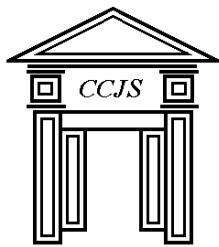CCJS

Centre for Criminal Justice Studies, University of Leeds
CRIMINAL JUSTICE REVIEW
2004 - 2005
Seventeenth Annual Report

The Centre for Criminal Justice Studies (CCJS) was established in 1987 for the pursuit of research and study into all aspects of criminal justice. It is governed by an executive committee and its work is supported by an advisory group composed of academics, practitioners and policy makers in relevant fields of experience. The CCJS Constitution and Membership are set out in *Appendix 1*.

CONTENTS

Information about the
Centre for Criminal Justice Studies

The Centre for Criminal Justice Studies (CCJS) was established in 1987 at the University of Leeds to pursue research into criminal justice. In support of its goals, the CCJS fosters an active and flourishing multi-disciplinary academic environment for teaching and research.

The CCJS excels in the production of research that is empirically rich, conceptually sophisticated and policy relevant. Research is interdisciplinary and often comparative in its insights to certain key criminal justice issues. It routinely raises implications for, and shapes, practice and thinking. The CCJS is widely recognised as a leading research cluster of its kind in the UK and internationally regarded. Those working within the CCJS have established reputations in the broad field of criminal justice policy research, especially in the areas of policing, crime prevention, victims, youth justice, cybercrimes and the management of offenders in prison and in the community. The CCJS also has strengths in criminal law and procedure and criminological theory.

Further information, plus downloadable copies of the annual reports are available from the Centre's website at <http://www.law.leeds.ac.uk/crimjust/>

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1. INTRODUCTION

It gives me great pleasure to introduce this review of the work of the Centre for Criminal Justice Studies covering the period from 1st October 2004 to 30th September 2005. This is the first Annual Report since I took over as Director of the Centre at the beginning of February 2005, and the seventeenth Annual Report since the Centre was established in 1987. Much of the credit for the preparation of this report goes to Dr Emma Wincup, who in my absence during my visiting fellowship at the Australian National University, kindly took on the task. Together with Dr Anthea Hucklesby, they both agreed to become Deputy Directors of the Centre and assumed considerable responsibilities during by absence between the beginning of September and the end of December 2005. I am tremendously grateful for their work in this regard.

I am immensely pleased to record that the 12 months covered by this review have been a particularly vibrant and dynamic period in the history of the Centre. The details are set out in this Annual Report, but let me highlight a number of specifically important developments.

First, there has been a significant expansion in our staff with the arrival (since September 2004 - in some loose order appearance) of Dr Toby Seddon, Dr Sam Lewis, Dr Carole McCartney, Dr Emma Wincup, Sarah Blandy and Lydia Bleasdale (to the teaching staff), as well as Angela Spriggs, Daniel Swain and Catherine Eastwood (to the research staff). Added to this, we have secured a five-year Academic Research Fellowship in the field of the 'governance of security, crime and justice', funded in large part by the joint Research Councils of the UK, which we will be seeking to fill in the forthcoming months. During the period under review we also said goodbye to some staff who contributed to the life and vitality of the Centre. Sarah Blackburn who worked on a number of research projects and Andy Roberts who was a significant contributor to the teaching of Criminal Law, both left us. Ben Fitzpatrick, a longstanding contributor to the work of the Centre, took up a Senior Lectureship at the Open University and will be greatly missed by staff and students alike.

Second, members of the Centre have continued to attract prestigious research grants and to produce high quality research publications. These are too numerous to list here, but the full details appear in the pages that follow. Particularly noteworthy publications include Dr Teela Sanders' book *Sex Work. A Risky Business* and Professor David Ormerod's new edition of *Smith and Hogan, Criminal Law*. The short papers included in this report give a flavour of the diversity and richness of the research work conducted during the period under review.

Third, we have begun to forge important international research collaborations, notably through the World University Network and the *Groupe Européen de Recherches sur les Normativités*, a European-wide research group of which the Centre is now an institutional member. In conjunction with the latter, the Centre is to be part of a 1.1 million Euro (European Commission funded) research consortium commencing in April 2006.

Fourth, the University of Leeds has recognised the quality and standing of the research conducted within the Centre by designating us as a 'peak of excellence', the only centre so recognised within the Faculty of Education, Social Sciences and Law and one of only some 20 across the entire University. We are not entirely sure what the implications of this designation are or will be, but it certainly reflects our elevated standing within the academic community. We will be meeting with representatives of the University early in the New Year to discuss what it means to be a peak of excellence, the expectations that the University have for us and how the development of peaks will be supported through the planning process.

Fifth, this was the year in which we hosted the British Society of Criminology conference in July, which attracted some 530 delegates to the University, many coming from outside the UK. The

conference was a great success and much credit for this is down to all the hard work put in by many members of staff, and especially Dr Anthea Hucklesby. Moreover, on the first day of the conference, West Yorkshire Police obligingly laid on a major police operation around the University (in relation to the July London bombings), adding a real-life dimension to academic debates about policing, security and criminology generally and firmly putting Leeds on the global map.

Let me record my thanks to Professor David Wall, who stepped down as Director at the end of January 2005 to take on the significantly greater challenges as Head of the School of Law, and his predecessor Professor Clive Walker for steering the Centre to its current position of growth and strength.

Finally, on behalf of the Centre for Criminal Justice Studies, let me express our deepest sympathies to West Yorkshire Police and Pc Sharon Beshenivsky's family and friends, as well as to her colleague Pc Teresa Milburn, in the light of the terrible shootings in Bradford in November 2005, which tragically saw her killed. Colleagues and I were particularly affected as Sharon, along with some 60 colleagues, was involved in a piece of research we conducted for West Yorkshire Police into the effectiveness and impact of Police Community Support Officers in Leeds and Bradford. Sharon, who began her police career as a PCSO before becoming a probationary Constable earlier this year, was one of the people who greatly assisted us. Our heartfelt condolences go out to all who knew her.

Professor Adam Crawford
Director of the Centre for Criminal Justice Studies
University of Leeds
Visiting Fellow
Regulatory Institutions Network
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December 2005

2. RESEARCH

This section describes the various research activities which are currently being conducted by members of the CCJS. They are organised alphabetically by topic.

POLICING, REGULATION AND GOVERNANCE

Evaluation of Leeds Neighbourhood and Street Warden Schemes
Funded by Leeds Community Safety Partnership, this research, led by Adam Crawford began in February 2004 and reported in January 2005. The main aim was to identify the factors involved in the effective operation of warden schemes in the promotion of community safety. The evaluation sought to understand warden's contribution to community safety and cohesion within the context of both the 'extended policing family' and urban regeneration, highlighting lessons learned and recommendations arising from the implementation of warden schemes across Leeds. The evaluation focused on five case studies in areas where neighbourhood wardens and street wardens were working in Leeds. This allowed the research to explore in detail the implementation of the different schemes, their comparative elements, the nature of the communities in which the schemes were implemented and the dynamics of relations between wardens and the communities they serve, as well as with the variety of other agencies with which wardens' work. The research employed a variety of quantitative and qualitative methods to gain a range of multi-level data, enabling a rich insight into the implementation and impacts of neighbourhood and street wardens. The final report includes recommendations about the future deployment and work of wardens.

Evaluation of the ODPM Programme to Address Problem Private Rented Housing in Areas of Low Demand
A team including Sarah Blandy, led by Professor Ian Cole from the Centre for Regional Economic and Social Research, Sheffield Hallam University, is undertaking this project for the ODPM which commenced 2003 and is due to complete in December 2005. It will evaluate the effectiveness of seven pilot areas which have received funding to tackle problem private rented housing in areas of low housing demand, and will produce a toolkit of resources to for use by local authorities and other key agencies. The evaluation focuses on three aspects: Management Standards and Dealing with Anti-social Behaviour; Housing Market Change and Property Conditions; Wider Impacts of Improving the Private Rented Sector.

