of Trento, 'Developing Mechanisms for Assessing the Risk of Crime due to Legislation and Products in Order to Proof them Against Crime at an EU level', September 2006 – March 2007.

RESEARCH STUDENTS

The following research students successfully graduated with a doctorate during the period of review:

- **Dr. Carole McCartney** – 'Forensic Identification and Criminal Justice' - Supervisors Clive Walker & David Ormerod.
- **Dr. Ruth Mounce** (née Penfold) 'Celebrated Criminality: The Governance of the Public Image of Criminal Justice', ESRC Scholarship - Supervisors David Wall & Adam Crawford.

The following research students are currently working towards the completion of their research degree:

- **Khulood Al-Bader** 'Domestic Violence: A Comparative Study Between Kuwait and England and Wales' - Supervisors Louise Ellison & Sam Lewis.
- **Ibrahim Al-Rasheed** 'Money Laundering' - Supervisor Andy Campbell.
- **Richard Bean** 'The Role of the In-house Lawyer' - Supervisor David Wall.
- **Jonathan Burnett** 'Implementing Community Cohesion' - Supervisors Adam Crawford & Stuart Lister.
- **Amanda Carswell** 'Internet Content Regulation' - Supervisors David Wall & Yaman Akdeniz.
- **Tae Jin Cheung** 'Proactive Policing in the UK and Korea: A Comparative Study' - Supervisors David Wall & Clive Walker.
- **Yiachi Chiang** 'Regulating the Digital Grey Market with Special Reference to Taiwan' - Supervisors David Wall & Joan Loughrey.

- **Stefan Fafinski** 'The Influence of Technological Advances on the Boundaries of the Criminal Law' - Supervisors Clive Walker & David Wall.
- **Abdul Ghani** 'Governance and the Protection of Individual Privacy in Cyberspace' - Supervisors Clive Walker & Yaman Akdeniz.
- **Wendy Guns** 'Recognising Sexual Violence as a Crime Against Humanity in International Law' - Supervisors Amrita Mukherjee & Steven Wheatley.
- **Stuart Hendin** 'Why Torture Continues: A Failure of Command Responsibility' - Supervisors Clive Walker & Amrita Mukherjee.
- **Kara Jarrold** 'The Nature and Effectiveness of Resettlement Strategies Operating Inside the Prison' - Supervisors Anthea Hucklesby & Emma Wincup.
- **Ravinder Mann** 'The Impact of Restorative Justice Interventions upon Victims of a Common Assault Offence' - Supervisors Adam Crawford & Sam Lewis.
- **Ben Reid** 'Crimes Against the Environment: Are We Properly Protected?' - Supervisors Stuart Lister & Neil Stanley.
- **Kathy Salter** 'Emotional Literacy and Youth Crime' - Supervisors Adam Crawford & Emma Wincup.
- **Kaniz Sattar-Shafiq** 'Islam and the Law Against Terrorism' - Supervisor Clive Walker.
- **Ho Hai Truong** 'The Development of a Human Rights Culture in Vietnam' - Supervisors Clive Walker & Steven Wheatley.
- **David Watts** 'The Structure and Funding of Criminal Defence Work in England and Wales' - Supervisors Anthea Hucklesby & Clive Walker.
- **Byung Chul Yoo** 'The Current Situations of Human Rights in Correctional Institutions in Korea: Considering International Standards' - Supervisors Anthea Hucklesby & Emma Wincup.

PUBLIC SEMINAR PROGRAMME

“Sex Offenders: The Effectiveness of Treatment Programmes”

Charlotte Bilby, University of Leicester, 18th October 2005, 5 pm

“The Long-Term Impacts of Probation Supervision: Context, Mechanism and Outcome”

Dr. Stephen Farrall, Keele University, 1st November 2005, 5 pm

“Jurors and the Question of Citizenship”

Dr. Lyn Hancock, University of Liverpool, 8th November 2005, 5 pm

“Between Conformity and Criminality: Theoretical Reflections on Desistance”

Professor Joanna Shapland, University of Sheffield, 29th November 2005, 5 pm

“The Community and Contractual Governance of Anti-Social Behaviour: Rationales, Techniques and Trends”

John Flint, Sheffield Hallam University, 31st January 2006, 5 pm

“Racist and Other Hate Speech Online: Moral Disagreements and Regulatory Dilemmas”

Dr. Majid Yar, University of Kent, 14th February 2006, 5 pm

“Drinking Places: Alcohol consumption and the night-time economy”

Professor Gill Valentine, University of Leeds, 28th February 2006, 5 pm

“Global Security and Policing Change: The Impact of Securitisation on UK Policing”

Professor Douglas Sharp, University of Birmingham, 14th March 2006, 5 pm

“Non-Profits Policing in Urban Germany: Neo-Liberal Squad Deployment?”

Volker Eick, Free University of Berlin, 3rd October 2006, 5 pm

“The Role of a Judge in a Multicultural Society”

Judge Geoffrey Kamil, 17th October 2006, 5.30 pm

“Governance Through Globalised Crime”

Professor Mark Findlay, University of Sydney, 27th October 2006, 1 pm

“The Challenges of Reforming Police: International Perspectives”

Professor Philip Stenning, Keele University, 7th November 2006, 5 pm

“Fashioning the Hyper-Vigilant Citizen: Identity Theft and its Victims”

Professor Kevin Haggerty, University of Alberta, 21st November 2006, 5 pm

CCJS WORKING PAPERS

‘Anti-social Behaviour in the Private Rented Sector’

Sarah Blandy

This working paper examines the impact of anti-social behaviour (ASB) perpetrated by private tenants on the neighbourhoods where they live, and the measures which local authorities have been taking to tackle this problem. ASB is defined by section 1 of the Crime and Disorder Act 1998 as acting "in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons" who are not members of the perpetrator's own household. This Act also introduced Anti-Social Behaviour Orders (ASBOs) which can be obtained through Crime and Disorder Partnerships against any person acting in such a manner. However, previous measures to tackle ASB, for example in the Housing Act 1996, had first been targeted at tenants of social landlords (local authorities and housing associations), and there has been a continuing assumption that ASB occurs mainly in council estate neighbourhoods.

The 2000 Green Paper, *Quality and Choice: A Decent Home for All*, made the first mention of an ‘unholy alliance’ between bad landlords and bad tenants in the private rented sector, which could destabilise local communities and cause a ‘spiral of decline’. This assertion was repeated in subsequent housing policy documents, and in 2002 the Office of the Deputy Prime Minister funded five local authorities for three years, to act as pilots in tackling ASB in the private rented sector. Action would be taken in areas where demand for housing was low, seen as particularly vulnerable to decline. The five funded authorities were Bolton, East Lancashire, Gateshead, Hartlepool, and West Yorkshire.

Evaluation research

The pilots’ progress (and that of Salford and Stoke-on-Trent, which voluntarily joined the project, although not funded) was evaluated by a team which included the author, led by Professor Ian Cole at Sheffield Hallam University. The research methods combined quantitative data with qualitative approaches, designed to explore the perceptions, relationships, experiences and satisfaction of private landlords, tenants, residents and stakeholders. Scoping interviews were held with key stakeholders in each area to agree the parameters for the evaluation and to help build a relationship of trust. Residents’ panels were set up in each area, and focus groups held with landlords and managing agents. A formative and developmental approach was adopted, with the local authorities involved sharing experiences and good practice which contributed to the production of a web-based resource pack.

None of the pilot authorities was starting from scratch. Before funding was obtained, each had already introduced schemes for voluntary self-regulation by private landlords. These included Accreditation Schemes, whereby properties must meet defined standards, schemes for vetting tenants before letting, recognition of landlords’ and agents’ associations, and setting up training events and forums for local private landlords. The additional funding enabled the local authorities to appoint a lead officer and to concentrate and extend the efforts they were already making to address ASB in the private rented sector.

Findings on ASB

Respondents in the pilot areas referred to a wide range of conduct under the umbrella term ‘anti-social behaviour’. Reports from residents’ panels focused on forms of ASB located at the more extreme end of the spectrum, frequently involving criminal activities. In some areas, fear of crime was so acute residents reported that they felt unsafe on the streets and would not answer their door to a stranger even in day light. Drug dependency, dealing and associated criminal activities were particularly singled out as causing major problems for residents. Officers, however, were more concerned with the relationship between the physically run down nature of the areas and levels of disorder. It was commonly agreed that once an area gained a reputation for anti-social activities it became increasingly difficult to let vacant properties, which contributed to the spiral of decline. Empty properties then became a target for both environmental abuse such as vandalism and arson, and also for drug taking and dealing.

Most respondents felt that action to deal with ASB in the social rented housing sector had contributed to the displacement of the problem to the private rented sector, because tenants evicted or excluded from social housing were easily able to secure alternative accommodation in the private rented sector. In one area, 75% of residents thought private landlords rented to perpetrators of ASB. One private landlord commented wryly:

“When anti-social behaviour happens in social housing, tenants are to blame - but when it happens in the private sector, landlords get the blame”.

Given the severity of the problem and the limited resources available, pilots’ efforts to deal with ASB in the private rented sector focused on the development of partnership responses, including:

- Promotion of improved management standards amongst private landlords through the model tenancy agreements, development of tenant vetting and reference services, advice on managing problem tenants, training courses on ASB, and support for small landlords with little experience of managing tenancies
- Joint work with the police, neighbourhood wardens and neighbourhood managers
- Provision of direct support to vulnerable tenants through the provision of targeted floating support schemes
- Development of diversionary activities, particularly to tackle the problem of youth nuisance which in part was attributed to the lack of facilities for young people
- Early removal of abandoned cars, fly tipping and domestic rubbish through strengthening and publicising service level contracts.

All the pilot authorities recognised the important role of local communities in tackling ASB problems, and were taking measures to build community capacity. These ranged from involving residents in the consultation process, through activities such as involvement in the planning process and feedback on progress of the project, to complete engagement by the local community as an integral part of the project. In some areas residents were directly involved in reporting problems, assisted with vetting tenants, and had close contacts with the Housing Benefits team and the Accreditation Scheme.

The research evaluated the efforts, funded by central government, of pilot authorities which included areas in serious decline, attributable in part to ASB perpetrated by private tenants. The authorities’ strategies were well-considered and the majority were tailored to local circumstances. In each area, considerable improvements had been effected. However, these improvements would require

significant investment of time and resources to sustain them, and the authorities were concerned about the effect of the funding programme coming to an end in late 2005.

The introduction of licensing in the private rented sector

The drive to tackle ASB in the private rented sector has changed the government's approach to licensing of private landlords and their properties. Private tenants' groups have campaigned since the early 1980s for the licensing at least of all houses in multiple occupation (HMOs), if not of all private rented accommodation. The private rented sector has the worst record in terms of disrepair: 42.6% fails the 'decent homes standard' (*English House Condition Survey*, 2004). The sector also suffers from poor management, particularly of HMOs, in which 26 tenants died from fire and carbon monoxide poisoning between 1989 and 2001. Government Consultation Papers on licensing were issued in 1994, 1999, 2000 and 2001, but no action was taken because of concerns that 'excessive regulation' would deter good landlords.

With the emphasis on ASB, the Housing Act 2004 introduced licensing in the private rented sector. These provisions came into force in April 2006. There are three types of licensing schemes: mandatory licensing of large HMOs; and two further types of licensing schemes which local authorities may introduce at their discretion:

- Additional licensing of problematic HMOs which are not subject to mandatory licensing;
- Selective licensing in designated areas which are, or likely to become, low demand areas, or which are experiencing significant problems related to ASB.

A landlord or managing agent with property in a licensing area will qualify for a license to rent it out if they can demonstrate that they are a 'fit and proper' person, and that their proposed management arrangements are satisfactory. Local authorities set the cost of a licence in their area. Operating without a license constitutes a criminal offence, punishable by a fine of up to £20,000. Local authorities may add conditions to selective licensing schemes, for example requiring the licensee to take 'reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house'.