The research methods combine quantitative data with qualitative approaches designed to explore the perceptions, relationships, experiences and satisfaction of private landlords, tenants, residents and stakeholders. Scoping interviews have been held with key stakeholders in each area to agree the parameters for the evaluation and to help build a relationship of trust. Residents' panels have been set up in each area, and focus groups held with landlords and managing agents. The ODPM funding in the pilot areas was a forerunner to the Selective Licensing provisions of the Housing Act 2004 (due to be introduced in April 2006) which will enable local authorities to designate areas in which it will be an offence for a private landlord to let any property without a licence. Areas may be designated for Selective Licensing if they are experiencing significant problems related to anti-social behaviour.

Plural Policing and the Mixed Economy of Visible Patrols
The Nuffield Foundation funded a three year research study on 'Plural Policing and the Growing Market for a Visible Patrolling Presence' led by Adam Crawford. The research mapped and analysed fundamental changes to policing provision occurring in England and Wales. It provided an overview of developments in the visible policing and analysed the dynamic relations between different providers. It combined two distinct datasets reflecting national developments and six

focused case studies. National data were collected through a survey of UK security firms and interviews with key stakeholders from different organisations involved in the delivery and regulation of plural policing. This was supported by insights provided by an Advisory Board of selected national policy-makers, practitioners and researchers. The case studies were selected to reflect the diversity of plural policing in operation in different areas, as well as potential best practices. In each, the research drew upon diverse qualitative and quantitative data, including surveys, focus group interviews, recorded crime and anti-social behaviour data and interviews with key staff involved in partnership delivery. The fieldwork concluded in mid-2004 and the initial policy-relevant findings were disseminated at a national conference at Church House in London on 28th October 2004. This generated significant national media interest. Subsequently, a report was published in March 2005 by Policy Press *Plural Policing: The Mixed Economy of Visible Patrols in England and Wales*, by Adam Crawford, Stuart Lister, Sarah Blackburn and Jonathan Burnett, price £14.95 (see www.policypress.org.uk). The executive summary and recommendation are available at: http://www.law.leeds.ac.uk/leedslaw/webdocs/leedslaw/uploadeddocuments/plural.doc

Police National Legal Database Consortium (1994 -)
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 auditors of the data, and Professor Clive Walker is the principal grant holder, the co-ordinator of the auditing process and the primary researcher.

The Contractual Governance of Anti-Social Behaviour
This research is being facilitated by the award to Adam Crawford of a 2-year Leverhulme Trust Major Research Fellowship which commenced 1 October 2004. The research is exploring the manner in which anti-social conduct and disorderly behaviour are governed by new forms of contractual instruments in diverse fields of social life. 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 will analyse 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. The research is focusing upon the development of: '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).

Regulating Closed Circuit Television Systems
In 2005 Nick Taylor completed research into the regulation of public space and quasi public space closed circuit television systems. Despite the huge growth in the use of public space CCTV in the UK there remains little by way of legal regulation. The Data Protection Act 1998 has relevance to some schemes and this research sought to analyse the extent to which the DPA impacted upon everyday operational practice of public space schemes within West Yorkshire. The research also considered the potential of the Human Rights Act 1998 and the European Convention to act as a motor for reform and the protection of individual privacy. The research has led to academic papers and opportunities for knowledge transfer and will form the basis of a future monograph.

The Regulation of Deviant Behaviour on the Internet
David Wall was awarded an AHRC fellowship in 2004 to conduct research into the roles of law and 'policing' as governance in the regulation of deviant behaviour on the Internet. The research continues David's ongoing research into the policing of the internet and this project focuses upon the mechanisms of governance, especially the use of law as a tactic in the policing process. More

specifically, this research is exploring the respective roles of law and 'policing' as governance in the regulation of deviant behaviour on the Internet. Systematically combining a range of legal research, original empirical sources with theoretical analysis, it seeks to identify the ways that networked information technology has transformed criminal behaviour and it will outline the challenges that these transformations pose for legal and regulative processes. The research outputs will make a significant contribution towards the production of knowledge about internet related crime and the ways that it is regulated. The output of this research is informing the development of the next stage of the project and the findings inform two chapters of David's forthcoming book *Cybercrimes: The transformation of crime in the information age* for Polity (publication expected late 2006).

PATHWAYS OUT OF CRIME

Becoming An Ex: Pathways Out of Prostitution

This British Academy (SG-39236) small grant awarded to Teela Sanders runs from January 2005 - April 2006. It is a small scale exploratory study of the issues experienced by women who leave the sex industry. Using qualitative interviews, 40 sex workers were interviewed about their routes out of prostitution. The sample included women who worked on the street and those who had worked in the more affluent parlours or as independent escorts. The aims of the project include:

- To explore the difficulties women experience in leaving the industry.
- Document the triggers or turning points that encourage women to exit.
- Examine the existence of a 'cycle of entrapment' or a 'cycle of affluence'.
- Investigate the 'yo-yo' effect to find out why there is a pattern of exiting and re-entering sex work.
- Explore the difficulties of reintegration into the mainstream labour market.
- Assess how women manage their identities as ex-prostitutes.

Evaluation of the Connect Resettlement Project

Anthea Hucklesby and Emma Wincup completed the evaluation of *Connect* a resettlement project in the West of Midlands. The project is a partnership between the main criminal justice agencies in the West Midlands, West Mercia, Staffordshire and Warwickshire. The project's main aims are to improve the employability of ex-prisoners and aid successful resettlement. The research team evaluated the project be way of administrative data and interviews with ex-prisoners and stakeholders. The final report was presented to the Project managers in June 2005.

An Evaluation of the Pyramid Resettlement Project

Anthea Hucklesby and Emma Wincup are evaluating the Pyramid resettlement project for ex-prisoners in the North East. 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 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 team submitted an implementation report in June 2005. The research continues until June 2007.

CRIMINAL JUSTICE PROCESSES

Compliance with Electronic Monitoring

Anthea Hucklesby was commissioned to undertake some research into compliance and electronic monitoring. The research aims to investigate the factors which affect compliance. In particular, it is focusing on whether or not how offenders are treated by field officers and the criminal justice process generally effects compliance. It also aims to study whether or not the training of fieldworker in pro-social modelling affects the way they deal with offenders and therefore offender

compliance. The fieldwork has been completed for this project and the final report is due to be submitted in October 2005.

Evaluation of Pre-Arrest Drug Treatment Targeting Schemes in Greater Manchester
Toby Seddon was commissioned by Greater Manchester Police to carry out a short evaluation of a number of schemes targeted at 'drug-motivated' prolific offenders. The schemes involve the use of intelligence to identify high-volume acquisitive offenders with drug problems who are not engaging with drug treatment. Targeted offenders are offered rapid access to treatment. Those who refuse are subject to intensive 'disruption' tactics to try and persuade them to reconsider. Those who accept have their attendance and compliance with treatment strictly monitored. A final evaluation report has been submitted.

Evaluation of the Restriction of Bail Pilots
Anthea Hucklesby and Toby Seddon have been evaluating the pilots of the restriction of bail for the Home Office throughout the year. The aim of the measure is to comply defendants into drug assessment and treatment in order to reduce offending on bail. The evaluation team produced a report on the implementation of the restriction on bail pilots and had continued to collect data to undertake a process and outcome evaluation. An interim report was submitted in September 2005 and the final report is due to be delivered in January 2005.