If a local authority decides to introduce either additional HMO or selective licensing, the Act requires it to co-ordinate this with its strategies for tackling homelessness, empty properties, and ASB within the private rented sector. The local authority must also obtain the consent of central government, demonstrate that it has consulted on the proposal to introduce licensing, and has considered

- other available courses of action; and
- whether the proposed scheme will significantly help in dealing with the issues it is designed to address.

In other words, discretionary licensing could be described as a 'last resort'. Regional meetings held by the ODPM during 2005 established that only around one-third of authorities were positively considering selective licensing. These were mainly northern authorities, aiming to tackle ASB rather than low demand.

As at July 2005, none of the pilot local authorities were considering the introduction of additional HMO licensing. In relation to selective licensing, two pilots were undecided or would not be using this power, at least for the time being. Other authorities were firmly committed to introducing

selective licensing, and three were well advanced in their plans to do so. The areas that they had chosen for selective licensing shared certain characteristics:

- small areas of around one thousand properties
- about 50% of landlords in the area were still not engaged despite extensive and varied initiatives over many years
- limits had been reached with the worst 10% of landlords, despite using the currently available initiatives/enforcement/sanctions over many years
- significant investment of funds and staff resources had been necessary to maintain and sustain environmental improvements and community involvement over a long period

In this type of area, the authorities saw selective licensing as an additional tool which should prove more successful than those currently available, for a range of reasons:

- Offers another route of communication with residents and landlords
- Less costly than resource-intensive accreditation schemes, although probably not self-financing through licence fees
- More effective sanctions to deter the worst landlords
- Landlords could be held to account for the problems to which they contribute
- Provides a means of protecting the investment of central government and the local authority.

It is important that further evaluation is carried out to assess the success of the first selective licensing schemes, once they have been running for a year or more.

Conclusions

There is no doubt that ASB in the private rented sector exists, and has a detrimental effect on surrounding neighbourhoods. Local authorities, as typified by the pilots in the ODPM programme, struggle to tackle the problem effectively. Interestingly, although selective licensing could be seen as the answer to their difficulties, the pilots were divided in their response to this new power. This lack of enthusiasm may be due to a realistic acknowledgement of the limits of national prescription or local intervention. As well as shifts in the local housing market and the impact of social housing policies, areas of private renting are affected by economic changes resulting from shifting opportunities in global investment markets, and trans-national and inter-regional mobility patterns. As these forces cause established communities to fragment, lower levels of familiarity and higher levels of transience perhaps inevitably result in a loosening of traditional social controls governing behaviour. It is doubtful whether licensing, or any other local authority initiative, can hope to counter these influences.

‘Painting the Town Blue: The Pluralisation of Policing’

Stuart Lister

There is now widespread recognition that both the authorisation and provision of policing are increasingly multi-tiered, fragmented and dispersed across networks of security governance (Bayley and Shearing, 2001). This reconfiguration of the policing landscape is tied to broad processes of social change, including the increased marketisation of crime control. The ‘pluralisation of policing’ is widely evident within many residential areas, where an assortment of security-orientated public, private and hybrid personnel can now be found delivering reassurance-based, visible patrols through a multiplicity of purchaser and provider contractual arrangements (Crawford *et al.*, 2005). These conditions not only raise fundamental governance and legitimacy challenges for the police, but also question how it might seek to respond to them in order to foster community safety.

Policing networks as peaks or plateaus?

In an important speech to senior police officers in July 1998, Sir Ian Blair (then Deputy Commissioner of the Metropolitan Police Service) outlined a vision of how the police should proceed and adapt to the pluralised environment in order to consolidate and reaffirm the place of the police within policing. Acknowledging that the police were but one component in a patchwork of patrol providers, he contended that the police assume a steering role within a ‘horizontal’ model of relations between members of the ‘extended policing family’. Here, the constable is portrayed as an ‘information broker’ and ‘network coordinator’, strengthening the police hand in governing and regulating the activities of others. In an October 2003 speech, however, Sir Ian advocated not the ‘horizontal’ model of relations, but instead a ‘vertical’ model in which the vast majority of patrolling services would be directly provided by employees of the police. In the interests of ‘social cohesion and public security’, Sir Ian argued, the police should seek to reclaim from other organisations as much as possible of the patrol function. Importantly, he identified municipal sources of funding as a key enabler within this endeavour.

This change in approach from a horizontal to a vertical model of policing relations can be largely attributed to several inter-related factors, as the pace of change in the intervening five years shifted upwards through the gears. By 2003 the fear of crime problem and its proposed solution, ‘reassurance policing’, were attracting increasing local and national political attention; the market for security patrols had greatly expanded, and with it the patrolling presence of municipal wardens and private security guards in urban areas; the philosophy of police reforms now espoused the neo-liberal language of ‘citizen-focus’ and ‘customer-responsiveness’; the police had begun increasingly to dip their bureaucratic toes in the commercial waters of selling visible patrols; and perhaps most significantly, senior police officers had recognised the greater market leverage offered to them by the introduction of Community Support Officers (under section 38 of the Police Reform Act 2002). Indeed, Sir Ian implicitly justified the introduction of this new breed of patrol officer by explaining the competitive edge they would bring the police within the market place (see Blair, 2003).

Swiftly branded *Police* Community Support Officers (PCSOs), this civilian officer can be recruited, trained and deployed more speedily than constables, and crucially at a lower cost, or more prosaically, at a cheaper price. Furthermore, as dedicated patrol officers with limited training and powers, PCSOs can be deployed without the (reactive) pressures that serve to abstract constables from dedicated patrol duties and hamper the implementation of contracted police initiatives

(Crawford and Lister, 2004). In accordance with Sir Ian's vertical model, police attention has become focused on painting blue the bewildering array of red, green and purple uniforms of non-police patrolling personnel that adorn the streets of towns and cities across the country. Subsequently PCSOs were launched into the patrol market to enable the police to attract external sources of public and private funding. As such, PCSOs have had a crucial role in the further commercialisation of the public police.