Evaluation of the Work of the Restorative Justice Team and Victim Involvement in Referral Orders
This research was funded by Leeds Community Safety Partnership and conducted in collaboration with the Policy Research Institute at Leeds Metropolitan University (Tom Burden). This research provided an evaluation of the manner in which Leeds Youth Offending Service sought to integrate victims into the referral order and youth offender panel process. The study afforded in-depth insights into the experiences and views of victims and young people who attended youth offender panel meetings. It placed these in the context of recent policy debates and principles of restorative justice. The research tracked a 6 month cohort of cases in 2004; provided an analysis of in-depth interviews with victims, young offenders and their parents; highlighted the challenges associated with integrating victims into restorative youth justice; and offered recommendations with regard to the involvement of victims in referral orders. The executive summary of the research findings are published in the Annex to this Report [see p.?]. The full research findings, with a Foreword from Rod Morgan the Chair of the Youth Justice Board, are published in November 2005 by the Policy Press as part of its Researching Criminal Justice Series, *Integrating Victims in Restorative Youth Justice* by Adam Crawford and Tom Burden (see www.policypress.org.uk).

Forensic Identities: Risks and Realities (ESRC Post-Doctoral Fellowship).
The research undertaken during the post-doctorate included expanding upon doctoral research into the impacts upon the criminal process of increased resort, and reliance upon, technologies of identification such as DNA and fingerprints. The research has also expanded to commence consideration of a possible 'CSI Effect' in the UK, as has recently been documented in the US, and also analysis of the regulation of forensic science services in England and Wales, particularly in light of the recent moves to privatise the Forensic Science Service and critical government reports on the provision of forensic science services. A book concentrating upon DNA and fingerprints in the England and Wales criminal justice system has been completed, and a journal article, examining the outcomes of the DNA Expansion Programme on criminal detection rates, is being published in the British Journal of Criminology.

Innocence Projects in the US and Australia

During 2005, Carole McCartney attended the US Innocence Network Annual Conference and spoke as a panel member and liaised with Innocence Project Directors around the US. During the summer I spent 6 weeks in Australia working on 3 Innocence Projects in Queensland and New South Wales. These visits were combined with research into demands upon legal education in the UK; recent innovations in legal curricula and delivery methods; and the growth of clinical education and pro bono initiatives. This research led to a conference paper, a website publication on www.innocencenetwork.org.uk, and journal publication (to be published in 2006). The research undertaken will also directly inform the work on the University of Leeds Innocence Project.

Leeds Youth Offending Service: Race and Sentencing Study
The Youth Justice Board for England and Wales (YJB) has required all Youth Offending Teams to complete a 'race audit and action plan'. Leeds Youth Offending Services commissioned Sam Lewis to assist with their race audit. The research focused on whether sentencing decisions vary according to ethnicity. Data were gathered from Leeds Youth Offending Information System (YOIS) on 7,313 case decisions made between 1st April 2003 and 30th April 2005. Using standard statistical methods, it was possible to determine whether members of any particular ethnic group were more likely to receive a custodial sentence, or a 'heavy end' community penalty, after the effects of differential case characteristics had been taken into account. The research also explored whether young people from different minority ethnic groups have different types of levels of need, using data gathered from the YJB's needs and risk assessment (*Asset*).

Preparing Rape Complainants to Testify
Louise Ellison is currently undertaking research into the pre-trial relationship between rape complainants and prosecutors in England and Wales. The study specifically examines the developing role of the Crown Prosecution Service in the wake of Early Special Measures Meetings and Pre-trial Witness Interviews and considers potential pre-trial innovations which may usefully be adopted as a means of addressing the attrition rate in sexual assault cases.

The Prosecutorial Use of Expert Witness Testimony in Sexual Assault Trials
Louise Ellison recently completed research examining the credibility barriers which continue to confront rape complainants within the criminal justice process and specifically in court. The study critically assessed developments in the United States where prosecutors have utilised expert witness testimony in an effort to educate jurors and restore credibility to complainants' accounts and explored the potential admissibility of 'educational' expert witness testimony in criminal courts in England and Wales.

VISITING FELLOWSHIPS

Adam Crawford

- September - December 2005: Visiting Fellow, Regulatory Institutions Network, Research School of Social Sciences, Australian National University.
- September 2005: Parsons Visiting Fellow, Institute of Criminology, Sydney University.
- March-April 2005: Visiting Fellow, Crime and Justice Program, Pennsylvania State University.

3. PUBLICATIONS

This section describes a considerable number of publications by the members of the Centre for Criminal Justice Studies during the period covered by this report. They represent books, chapters of books, research reports articles in academic journals and shorter articles or reviews (Centre for Criminal Justice Studies members are in bold).

BOOKS/ MAJOR RESEARCH PUBLICATIONS

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Ormerod, D. and Sturman, J. (2005) 'Expert Evidence', in Alison, L. (ed.) *The Forensic Psychologist's Casebook*, Cullompton: Willan.

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Seddon, T. (2005) 'Searching for the Next Techno-fix: Drug Testing in the Criminal Justice System', *Criminal Justice Matters* No 58.

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

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Walker, C. and Harlow, D. (2005) 'The Police National Legal Database: A Farewell to the Ways and Means Act?', *Justice of the Peace,* 169: 410-411.

Walker, C. (2005) 'Fine Bandits and Powers of Entry', *Justice of the Peace*, 169: 668-670.

Walker, C. and **C. McCartney**. (2005) 'Commentary on R v Cannings', *Criminal Law Review:* 126-130.
Wall, D.S. (2005) 'What are Cybercrimes?', *Criminal Justice Matters*, 58: 20-21.

Wall, D.S. (2005) 'Situating 'the Police' in the Policing of Cybercrime', *Criminal Justice Matters*, 58: 30-31.

Wall, D.S. (2004) 'On the Crime Screen' *New Statesman,* Police Supplement, 17 May, xxiv-xxv.

SHORT RESEARCH REPORTS

Atkinson, R., **Blandy, S**., Flint, J. and Lister, D. (2004) *Gated Cities of Today: Barricaded Residential Development in England* (CNR Paper 21). Bristol: ESRC Centre for Neighbourhood Research.

Gill, M., **Spriggs, A**., Allen, J., Argomaniz, J., Bryan, J., Jessiman, P., Kara, D., Kilworth, J., Little, R., **Swain, D**. and Waples, S. (2005) *Technical Annex: Methods Used in Assessing the Impact of CCTV*, Home Office Online Report 17/95, London: Home Office.

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Wincup, E. and Norvell, S. (2004) *Accommodating the Housing Needs of Female Offenders in the Eastern Region*, Cambridge: National Probation Service Eastern Region.

4. CONFERENCE AND PUBLIC SEMINAR PRESENTATIONS

Between 1st October 2004 and 30th September 2005 members of the CCJS gave presentations at many conferences and seminars. They are listed alphabetically by CCJS member.

Andrew Campbell
- *Money Laundering: Lawyers as Launderers?*, Chinese People's Public Security University, Beijing, China, 12th May 2005
- *Money Laundering and China: Some Developments*, Heilongjiang University, Harbin, China, 16th May 2005

Adam Crawford
- *Plural Policing: The Findings from the Nuffield Foundation Research Study*, Church House, London, 28th October 2004
- *The Extended Policing Family: A Tale of Dysfunctional Relatives or Painting the Town Blue?*', Guest Lecture, Institute of Criminology, Cambridge University, 25th November 2004
- *Institutionalising Restorative Youth Justice in a Cold Punitive Climate*, The Institutionalisation of Restorative Justice in a Changing Society, International Seminar, Catholic University of Leuven in collaboration with COST Action A21, 5th-6th November 2004
- *Community Safety: Public Good or Exclusive Club?,* 'New Directions in Community Safety' Conference, British Society of Criminology, Birmingham, 3rd December 2004
- *Governing Community Safety: The Symbolic and Instrumental Dynamics of Policing and Security*, Centre for Regional Economic and Social Research, Sheffield Hallam University, 16th March 2005
- *Developments in Policing and New forms of Regulating Behaviour*, Crime and Justice Program, Pennsylvania State University, 23rd March 2005
- *Governing through Contracts*, Princeton University, 29th March 2005
- *The Contractual Governance of Deviant Behaviour*, Law School, New York University, 31st March 2005
- *Safety without Borders: Comparative Perspectives*, International conference, Free University of Amsterdam, 12th -14th April 2005
- *Community Safety Partnerships: Where Next*?, South Bank University 'Crime, Disorder and Community Safety' lecture series, 20thApril 2005
- *Securing the Urban Renaissance: Policing, Community and Disorder*, University of Glasgow, 16th-17th June 2005
- *Reassurance Policing, British Society of Criminology Annual Conference*, University of Leeds, 12th -14th July 2005
- *Police Reform: National and International Developments*, University of Public Security, Beijing, 6th September 2005
- *Plural Policing: The Mixed Economy of Visible Patrols in England and Wales*, Institute of Criminology, University of Sydney, 20th September 2005
- *The Contractual Governance of (Anti-)Social Behaviour: The Impotency of the Penal Sanction*?, Guest Lecture, Institute of Criminology, University of Sydney, 22nd September 2005

Sarah Blandy
- *Using the Law to Set Boundaries*, Anti-social Behaviour Conference, University of Glasgow, November 2005 (with D. Lister).

- *Gated Communities: Desired and Other Effects o Crime and Anti-social Behaviour*, British Society of Criminology Conference, University of Leeds, July 2005.
- The Boundaries Spectrum: Issues of In- and Ex-clusion, Housing and Crime conference, Housing Studies Association, Lincoln University, September 2005 (with S. Green).

Louise Ellison
- *Evidence by Video-recording and Live Link*, SLS and Criminal Bar Association of Northern Ireland Conference on Criminal Evidence Reform, Belfast, May 2004
- *Expert Witness Testimony and the Prosecution of Sexual Assault*, Law and Psychology Colloquium, University College London, July 2005

Sam Lewis
- *Irish Experiences of the English Criminal Justice System*, European Society of Criminology Annual Conference, Cracow, September 2005 (with Peter Raynor)
- *Global Processes, National Trends and Local Justice: The Effects of Neo-liberalism on Youth Justice in England and Wales*, written with **Crawford, A.** Paper presented to a meeting of the *Groupe Européen De Recherches Sur Les Normativés,* Slovenia. May 2005, convened to discuss juvenile penal justice in Europe

Stuart Lister
- *Plural Policing: The Challenges and Opportunities of the Mixed Economy,* ACPO/Home Office Research Conference, Stratford, June 2005.
- *The Thickening Blue Line Visible Patrol and the Rise and Rise of Police Community Support Officers*, British Society of Criminology Conference ,University of Leeds, July 2005.
- *Plural Policing: Towards Converging Agendas?,* European Society of Criminology Annual Conference, Cracow, September 2005.

Anthea Hucklesby
- *Implementing Resettlement Initiatives for Short-Sentence Prisoners*, European Society of Criminology Annual Conference, Cracow, September 2005 (with **Emma Wincup**)

Carole McCartney
- *The Innocence Network UK: An Update*, United Against Injustice National Meeting, London, 9th October 2004
- *Forensic Identities and Justice: Issues and Prospects*, Sheffield Institute of Biotechnology, Law & Ethics Seminar Series, University of Sheffield, 24th November 2004.
- *Wrongful Convictions and Innocence Projects in the UK: Help, Hope, and Education*, Leeds Centre for Criminal Justice Studies Seminar Series, University of Leeds, 15th February 2005
- *Forensic DNA Evidence and Criminal Investigations: The End of Miscarriages of Justice?*, Socio-Legal Studies Association Annual Conference, Liverpool, 31st March 2005,
- Panel Member, *International Perspectives on Remedies to Wrongful Convictions*, US Innocence Network Annual Conference, 1st April 2005, Washington DC
- *Cowboys and Cherry Pickers: The Future of Forensic Science in the UK*, Forensic Institute Research Network Annual Conference, Lincoln, 8th July 2005
- *Identity Databases and Forensic Surveillance in the 'Suspect Society'*, British Society of Criminology Annual Conference, University of Leeds 12th-14th July 2005
- *Liberating Legal Education? Innocence Projects in the US and Australia*, Society of Legal Scholars Annual Conference, Glasgow, 6th September 2005
- *DNA Evidence and Forensic Databasing: Risks and Realities*, Departmental Staff Seminar Series, University of Stirling 7th September 2005

- *The Educational Benefits of Innocence Projects*, University of Bristol Innocence Project Symposium, Bristol, 30th September 2005

David Ormerod
- Lectures to the Judicial Studies Board on *Criminal Justice Reform* (weekly)
- *Annual Criminal Law Review Lecture*, Criminal Law Review, Leeds, November 2005
- *Annual Criminal Law Review Lecture*, Criminal Law Review, London, December 2005
- *Criminal Law in Review*, St Bride's Institute Lecture, London, December 2005
- *Criminal Evidence Developments*, Birmingham Law Society, Birmingham, February 2005.
- *Criminal Justice Act 2003*, Annual Criminal Bar Association Lecture, Westminster, February 2005
- *Hearsay Reform*, Western Circuit Criminal Bar Association, Bristol, April and May 2005
- *The Criminal Justice Act 2003*, Oxford and Midlands Criminal Bar Association, Birmingham, May 2005 and Leicester, June 2005
- *The Disagreeable State of Criminal Conspiracies*, The Reform Club, London May 2005
- *The Criminal Justice Act 2003*, Lexis Nexis Conference, London, June 2005
- *Criminal Justice Act 2003*, North Eastern Circuit Criminal Bar Association, Leeds, July 2005
- *Criminal Justice Reforms*, Sweet and Maxwell Conference, Leeds, July 2005 and London, September 2005
- *The New Law of Hearsay*, Jesus College Cambridge, September 2005
- *Interception Evidence*, The Annual Covert Policing Conference, London, September 2005

Teela Sanders
- *The Missing Picture: Consensus and Choice in Commercial Sex*, Paying the Price, Nexus conference Bloomingdon Hotel, London, October 27th 2004
- 'Contesting the Underworld: Regulation in the UK Sex Industry' School of Cultural Studies, Leeds Metropolitan University, 27th November 2004; Department of Sociology, University of Oxford, 17th January 2005; Policy Studies Institute, London, April 28th 2005 and Department of Criminology, Central University of Lancaster, October 26th 2005
- *Sex Work. A Risky Business*, Book Launch at Centre for Criminal Justice Studies, University of Leeds, 8th December 2004
- *Indoor Sex Workers: Challenging the Victimhood Stereotype*, Researching Diversity in Sex Work conference, UK Network of Sex Work Projects, Adelphi Hotel, Liverpool, February 26th 2005
- *Street Prostitution, Risk and Reality',* Street Prostitution: Protecting Children and Reducing Risk in the Sex Trade, Nexus Conference, Ambassadors Hotel, London, May 18th 2005

Toby Seddon
- *Drugs, Crime and Deprivation: The Case of the 1980s Heroin Epidemic*, Centre for Criminal Justice Studies, University of Leeds, November 2004.
- *Coerced Treatment for Drug-using Offenders in the Community: Conceptual, Ethical and Criminological issues*, Economic and Social Research Council sponsored one-day seminar, *What Works with Drug-using Offenders?*, University of Leeds, March 2005

Angela Spriggs
- *Assessing the Impact of CCTV*, British Society of Criminology annual conference, University of Leeds, 12th -14th July 2005 (with **Daniel Swain**).