A market in visible security patrols

As the market in visible patrol personnel expands, commercial pressures may produce counter-productive relations between different providers of patrol. It is foreseeable that the police will become interested less in developing partnerships with plural policing bodies and more in securing market advantage over them. The contradictory logics within and between the Crime and Disorder Act 1998 and the Best Value regime will inevitably surface in the networks of policing provision (see Newburn, 2002), where coordination and competition make for uneasy bedfellows. Furthermore, as suggested above, recent Government pronouncements have sharpened the commercial mandate of the police by requiring them to be 'customer responsive'. The 2004 White Paper, *Building Communities, Beating Crime*, can be interpreted not only as strengthening the 'customer-focus' within the delivery of front-line police services, but extending it to incorporate the institutional and contractual arrangements that oversee its provision.

A recent Home Office guidance document (under the heading 'Marketing the funding concept') identifies a range of public and private organisations that might provide match-funding for the provision of PCSOs, including "local authorities, parish councils, universities, colleges and schools, local markets, local transport providers, chambers of commerce, local businesses, and others interested in safer neighbourhoods" (Home Office, 2006: 2). Of these potential 'partners', police forces are particularly targeting local authorities, many of which already fund a variety of warden schemes (e.g. 'street', 'estate', 'neighbourhood', 'park', 'ambassador', etc). Accordingly, local councillors are increasingly being confronted by a choice: whether to maintain their warden schemes or reduce if not abandon them in order to free-up resources to fund PCSOs. This is a loaded choice, which often results in core funding being diverted from municipal wardens towards PCSOs. In this, potential 'partners' are usually offered the bait of central government matched-funding, which cushions the initial blow of any financial outlay on PCSOs. Moreover, it would be surprising if the incessant public demand for more 'bobbies on the beat' failed to bring some pressure to bear on elected council members, but also if local authorities didn't perceive this expenditure on the police to resonate more palpably with their community safety responsibilities, as stimulated by the Crime and Disorder Act 1998.

These funding decisions arise despite the fact that wardens usually retain a wider role than PCSOs and deliver a tangibly different service, one that is less focused on law enforcement and arguably more attuned to building networks of trust and social capital within local neighbourhoods. Although the increasing presence of PCSOs in local communities potentially liberates wardens from their enforcement-focused security patrols, instead allowing them to concentrate on, for example, the community cohesion aspects of their role, in reality the either/or nature of many core funding decisions means that the presence of the latter is merely supplanted not supplemented by the former. Such outcomes, which chime with Sir Ian's vision of a vertical model of patrol providers, risk inflating expectations over the extent to which the public police can reassure the public, as well as tackle the deep-rooted and social nature of the crime and disorder problems afflicting many of Britain's poorest estates.

Neighbourhood Policing

The huge political investment in 'Neighbourhood Policing' should not be viewed in isolation from these pluralisation and marketisation developments. This contemporary rearticulation of the community policing tradition coheres with the emerging government mantra of 'new localism', but it also offers the police a powerful marketing strategy, or 'brand identifier', in the battle for resources that is currently being waged within the market for patrols. As such, 'Neighbourhood Policing' has a crucial symbolic and practical role within police aspirations to colonise the patrol function. Furthermore, since Neighbourhood Policing can be understood as the institutional arrangements by which the police aim to organise their 'patrol product' and deliver 'reassurance policing', there is potentially an infinite resource seam to be mined in the form of public insecurities and anxieties about crime, disorder and incivilities.

The 'Neighbourhood Policing' project is intimately entwined with the Government's commitment to increase the number of PCSOs to 24,000 by 2008 (from the current establishment of approximately 6,300). Whilst the Government's Neighbourhood Policing Fund is initially funding much of this expansion, its longer term future may, to a greater or lesser extent, be contingent on the police attracting external sources of funding. In some areas, the provision of Neighbourhood Policing Teams (NPTs) is already heavily reliant on such funding. In Leeds, for example, NPTs will soon contain three PCSOs per ward, each officer funded (over and above the local police precept) by the city council at an annual total cost of over one million pounds. Likewise, the funding of the 'Safer Neighbourhoods' initiative in London (the Metropolitan Police Service's corporate brand name for the provision of ward-based NPTs), is supplemented heavily by the coffers of the capital's borough councils. These external funding arrangements, which are premised on the requirements of 'customer-satisfaction', raise not only managerial problems of ownership and control, but normative concerns over impartiality of provision, equity of access, and the effectiveness or otherwise of internal and external accountability mechanisms (Crawford and Lister, 2004). Whilst the inter-organisational complexity of these arrangements and the blurred transparency of the contractual relations governing their provision may leave elected members floundering for public recognition of their role in assisting Sir Ian Blair's vision, and perhaps enabling the police to reclaim sovereignty over the commodified terrain of patrol.

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‘A Hard Act to Follow: Assessing the Consequences of Licensing Reform in England and Wales’

Phil Hadfield

In November 2005, a long-awaited transformation of the licensing system in England and Wales occurred, following implementation of the Licensing Act 2003. Under the Act, licensed businesses are required to demonstrate that their operations will not undermine any of the following statutory objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance, and;
- the protection of children from harm.

Another potential statutory objective - included for instance in new licensing legislation for Scotland - is omitted from the Act, and specifically disavowed in its accompanying Guidance [1] (p. 65, p. 92): public health. This omission is notable given the rises in long-term public ill-health associated with alcohol that have so alarmed sections of the British medical community (e.g. [2-4]). Despite evidence linking growth in consumption to a range of increased harms, the Act sought to liberalize availability by permitting extended hours for licensed retailers [5].

Policy development appears to have been driven chiefly by the Department for Culture Media and Sport and its attempts to combine leisure industry facilitation with certain checks and balances to appease police, local government and Home Office opinion. Thus, the Guidance tell us much about the control of young people in public spaces, and crime and disorder in and around pubs and clubs, but very little about less visible and politically sensitive issues such as drink-driving, alcohol-related accidents and domestic violence.