Daniel Swain
- *Assessing the Impact of CCTV*, British Society of Criminology annual conference, University of Leeds, 12th -14th July 2005 (with **Angela Spriggs**).

Clive Walker
- *Policing Speech: The Crime Of Libel*, Free Speech/First Amendment Discussion Forum, Defamation, New York Law School, December 2004
- *Cyber-Terrorism: Legal Principle & Law*, Free speech/First Amendment Discussion Forum New York Law School, December 2004
- *Anti-Terrorism Strategy and Law in the United Kingdom*, International Political Science Association, Research Committee for Comparative Judicial Studies Interim Meeting, Naples, 26th-28th January 2005
- *Free speech, the Internet and The Challenge of Advancing Technology*, School of Law, University of Leeds, 2nd June 2005
- *Intelligence and the Anti-terrorism Laws*, Royal United Services Institute Security and Intelligence Studies Group Conference: Intelligence, Law and Policy, 13th April 2005
- *Terrorism and Intelligence*, British Society of Criminology Annual Conference, University of Leeds, 12th-14th July 2005
- *Intelligence and The Anti-Terrorism Laws*, European Society of Criminology Annual Conference, Cracow, August 2005
- *Assuring Against Terrorism by Law*, Faculty of Law Indonusa University, Jakarata, August 2005 and The Fourth International Lecture Series 2005 Bar Council Auditorium, Kuala Lumpur The Malaysian Bar Council -Universiti Teknologi Mara, August 2005
- *Intelligence and the Anti-Terrorism Legislation*, Conference on in the Shadow of 9/11: Policing, Intelligence and Security in the UK, History and Governance Research Institute, University of Wolverhampton , September 2005

David Wall
- *Son of Spam: Crime Convergence in the Information Age, American Society of Criminology*, Annual Meeting, Nashville, TN, November 17th – 20th 2004
- Deconstructing Cybercrime as Malevolent Behaviour Transformed by Networked Technology, National Science Foundation Workshop on Cyberinfrastructure and the Social Sciences, Airlie House, Warrenton, VA, March 15th-16th 2005.
- *Repelling the Invasion of the Botnets: Policing Automated Offender Engagement with Victims Online*, European Society of Criminology Annual Conference, Cracow, 1st September 2005
- *Policing Celebrity: The Paradox of Dissemination and Control*, Economic and Social Research Council/Arts and Humanities Research Council, Cultural Industries Seminar Series: The Effects of Intellectual Property on the Organisation of Cultural Production, Bournemouth University, 16th September 2005

Emma Wincup
- *Assessing the Quality of Qualitative Research*, British Society of Criminology One-day Conference on Cutting-edge Research Methods, April 2005(with Loraine Gelsthorpe)
- *Implementing Resettlement Initiatives for Short-Sentence Prisoners*, European Society of Criminology Annual Conference, Cracow, September 2005 (with **Anthea Hucklesby**)
- *Accommodating the Needs of Female Offenders*, Women Managers in Probation (Eastern Region) Annual Conference, September 2005

5. KNOWLEDGE TRANSFER

Knowledge transfer through membership of advisory groups/boards

Sarah Blandy is a member of the scientific committee organising biennial conference of the Gated Communities International Academic Group

Andrew Campbell is a member of the Law Society's Money-laundering Reporting Officers Group.

Adam Crawford is a member of two advisory groups for the Joseph Rowntree Foundation: 'Promoting Young People's Contribution to their Communities' (2005) and 'Tackling Neighbourhood and Anti-Social Behaviour' (2004-5). He is also a member of the Leeds Crime and Disorder Reduction Partnership and 'Evaluation Champion' (2002-5). In September 2005 he was elected to Membership of the Academy of Learned Societies for the Social Sciences.

Stuart Lister is a member of an advisory group for the Joseph Rowntree Foundation: 'Security and Transforming the Prospects of Places'.

David Ormerod is member of the Criminal Bar Association Working Party on Fraud and member of the Fraud Advisory Panel.

David Wall is a member of the Economic and Social Research Council Virtual College.

Knowledge transfer through training related activities

David Ormerod has delivered continuing professional development training courses to barristers, solicitors, magistrates' clerks and Crown Prosecutors throughout the year. He has also lectured on behalf of the Judicial Studies Board, most recently on the Criminal Justice Act 2003 reforms.

David Wall provided training on 'Future Crimes' for West Yorkshire Police and the Police National Database Unit on 21st January 2005.

Knowledge transfer through participation in the mass media

Sarah Blandy
- Televised interview on gated communities for 'Interface', South African Broadcasting Corporation.

Teela Sanders
- Featured article *'The Secret Life of the Sex Trade'* Yorkshire Post, 15th February 2005
- Featured article *'Prostitution 'becoming a steady, unionised job'* Independent, 24th March 2005
- Documentary on the indoor sex markets for Discovery channel series The Sex Files, June 2005.
- Invited speaker on BBC Radio 4 Woman's Hour, 11th June 2005.

Clive Walker
- *Toronto Star*, Security versus civil liberties February 6, 2005 - quoted for expert opinions on terrorism law

- *De Standaard* (Brussels) – comments on anti terrorism laws 8 July and 27 July 2005
- *Yorkshire Evening Post*, Jihad gurus who fired up their recruits July 14, 2005- quoted for expert opinions on terrorism
- BBC Radio 4 The World at One – participated in discussion about pending terrorism legislation 15 July 2005
- *The Economist* Watch your mouth; Terrorism and civil liberties in Britain, August 12, 2005 - quoted for expert opinions on terrorism
- *Turkish Daily News*, Blair Defends Tougher Security Laws, September 17, 2005 - quoted for expert opinions on terrorism

David Wall
- Participated in Radio 4 production of 'The Commission' on Internet Pornography, broadcast 22nd September
- Took part in BBC's Go Digital programme on Spamming

Knowledge transfer through conference organisation

Jonathon Burnett was co-organiser, in conjunction with the Campaign Against Criminalising Communities and the Network of Activist Scholars in Political and International Relations, of a one day seminar 'Embedded Expertise and the 'War on Terror'. London, 16th April 2005.

Jonathan Burnett, Adam Crawford and **Stuart Lister** organised a conference on 'Plural Policing' sponsored by the Nuffield Foundation, London, 28th October 2004. Over 150 delegates, including practitioners, academics and policy-makers, attended this high profile event in London, Church House, November 2005. Speakers included the Chair of the Security Industry Authority, Mr. Peter Hermitage, Prof. Mike Hough of Kings' University, and Prof. Robert Reiner chaired the day.

In April 2005 **Nick Taylor** jointly organised the National Student Pro Bono Conference in conjunction with the Solicitors Pro Bono Group. The conference was held at the University of Leeds and attracted academics, practitioners and students from across the country. The Conference was designed to disseminate ideas on how Law Schools, their students and legal practitioners could become actively involved in (law based) community work.

Emma Wincup organised two further seminars in her Economic and Social Research Council sponsored series – *Understanding and Evaluating Contemporary Probation Practice*. These were held in March and September 2005 on the themes of 'What Works with Drug-Using Offenders?' and 'Evaluating Probation Practice'.