Evaluation of the Act is made difficult by the fact that, in many urban entertainment districts, processes of liberalization have been in motion for some years. Such areas therefore inherited extended licensing hours obtained under the old licensing regime. I describe elsewhere how political, commercial and legal pressures conspired to bring about historical shifts in regulation wherein Public Entertainment Licences were routinely matched with Special Hours Certificates [6] (chp. 3). With a range of licensing arrangements, allowing for the sale of alcohol up to 2am (3am in Central London), and the potential for licensed entertainment until dawn, Britain’s night-time high streets were, pre-November 2005, far removed from the 11pm curfew zones of media mythology.

The concentration of alcohol-related crime in urban entertainment zones has been well-documented and may be linked to the broad range of social, economic and regulatory factors which continue to propel the fluid evolution of established - some would say ‘saturated’ – local alcohol markets. It is to such areas and their associated ‘problems’ that the objectives of the Act are most obviously addressed. In exploring how one might assess the impact of the Act, the following paragraphs will take this narrow skewing of alcohol policy at face value.

Crime and Disorder

Given the Act’s strong emphasis on crime and disorder, the measurement of crime patterns would seem the most salient starting point for evaluation. The Home Office report, *Crime in England and*

Wales 2005/06 [7], which examines the proportion of violent offences and criminal damage occurring over the period October 2004 to March 2006, concludes that levels remain static: “The data shows no indication of a rise in the overall level of offences, or a shift in the timing of offences as a result of the change in the opening hours of licensed premises” (p. 77). This statement raises many questions, but answers none.

Important methodological issues remain unexplained and moot; for example, the 23 police forces providing data are unnamed and we are not told how, or why, they were selected; the exercise limits its analyses to offences occurring before 2am, an extraordinary failing given that many nightlife areas now experience a peak of crime during the 2.00-3.30am period. The report tantalizes with the promise of “more detailed results...in due course” (p. 77), but fails to explain why methods and data remain immune to public scrutiny. It is clear that we have yet to see definitive research evidence regarding any shifting patterns of crime and disorder associated with the Act.

Despite making a number of assurances in response to pertinent questions in the House of Lords¹, the Government does not appear to have devoted any specific resources to independent evaluation of the Act through the usual processes of competitive tender. Other countries (principally Australia and New Zealand) lead the way in evaluating the effects of changes in licensing arrangements using such indices as patterns of drunk-driving and alcohol-related traffic accidents (e.g. [8-10]), rates of alcohol-attributable mortality [11] and violent assault [12], police work-tasks and hospital admissions data [13]. Comparable studies in Britain have been conspicuously absent, thus far.

In order to conduct meaningful evaluation and monitoring in England and Wales, case study locations would need to be chosen with care, as there are often important local variations. An all-encompassing nationwide approach may be singularly inappropriate given that, in practice, some areas may have experienced little increase in drinking hours. For example, the established late-night culture of our urban high streets has meant that it has been largely the pub sector, rather than the operators of bars, clubs and other hybrid Young Persons’ Venues (YPVs) who have applied to extend their hours. Local market conditions, and the position of individual business interests within them, would appear to exert a major influence over the decision to trade late; evidence suggesting that nationally, only 42 per cent of pubs have so far obtained later opening under the new regime [14]. 24-hour licences remain largely the domain of supermarkets, petrol stations, and other off-sale retailers. The potential for such outlets to contribute to any ‘problems’ associated with public access to cheap booze throughout the night has yet to be explored.

Some local authorities and magistrates continue to resist the pressure from Government and commercial interests by exercising a restrictive caution in licensing matters, whilst others embrace liberalization, or swing from one stance to the other. Clearly, there is a need to select case study areas in which a quantifiable change in availability (through hours of trading and/or number of outlets) can be demonstrated.

Shifts in consumer behaviour are apparent in some areas, with patrons deciding to begin and end their nights out at a later hour, or choosing to remain in community pubs and visiting nightlife areas less frequently. Any adequate evaluation of the Act would need to monitor such changes in ‘human

¹ See Lord Avebury at <http://www.publications.parliament.uk/pa/ld200304/ldhansrd/vo040608/text/40608-29.htm> and the Government response at <http://www.publications.parliament.uk/pa/ld200304/ldhansrd/vo040608/text/40608-31.htm>

ecology' very carefully, using spatial and temporal analyses of crime data (such as Geographical Information Systems) to examine associated crime patterns in urban centres and along public transport corridors. A mixture of qualitative and quantitative methods would be required. Quantitative analysis might be used to construct a baseline of crime and disorder patterns in and around licensed premises prior to the introduction of extended trading hours. Appropriate data sources would be police recorded crime and calls for service (incident data/999 calls), together with data held by licensed premises. It would be apposite to examine any trends in the distribution of incidents, for example, whether 'hot spots' for assault had been spatially or temporally displaced following implementation of the Act, or whether any significant differences could be detected in the number of incidents occurring within, or immediately outside, particular premises.

Qualitative fieldwork would also need to be conducted in case study areas in order to account for any trends in the prevalence of crime and disorder that may not be explicable from the statistical dataset alone. This would involve conducting interviews with key personnel and periods of participant observation in order to examine localised trends in consumer behaviour, the operating practices of licensed premises, the capacity of transport services and location of fast-food outlets. It would also be necessary to understand what specific policing strategies and other crime prevention initiatives were currently being used and for how long they had been applied.

Extensions in licensing hours are likely to have resource implications for a range of public service providers including the police and other emergency services, transport, cleansing, parking enforcement, environmental health and licensing inspection personnel. Fluctuations in demand could be monitored, together with any shifts in the pattern of violence and other forms of criminal victimization sustained by such workers in the course of their night-time duties.

Hospital Accident and Emergency Department (AED) admissions and ambulance service call outs are important indicators of alcohol-related injury. Research by Drummond and colleagues (cited in [15] p. 48) suggests that as many as 70% of those attending AEDs between midnight and 5am are suffering from the effects of drink. Moreover, a large proportion of assaults resulting in medical treatment are never reported to the police, making health care professionals an important source of additional data. Such information is typically obtained by means of an assault patient questionnaire, as developed by Goodwin and Shepherd with the Home Office [16]. These tools can be used to collect brief information about drinking habits and the places and times in which injuries are sustained. In evaluating the Act, these findings might be compared to data gathered before licensing reform, or to evidence from areas where little or no variation in hours has occurred.

To apply such approaches is not, of course, to imply that alcohol is 'causing' crime in any straightforward manner, but merely to trace correlations between trends in licensing, human activity, and the distribution of criminal events and other forms of social harm, in space and time. The need to go beyond traditional sources of crime data is most apparent in relation to the associated measurement of public nuisance.

Public Nuisance

The issue of public nuisance brings us to the question of quality of life for residential communities affected by the night-time economy (NTE). 'Public nuisance' is not defined in the Act or its accompanying guidance, but is generally used to refer to a cluster of relatively 'low-level' phenomena that are extremely difficult to measure with accuracy, and consequently, to quantify in terms of impact. Acute noise incidents, criminal damage, littering and fouling (that is, generally, urination or

vomiting in public places) are routine occurrences in nightlife areas and may be associated with the combination of significant levels of alcohol consumption and the volume of people attracted to, and remaining within, such areas during night-time hours.

Towards Local Area Profiling

Attention to human ecology creates new opportunities for area profiling within which traditional sources of crime data may be triangulated with a variety of ‘trace measures.’ Such traces “are ‘things’ produced by individuals or groups of individuals” which may be used as “an indicator of some form of social behaviour” [17] (p. 161). Patterns of public nuisance may correlate with those of crime; being traced, for example, by the temporal and spatial mapping of noise complaints, accidental injuries, litter, fouling, vandalism, broken glass, verbal abuse and intimidation of night-workers, together with the testimonies of local residents. Some researchers are convinced that otherwise minor increases in ‘anti-social behaviour’ in neighbourhoods can dramatically influence patterns of more ‘serious’ offending (e.g. [18]). Tracing the rich minutiae of every-night life may permit areas under ‘stress’ to be identified via the development of routine environmental profiling tools. Profiling data, published at regular intervals, would provide an evidential basis which might inform the evaluation of licensing, planning, policing, and transport policies, together with other forms of intervention. Such approaches are in their infancy and robust and sustainable local strategies for the NTE remain an aspiration.

A Thirst for Knowledge (Conclusion)

It is inevitable that the introduction of a radically reformed licensing system for England and Wales will produce a broad range of short, medium and long-term impacts, many of which currently remain obscure. In responding to the changes wrought by this new era, it is essential that local and national alcohol strategies be informed by solid empirical evidence. The challenge of quenching this thirst for knowledge falls upon the research community; a task made harder by the British Government’s lack of transparency in relation to the crime figures released so far and their apparent unwillingness to fund rigorous and independent evaluation.

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‘Crimes of International Aggression and the Response of the Courts’

Clive Walker

The recognition that political hegemonies shape the use of terms such as ‘terrorism’ and ‘crimes against humanity’ may be increasingly difficult to expose after 9/11 since it triggered wide consensus for ensuing international counter-measures. The English courts have, however, been more vigorous than most in exposing the doctrinal difficulties of the ‘global war on terrorism’. Ranging from individual judicial diatribes against the ‘legal black hole’ of Guantánamo (see Steyn, 2004) through to the condemnation of detention without trial under the Anti-Terrorism, Crime and Security Act 2001 (see *A v. Secretary of State for the Home Department* [2004] UKHL 56), an impressive array of resistances to hegemonic disregard of the old world order have been mounted. However, in *R. v. Jones; Ayliffe v Director of Public Prosecutions; Swain v Director of Public Prosecutions* ([2006] UKHL 1), the House of Lords called a temporary halt to the reining in of foreign military adventurism.

The appeals arose from protests against the war in Iraq by acts of civil disobedience at military installations which resulted in charges such as conspiracy to cause criminal damage under the Criminal Damage Act 1971 and aggravated trespass under section 68 of the Criminal Justice Act 1994. The appellants argued that their actions were justified by reference to the unlawful activities of the Crown at the military bases which gave them a ‘lawful excuse’ to use reasonable force under section 3 of the Criminal Law Act 1967 to prevent crime. The crime in question was the crime of aggression, which might be conceptualised (but not precisely defined in international law) as ‘the use of armed force by a state against the sovereignty, territorial integrity or political independence of another state, or in any other manner inconsistent with the Charter of the United Nations...’ (United Nation General Assembly Resolution 3314, XXIX, 14 December 1974).

The House of Lords dismissed the appeals. It was accepted that the core elements of the crime of aggression had been delineated with sufficient clarity for the purposes of criminal trial. Yet, as far as the 1967 and 1994 Acts were concerned, a ‘crime’ or ‘offence’ meant a crime or offence in domestic law. They could not be interpreted as applying to the international law crime of aggression. In any event, their Lordships were doubtful whether, even were a crime of aggression to be established in domestic law, it would have been reasonable for these appellants, to use force to obstruct military activities. Even good-hearted vigilantes cannot act as if they were ‘the sheriff in a Western, the only law man in town’ (Lord Hoffman, para.74), so those opposed to war must resort to Parliament or the ballot box for victory.

It follows that the issues in *Jones* could, in fair part, be approached and settled on a narrow domestic law basis. The wider issue is whether ‘a strong international determination to prevent and prohibit the waging of aggressive war’ (Lord Bingham, para.1) amounts to a mission which should be shared by the English domestic courts. The internationalisation of criminal law and criminal process is an important trend of our times, signaled above all by the Rome Statute of 1998 which establishes the International Criminal Court (ICC) and a code of international crimes which hark back to the post-1945 Nürnberg trials and beyond. The ICC’s Preamble is self-consciously important; it is ‘Mindful that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity...’, while at the same time ‘Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished...’. Will these high-minded sentiments bear fruit? The ICC system undoubtedly faces

obstacles. The criminal code is not comprehensive, with the problematic concept of terrorism being left to one side for the moment. There is also stiff opposition from the United States, which has sought even to 'unsign' the measure and to disapply it by bilateral treaties and by Congressional statute in the form of the American Servicemembers' Protection Act 2002 (22 U.S.C. s.7422). By contrast, the United Kingdom government has been supportive. Ratification of the Rome Statute has been enabled by the International Criminal Court Act 2001, which allows under section 51, and subject to consent of the Attorney-General under section 53(3), domestic prosecution for genocide, crimes against humanity or war crimes. But there is conflicting evidence as to implementation in the United Kingdom.