In July 2005, the Centre for Criminal Justice Studies hosted the **British Society of Criminology Annual Conference**. The theme was 'Reawakening the Criminological Imagination'. Over 500 delegates from across the world attended the conference, which was held on the university campus. The conference was opened by Professor Michael Arthur (Vice Chancellor, University of Leeds), Professor David Wall (Head of the School of Law, University of Leeds) and Dr Maureen Cain (President of the British Society of Criminology). The programme consisted of over 100 workshops, typically comprising of three academic papers. Two plenary sessions were also held which included papers by Professor Tim Newburn (London School of Economics) and Professor Lucia Zedner (University of Oxford) on security and justice and papers by Professor Richard Ericson and Professor Mike Levi (Cardiff University) on the criminalisation of risk. Other highlights of the programme included roundtable discussions on crime and the media and feminist perspective in criminology plus a discussion of the impact of the work on Zygmunt Bauman

(Emeritus Professor of Sociology, University of Leeds) on criminology. Conference delegates also enjoyed a busy social programme. Events included two drinks receptions and a conference dinner held at the Queen's Hotel in Leeds City Centre. At the latter, the raffle was drawn. Tickets sold throughout the conference raised over £700 for two local charities: Nightstop (for homeless young people) and Wheatfields Hospice. Photographs from the conference are included in Appendix 2.

Knowledge transfer through editorship of journals

Sarah Blandy is a member of the international advisory board for *Housing, Theory and Society*.

Adam Crawford is a member of the editorial board for the *British Journal of Criminology*; member of the international advisory board for the *European Journal of Criminology*; member of the Editorial Advisory Board of *Criminal Justice: An International Journal of Policy and Practice*; member of the editorial committee of *Deviance et Societe* and member of the editorial board for *Les Cahiers de la Securite Interieure*.

Louise Ellison is a member of the editorial board of the *International Journal of Evidence and Proof.*

David Ormerod is Editor (Cases and Comments) for *Criminal Law Review*; Editorial Advisor for *Blackstone's Criminal Practice* and *BCP Bulletin*; member of the editorial board of the *International Journal of Evidence and Proof and* member of the editorial board of *Covert Policing Review.*

Clive Walker is a member of the *Journal of Civil Liberties* and *International Journal of Risk Management* editorial boards.

David Wall is a member of the *Policing and Society* and *Criminal Justice Matters* editorial boards. He is also Associate Editor *of the International Review of Law Computers and Technology*.

Emma Wincup is co-editor of the *Journal of Social Policy* and co-reviews editor of *Criminal Justice: An International Journal of Policy and Practice.* She is also a member of the editorial board of *Social Policy and Society* and *Qualitative Research*.

Knowledge transfer through participation in NGO and governmental committees

Adam Crawford served as a member of the Home Office Review of Crime and Disorder Reduction Partnerships 'Governance Group' (2004-5).

David Ormerod *is a* consultant to the Law Commission on a number of projects. He is an academic consultant on the *Partial Defences to Murder* project - see Law Commission *Report No. 290 Partial Defences to Murder* (2004) - and is a member of a small team of academics reviewing preliminary drafts of the Criminal Code. David is also advisor to the Criminal Bar Association on a number of projects and contributed to their responses to government agencies; for example, on fraud reform (2004-5) and on interception evidence (2005). Finally, David is an 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 (September 2005).

Knowledge transfer through other activities

Jonathon Burnett is one of the co-ordinators of the Consortium for Research on Terrorology and Political Violence

Carole McCartney is Co-director of Innocence Network, UK.

6. RESEARCH DEGREES AND TEACHING PROGRAMMES

Research Postgraduates

Postgraduate research degree schemes - The Centre for Criminal Justice Studies invites applications from individuals wishing to pursue research into all aspects of criminology and criminal justice. All students receive research training as part of their studies.

The relevant degree schemes on offer by research and thesis only are as follows:
Master of Arts (M.A.) - one year full-time or two years part-time;
Master of Philosophy (M.Phil.) - two years full-time or three years part-time;
Doctor of Philosophy (Ph.D) - three years full-time or five years part-time.

The entrance requirements common to all three schemes are that applicants must normally possess a good honours degree but those with professional qualifications or substantial professional experience will be considered.

The Centre's research postgraduates are located in the School of Law Graduate Centre where they are provided with access to desk space, a lockable area, a good quality computer with printing facilities and a very convivial and collegial environment in which to conduct their work. The University and Faculty of Education, Social Sciences and Law provide further resources for research postgraduates, including a range of training courses.

Taught Postgraduate Courses

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 subjects can also be studies at Postgraduate Diploma and Postgraduate Certificate level. All postgraduate programme are available on a full-time and part-time basis. For the MA and LLM, a good honours degree is normally required.

The range of compulsory and optional modules varies from programme to programme; however, all students are required to undertake research training. Students working towards a MA or LLM degree are required to complete a 15,000 word dissertation.

Modules available include

- Criminal Justice Policies, Perspectives and Research
- Criminal Justice Process
- Cybercrimes
- Disability, Rights and Law
- Family, Law and Society
- Policing I & 11
- Theories of Crime and Punishment
- Forensic Process

Further details can be found at www.law.leeds.ac.uk or by contacting the postgraduate admissions officer (lawpgm@leeds.ac.uk).

Taught Undergraduate Programmes

BA (Hons) Criminal Justice and Criminology

This full-time undergraduate programme in Criminal Justice and Criminology offers students the opportunity to specialise in criminal justice and criminology within the context of a grounding in Law and Sociology. This scheme adopts a broad understanding of criminal justice and criminology that includes the study of both formal and informal processes of regulation, governance and control. Accordingly, the programme draws upon a number of disciplines, ranging from legal philosophy through political and social sciences to socio-legal studies. It is the interplay between the legal, social and political which gives this scheme a uniquely progressive and flexible profile and special vitality. The BA scheme is an exciting joint interdisciplinary venture which is built around modules offered by leading academics from two prestigious, research-led, departments of international academic excellence.

The degree has four principle objectives. The first is to familiarise students with the various theories that explain crime, social reactions to it and criminal justice. Secondly, the scheme explores the policy debates which emerge as a societal response to crime. Thirdly, students will develop an understanding of the institutional features of, and professions within, the criminal justice system Fourthly, and finally, students will come to understand the dynamic processes which shape the outcomes of criminal justice such as cultures and discretion, the impact of social change, and the interaction between criminological research and institutional action. The structure of the BA allows students to assemble a package of compulsory/option/elective subjects that enable them to develop specialist knowledge in accordance with their own particular interests.

Entrance Requirements: The grade requirements are normally 300 UCAS tariff points from 3 A2 subjects.

Teaching and assessment: All the taught modules are delivered by a mixture of teaching methods – lectures and seminars. Study visits may also be arranged. Assessment is by examination and written work.

Graduation news: In 2005 a total of 36 students graduated from the School of Law with a BA in Criminal Justice and Criminology (a record number for the School). We are also delighted to announce that in 2005 the University awarded its first ever first class honours degree in Criminal Justice and Criminology to Ms. Katherine Thew. The programme accepted its first cohort of students in 2000.

Potential Career Opportunities: The scheme offers a grounding for graduates who wish to work in criminal justice related professions. It provides a strong academic base for those considering careers in the police, the prison service, the private security sector, probation, social work, the security services, community care and law, community safety, as well as numerous regulatory fields. It also provides a suitable knowledge base for further academic study - importantly, some of these career options require further study and qualifications after graduation. The police, for example, have their own induction courses (including the Police Accelerated Promotion Scheme for Graduates), while the Probation Service requires further professional qualifications.