On the one hand, there has been some willingness to face up to individual abuses committed by the British military in current conflicts. Thus, Cpl. Donald Payne pleaded guilty to the charge of inhumanely treating Iraqi civilians contrary to the International Criminal Court Act 2001 at a court martial of seven soldiers (*The Times* 20 September 2006 p.11). The cases followed the death of Baha Mousa in custody in Basra in 2003, jurisdiction over which was established for the purposes of the Human Rights Act 1998 in *R (Al Skeini) v Secretary of State for Defence* [2005] EWCA Civ 1609. This initial prosecution under the 2001 Act has followed earlier instances of prosecuting gross crimes by foreigners, most notably illustrated by the litigation against General Augusto Pinochet (*R v Bow Street Metropolitan Stipendiary Magistrate and others, ex parte Pinochet Ugarte (Amnesty International and others intervening) (No 3)* [2000] 1 AC 147) and also by the conviction for torture and hostage-taking of Faryadi Zardad, an Afghan warlord who had re-located to the more serene climes of Streatham (*The Times* 20 July 2005 p.26).

On the other hand, the case of *Jones* shows that neither the Government nor the courts are comfortable with the direct enforcement or automatic assimilation of the international crimes. The crime of aggression is particularly troublesome. It is listed as within the jurisdiction of the ICC. Indeed, 240 communicants to the ICC have alleged that the crime of aggression has been perpetrated by the invasion of Iraq in 2003 (http://www.icc-cpi.int/library/organs/otp/OTP_letter_to_senders_re_Iraq_9_February_2006.pdf). The legal advice of the Attorney-General, Lord Goldsmith, set out in increasingly firm terms in memoranda of the 7 March 2003 and 17 March 2003, is to the contrary, (House of Lords debates vol.646 col.WA3 17 Mar 2003), though even he has allegedly admitted that a court would not necessarily concur (memorandum of 7 March 2003, <http://image.guardian.co.uk/sys-files/Guardian/documents/2005/04/28/legal.pdf>, para.30). However, the exercise of ICC jurisdiction over that crime is postponed by article 5(2) of the Rome Statute until further agreement can be reached on a more precise definition and on the conditions under which the ICC may exercise jurisdiction with respect to it. Thus, the crime is not reproduced in Schedule 8 as within the scope of section 51 of the 2001 Act.

This tentative international status was not viewed by Lord Bingham as invalidating the status of the crime of aggression as customary international law (para.19). Yet, for both minor and major reasons, the Court concluded that it could not be recognised as a domestic crime. Two relatively minor reasons were offered. First, Lord Bingham pointed to the anomaly of the recognition of a relatively indistinct offence which would fall outwith the need for the Attorney General's consent for prosecution under the 2001 Act (para.28). Second, Lord Hoffman raised the objection that prosecutions for the crime cause distinct discomfort for the courts 'as the judicial branch of government, holding not merely that some officer of the state has acted unlawfully ... but, as a sine qua non condition, that the state itself, of which the courts form part, has acted unlawfully.' (para.65) It is submitted that this objection is less convincing. The shift of jurisdiction from international to

domestic could easily be reflected by prosecuting individuals who have shown responsibility for the official policy. A precedent is the recent application for judicial review of the refusal by the Government to hold an independent inquiry into the circumstances which led to the invasion of Iraq (*R. (on the application of Gentle) v Prime Minister, The Secretary of State for Defence, The Attorney General (Application for Permission to Appeal)* [2006] EWCA Civ 1078). Furthermore, the position is actually no different in the international sphere. The objective of the ICC (and the Nürnberg trials before it) is to bring home individual liability, leaving venues such as the UN Security Council to apportion blame to States.

The major reason for refusing to recognise the crime of aggression as domestic is that a customary international law crime can now be assimilated into domestic criminal law only by statutory authority which, as already noted, is currently absent (Lord Bingham, paras.12, 23, 28, Lord Hoffman, para.62, Lord Mance, para.102, all drawing upon *Kneller (Publishing, Printing and Promotions) Ltd v DPP* [1973] AC 435). The pre-condition of Parliamentary legislative approval serves ‘an important democratic principle in this country: that it is for those representing the people of the country in Parliament, not the executive and not the judges, to decide what conduct should be treated as lying so far outside the bounds of what is acceptable in our society as to attract criminal penalties.’ (Lord Bingham, para.29) It also reflects the constitutional principle of judicial restraint in the review of prerogative powers in relation to the conduct of foreign affairs and the deployment of the armed services (Lord Bingham, para.30). Such assertions of judicial self-abnegation should, however, be read in the light of the rejection of claims of total non-justiciability in matters of national security (*Council of Civil Service Unions v Minister for the Civil Service* [1985] AC 374) and in the light of the very occasional recognition that basic rights can override legislative authority at least when exercised by a foreign sovereign (*Oppenheimer v Cattermole* [1976] AC 249; *Kuwait Airways Corp v Iraqi Airways Co (Nos. 4 and 5)* [2002] 2 AC 883).

These principled arguments are certainly cogent but will they prevail in time? One is reminded of the gradual pre-Human Rights Act 1998 judicial recognition of the European Convention on Human Rights. In terms highly reminiscent of Lord Bingham’s dictum, Lord Ross in the Scottish case of *Kaur v Lord Advocate* stated that (1980 SC 319 at p.328):

‘With all respect to the distinguished judges in England who have said that the Courts should look to an International Convention such as the European Convention on Human Rights for the purpose of interpreting a United Kingdom Statute, I find such a concept extremely difficult to comprehend. If the Convention does not form part of the municipal law, I do not see why the Court should have regard to it at all. It was His Majesty’s Government in 1950 which was a High Contracting Party to the Convention. The Convention has been ratified by the United Kingdom, but, although this probably means, as counsel pointed out, that the Convention had been laid before both Houses of Parliament before it was ratified ..., its provisions cannot be regarded as having the force of law. ... Under our constitution, it is the Queen in Parliament who legislates and not Her Majesty’s Government, and the Court does not require to have regard to acts of Her Majesty’s Government when interpreting the law.’

The English courts were never so dogmatically opposed to peeking over the jurisdictional fence and using the Convention as an aid to interpretation where a statute was unclear (see *R. v Secretary of State for the Home Department, ex p. Brind* [1991] 1 A.C. 696). Even the more diffident Scottish courts changed their tune at the last hour (see *T (Petitioner)* 1997 SLT 724). Perhaps there might emerge for international crimes a correspondingly mounting influence upon the interpretation of domestic

crimes, bolstered by increasing State ratifications of the Rome Statute, the effective operation of the ICC itself, and also the Rome Statute's expectation (in article 1) of complementarity in terms of a firm national response so as to avert the need for international action. Based on the sentiments expressed in the Preamble of the Rome Statute, one might wish every success to the ICC and that the United Kingdom courts will eventually take due notice of its progress.

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‘The University of Leeds Innocence Project’

Carole McCartney

The University of Leeds Innocence Project (UoLIP) was founded in October 2005 with part-funding secured from the White Rose Centre for Excellence in Teaching and Learning in Enterprise (WRCETLE) (see Criminal Justice Studies Annual Report 2005 for further details of background research). An Innocence Project (IP) is a student-led project which centres upon the study of wrongful criminal convictions.² The defining feature of IPs is their investigation role, with students involved in real criminal cases. Through this investigative work – conducted by undergraduate students, supervised by academics and in conjunction with practicing solicitors – IPs endeavour to ensure that alleged wrongful convictions are successful in achieving a referral back to the Courts of Appeal via the Criminal Cases Review Commission (CCRC). Assistance is provided, *pro bono*, to prisoners who both maintain their innocence and have exhausted their legal appeals. However, IPs may also consider cases where individuals have already been released from prison.

Each IP has to establish from the outset how their project will operate, what their priorities are (e.g. student education/ ‘altruistic’ public service/ legal ‘skills’ training) and what their criteria will be for taking on cases (e.g. some limit intake by only examining ‘DNA cases’ and most US IPs only operate within their State). Since the establishment of the first student-led Innocence Project at New York’s Cardozo Law School in 1992, innocence projects have spread across the United States and are now also established in Canada and Australia. There are a variety of IP models, and not all take place in law schools. There are opportunities for other disciplines to be involved, in particular criminology/criminal justice/social science students, psychology students, and journalism students.

Innocence Projects hold great potential educational utility, achieving important pedagogical aims and providing insights into the ‘law machine’ that are currently limited, while bringing innovation into the law curriculum. Projects can be adopted in any law school as part of the undergraduate degree, without becoming dominated by concerns over ‘legal skills’ intended for aspiring lawyers. Undoubtedly, there are particular challenges in establishing and operating IPs, but also undoubted benefits, for students; prisoners; the legal community; law schools; local communities; and society. What is apparent from the spread of such Projects internationally, is that it is possible, and beneficial, to resist the tendency of law schools that Toddington (1996: 69) describes; ‘to sprinkle moral and political commitment over the top of [legal facts] like so much icing sugar’.

For the pilot year of the UoLIP, ten students were recruited (5 first years, 5 second years), working in five paired ‘teams’.³ These students were instrumental in setting up the project and organising

² An Innocence Project can be distinguished from other types of legal clinics that may work on criminal cases by virtue of the fact that it ONLY deals with wrongful convictions, i.e. an innocent person has been convicted of a crime that they did not commit, or did not occur. This can be distinguished from the wider term ‘miscarriage of justice’ which can rightly include those who should not have been convicted, but may have in fact been guilty of the crime concerned, or some closely related criminal activity (i.e. they were convicted of murder, where the ‘correct’ verdict should have been one of manslaughter – they did actually kill someone). Therefore, the term ‘wrongful conviction’ should always be preferred when talking of Innocence Projects remit, than ‘miscarriage of justice’. This remit also precludes consideration of appeals against sentence, and variation of convictions (replacing the charge convicted of for one less serious.) Clinics that deal with such cases are vital, but are not properly categorised as an ‘Innocence Project’.

³ Student numbers have now risen in 2006/07 to 20, with five teams of four students, containing 1 first year, 2 second years and 1 third year in each team.

protocols and writing documentation. This process took some time and meant that not many cases were investigated. In its first year of operation, the UoLIP received 192 letters of application, and sent out in response 157 questionnaires. 102 of these questionnaires were returned and considered by team members. As a result of these, three cases were taken on and case files received. A further 14 cases were left to be further considered during the 2006/07 academic year. The students had to sort through all letters and decide upon the next course of action for each request, including sending detailed questionnaires before undertaking more detailed investigations under the guidance of local criminal solicitors. The UoLIP insists upon factual innocence, but may deal with cases where the prisoner is no longer in custody. During the year students also heard from guest speakers and underwent training, including a project trip early in the academic year.

The Innocence Project at Leeds has so far:

- Stimulated team-working (firm friends have replaced strangers);
- Encouraged students to ‘think outside the box’ (develop innovative ideas);
- Encouraged networks with the local/ regional legal community;
- Required students liaise with real legal professionals/ other agencies;
- Insisted that students deal with others in a professional manner;
- Demanded problem solving/ creativity/ strategic thinking from the students;
- Unearthed hitherto untapped reserves of (self) motivation, altruism, and initiative;
- Developed advanced communication skills;
- Persuaded the students that they can have influence, power and passion!

The project also encourages and facilitates *pro bono* work within criminal law by enabling solicitors to become involved in wrongful convictions, without the commitments that currently dissuade most. It also assists the overburdened CCRC in their mission to refer meritorious cases to the appeal courts. The project, as well as inspiring students, engaging lawyers and assisting a public body, stretches the ‘reach’ of the law school into the community, utilizing its resources and expertise for the greater good of society. The project has assisted graduates with gaining the confidence to be assertive – to act with initiative – and be enterprising yet ethical. Employers will benefit from these skilled, enterprising and reflective graduates with a passion for justice, and a strong ethical foundation.

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