Further details of the BA (Hons) Criminal Justice and Criminology can be found on the CCJS www site at **<http://www.law.leeds.ac.uk/crimjust/>**

The University of Leeds Innocence Project

During 2005 Carole McCartney secured an award of £8000 from the White Rose Centre for Excellence in Teaching and Learning of Enterprise, subsequent to a bid for project funding. The funds have been awarded for the establishment of a pilot 'Innocence Project' at the University of Leeds, based within the Centre for Criminal Justice Studies and School of Law. The Innocence Project is based upon those that have been successful in the US, Canada and Australia, with nearly 50 Projects now operational internationally, and nearly 200 innocent men and women exonerated (many released from death row) to date. The University of Leeds Innocence Project recruited it's first students in October 2005 and will shortly be commencing investigating alleged cases of wrongful conviction. Dr Carole McCartney will be Project Director during 2005/6, with Project Manager Jonathon Burnett, and Prof. Clive Walker and Nick Taylor advising, with the intention to secure further financial and institutional support during the year, in order to firmly establish a permanent Innocence Project within the Centre for Criminal Justice Studies.

7. SEMINAR PROGRAMME FOR 2004/5
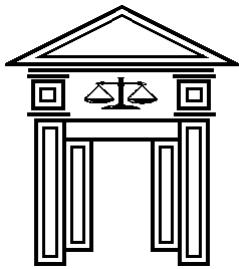
CENTRE FOR CRIMINAL JUSTICE STUDIES
SEMINAR PROGRAMME 2004/5

All seminars will be held in the Moot Court Room at the School of Law, 20 Lyddon Terrace, Leeds (unless stated otherwise). For further information contact Stuart Lister: ☎*(0113) 343 5075 (s.c.lister@leeds.ac.uk)*

Tuesday 2nd November, 5pm

> *"Drugs, Crime and Deprivation: The Case of the 1980s Heroin Epidemic"*
> **Dr. Toby Seddon**, University of Leeds

Tuesday, 9th November, 5pm

> *"Youth, School Exclusion and Crime"*
> **Dr. Carol Hayden,** University of Portsmouth

Tuesday, 16th November, 5pm

> *"The Statutory Charging Scheme in England and Wales: Towards a Unified Prosecution System?"*
> **Ian Brownlee,** South Yorkshire Crown Prosecution Service

Monday 22nd November, 3pm (Note: in Roger Stevens LT 17)

> *"England's 'Green and Pleasant Land'? Examining Racist Victimisation and Notions of Community in the Rural"*
> **Neil Chakraborti**, University of Leicester

Tuesday 30th November, 5pm

> *"Penal Populism in New Zealand"*
> **Prof. John Pratt**, Victoria University of Wellington

Tuesday, 1st February, 5pm

> *"Limiting Police Discretion: Positive Arrest Policy and 'Domestic Trouble'"*
> **Dr. Mike Rowe, University of Leicester**

Tuesday, 15th February, 5pm

> *"Wrongful Convictions and the role of Innocence Projects in the UK: Help, Hope, and Education"*
> **Dr. Carole McCartney, University of Leeds**

Tuesday 15th March, 5pm

> *"Comparing prison and community-based drug treatments"*
> **Prof. Jo Neale, Oxford Brookes University**

Tuesday 26th April, 5pm

> *"Bar Wars: Licensing Trials, Crime Patterns and Urban Development in the Night-time City"*
> **Philip Hadfield, University of Durham**

8. WORKING PAPERS BY CCJS MEMBERS

The following papers represent aspects of the work of some of the members of the Centre for Criminal Justice Studies during 2004-2005.

Gated Communities as a Response to Crime and Disorder: Effectiveness and Implications

Sarah Blandy

Introduction
This paper is based on a national study of gated communities carried out for the ODPM New Horizons programme (Atkinson *et al*, 2004) and on a small-scale project funded by the British Academy, researching new purchasers in a suburban gated community (Blandy and Lister, 2005). The focus here is on gated communities as a housing response to current issues of crime and disorder, questioning their effectiveness and bringing out the implications of the growth of this type of fortified housing development.

The definition used for the ODPM New Horizons research encompassed two essential aspects of gated communities:
Physical characteristics - A gated community is a fenced or walled residential area, access to which for non-residents being either restricted or controlled by CCTV and/or security staff, and served by private internal roads. This definition makes it clear that apartment or tower blocks are not included - developments only meet the gated community definition if space which would normally be accessible to the public is restricted to residents only.
Legal framework- Residents of a gated community are tied into a common code of conduct, and there is self-management of the development by the residents.

Research findings
In 2003/04 a survey of English planning authorities was carried out, designed to collect factual details about gated communities in each district. The survey achieved a 93% response rate; those who had not returned the postal questionnaire were followed up by telephone. Some methodological problems must be acknowledged: as gated communities are not classified as such in the planning system, no systematic records are kept, so many of the respondents relied on local and anecdotal knowledge; planners do not have responsibility for the private internal roads which are a defining aspect of gated communities and which are dealt with by highways departments; and finally, despite sending out photos and the above definition with the survey questionnaire, it became obvious in the follow-up telephone calls that many planners found it difficult to identify gated communities, particularly developments in the social rented sector.

Bearing these caveats in mind, the survey found upwards of 1,000 gated communities in England, predominantly in London and the south-east, although all regions had some gated communities. Therefore gated communities are not a large housing sector in England, certainly in comparison with North America, even allowing for undercounting. Only one third of district authorities reported having gated communities, and only 29 of those had more than five. English gated communities are small developments (only four authorities had one or more gated communities with over 300 dwellings) and they are mainly located in suburbia or in the centre of towns and cities. Planners estimated that the vast majority of gated communities were built by private developers; a very small proportion by social landlords; and the remainder (around 10%) developed through a public/private partnership.

The majority of gated community residents were reported by the survey respondents to be 'affluent' or 'middle market', rather than the 'very rich'. In a study of purchasers of dwellings in a suburban gated community, the residents' reasons for moving there were found to be varied and complex. However, the major motivation for purchasers was that they believed property in a gated community would maintain its value, rather than a need for security, although this was an important issue for many (Blandy and Lister, 2005).

Gated communities as a housing response to crime and disorder
In a risky world, purchasing a property in a gated community represents a good consumer choice. Such developments comply with many principles of Secured by Design, the government-approved police architectural liaison scheme for 'designing out crime', and provide defensible space (Newman, 1972). Newman advocated the reduction and surveillance of public space, which he saw as a potentially dangerous no mans' land. In gated communities this is provided by CCTV, allowing residents to feel protected without having to perform the surveillance themselves. The physical exclusion of potentially dangerous 'outsiders' has great appeal, and here the gates substitute for more informal systems of social control, enabling non-residents to be identified and excluded. High property values in gated communities serve as a proxy for homogeneity, guaranteeing a community of 'people like us'.

In terms of the government agenda, it is now recognised that crime and anti-social behaviour is concentrated in deprived urban neighbourhoods, that stigma attaches to marginalised and residualised social housing estates, and that these areas often suffer from a breakdown of informal social control. Analysis of the British Crime Survey 2003/04 indicates that lack of 'collective efficacy' in an area is a strong predictor of anti-social behaviour (Wood, 2004). It is therefore not surprising that David Blunkett, among others, has included gated communities as one of the "*appeals to community*" so characteristic of government strategies for dealing with anti-social behaviour and urban disorder (Crawford, 1998, p. 262).

When serving as Home Secretary, Blunkett suggested that establishing gated communities in deprived areas would *"make available to the many what is currently available to the few"*. He emphasised the collective nature of resident self-management, which he considered would lead to a sense of identification with the neighbourhood and of belonging to a community. In his view, the legal framework establishing management by residents would further help to engage **"*people in making decisions, and to reinforce the message that they are part of the solution*"**. (Blunkett, 2004).

Assessment of the effectiveness of gated communities
- *Is the physical security of gated communities effective in tackling crime and anti-social behaviour?*

The only study which has compared both perceived safety and actual crime rates between gated and non-gated areas, in both high income neighbourhoods and public housing projects in California, found no significant differences between these neighbourhoods (Wilson-Doenges, 2000). In the English national study, most police officers interviewed stated that crime is rare within gated communities, but the point was made that when the police were called out, the response rate is slower because " *the gates are locked and we need to get the security codes to gain access*" (Police liaison officer, Atkinson *et al*, 2004).

The retro-gating of social rented estates is an under-researched aspect of gated communities. As stated above, very few of these developments were picked up in the national survey although, for example, the London Borough of Camden is gating many of its estates at the request of tenants. According to an urban designer recently interviewed, if the estate is small (about the same number of dwellings as in a tower block), and particularly if one tenant is prepared to act as concierge, gating and restricting access to residents does work to reduce fear of crime. However, on larger estates which are fitted with gates, there tends to be no sense of ownership: the gates are propped

open and the key panels get broken. Further, as it is now established that neighbourhood dissatisfaction and fear of crime disproportionately affect people on low incomes and living in rented housing, who exactly is being kept out - or locked in? Further research is needed on gating in the social rented sector before important questions about their effectiveness can be answered.

Finally on this point, it has not yet been established definitively whether or not gated communities cause the displacement of crime to neighbouring areas.

- *Do gated communities enhance collective efficacy amongst residents?*

It might be posited, as David Blunkett has done, that gated communities would improve both informal and formal social control, for the benefit of their residents. In the national study, however, a very varied picture emerged. The residents of some gated community residents spoke appreciatively of social events and neighbourliness, while in others there were complaints about "*a number of cliques*" or "*there is no community spirit here*" (Atkinson et al, 2004). One purchaser in a suburban gated community described classic weak ties between residents: "*almost every day people pass and say hello, and so on*" (Blandy and Lister, 2005)

The lease of the gated community replaces shared, negotiated, social norms and sanctions with their legal equivalents, but these are of course not negotiated by the gated community residents themselves, being drafted by lawyers acting for the developer. Research found a high degree of ignorance about both the covenants in the lease, and about the resident management arrangements; most residents were not motivated to participate in the committee structure (Blandy and Lister, 2005). The residents' management company is responsible for enforcing the covenants, ultimately by forfeiture of the perpetrator's lease. Interviews with gated community residents for the national study found many who were dissatisfied. These residents were either frustrated that firmer action was not taken on breaches of covenant, or felt that a 'power-hungry' group of residents had taken control and was running the development with 'a rod of iron' (Atkinson et al, 2004)

- *Does the security provided by gated communities encourage middle class residents to 'colonise' more deprived areas and thus enhance their regeneration?*

Advocates of this position argue that gating a middle-class enclave surrounded by a deprived area reduces social segregation "*in areas that otherwise would have accommodated […] multi-deprived households exclusively*" (Manzi and Smith-Bowers, 2005, p. 357). This may be true, but Manzi and Smith-Bowers' own research case study could not be described as a successful, socially mixed neighbourhood. The owner-occupiers remained fearful of their tenant neighbours, installing further security measures in their properties, and tended not to walk around the estate. Local shops did not benefit from the presence of more affluent residents, who were too scared to visit them.

Recent national planning guidance acknowledges that: "*Gated communities may increase the sustainability and social mix of an area where problems of crime and image could otherwise lead to the development's failure. The Government believes, however, that it is normally preferable for new developments to be integrated into the wider community and that the gating of developments should only be considered as a last resort.*" (ODPM and the Home Office, 2004, p. 30)

Implications of gated communities

The above analysis indicates that gated communities do not provide an adequate response to crime, in terms of physical security and collective efficacy; nor do they assist in regenerating deprived areas, or in tackling problems of disorder on large social rented estates. This section examines some of the implications of the growth of gated communities for the different housing sectors, and across sectors.

- *Secession of the wealthy?*

It is unlikely that the UK will see, as the USA has done, gated communities incorporating as municipalities; the two countries have completely different legal foundations for local government. However, the growth of gated communities represents a choice by those who can afford to buy into such developments, to withdraw into a protected homogeneity which limits contact between different socio-economic groupings. This must raise concerns about the loss of urban variety and the ideal of a society to which all contribute.

- *More retro-gating of social rented estates?*

Various tools in the fight against crime and anti-social behaviour, such as target-hardening initiatives, neighbourhood wardens, concierge schemes, and CCTV, have become standard on many social rented housing estates. Perhaps gating and restricted access are just another logical step. Analysis of the 2001 American Housing Survey found a prevalence of low-income, racial minority, renters in gated communities; tenants are nearly 2.5 times more likely than owners to live in these developments (Sanchez *et al*, 2005). In the UK, a telephone survey carried out for the RICS in 2002 found that younger people were more attracted to gated communities than older respondents; tenants more than owners; and those on lower incomes more than the better paid.

- *Contributing to social divisiveness?*

In interview, a planner suggested that the physical architecture of gated communities must inevitably create resentment amongst those denied entry, while a local resident who lived just outside the walls suggested that the gated community was "*rubbing our noses in it*" (Atkinson *et al*, 2004). Certainly, letters to the local newsletter indicated that residents of the suburb surrounding a gated community felt very critical of the new development's purchasers; for example,"*By shutting themselves in, and thereby excluding us local 'undesirables', they have failed to realize that life in [name of suburb] is also about people; about sharing and caring; about the rich variety of culture in our local community, the inclusion of those who have different values and beliefs. Inclusion will not make life more insecure, exactly the reverse.*" (quoted in Blandy and Lister, 2005)

Conclusions

Gated communities are an understandable, complex, but regrettable housing response to the fear of crime. These developments reduce public space and the permeability of the town or cityscape. Their physical security measures alone may lead to social divisiveness. There is little evidence that gated communities enhance collective efficacy, while they may engender only a "*destructive, negative cohesion [...based on] a nervous determination to exclude people seen as outsiders*" (Urban Design Alliance, 2003).

Gated communities conflict with the national planning framework, which encourages freedom of movement and inclusive, mixed communities. It is not surprising that the majority of planners surveyed were opposed to gated communities (Atkinson *et al*, 2004), but in practice local planning authorities are often out-manoeuvred by determined developers (Blandy and Parsons, 2003). The purchasing choices of the more affluent, and the retreat by hard-pressed social tenants into fortified defensiveness, seem to be leading towards "*more and more finely distinguished "lifestyle enclaves", segregated by race, class, education, life stage, and so on*" (Putnam, 2000, p. 209). Gated communities provide an extreme example of the "*clear spatialisation of danger into safe zones and risk zones*" referred to by Osborne and Rose (1999, p.754); it is time to consider whether that is too high a price to pay for what is a largely ineffective response to the fear of crime.

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Involving Victims in Referral Orders and Youth Offender Panels:
An Evaluation of Leeds Youth Offending Service

Adam Crawford and Tom Burden[1]

This research reports the findings of an evaluation of the work of the Restorative Justice Team (RJ Team) within the Leeds Youth Offending Service (YOS) with regard to victim involvement and input into referral orders and youth offender panels. Through an examination of a 6 month cohort of cases in 2004, the research draws upon qualitative and quantitative data, including a survey of young people and victims that did not attend panel meetings, as well as in-depth interviews with victims that attended a panel meeting, young people and their parents.

The central findings of the evaluation are that:
- The victim liaison officers (VLOs) and the RJ Team made a significant and valuable impact upon the delivery of referral orders and the organisation of youth offender panels. This work helped integrate victims more centrally within the referral order process, gave them a greater say and helped young people confront the consequences of their offending.
- Whilst important first steps have been taken in integrating a victim perspective into the centre of service delivery more work remains to be done to increase victim involvement and raise victim awareness both within the referral order process and the work of the YOS more generally.
- Youth offender panels provide a constructive and participatory forum in which to address young people's offending behaviour and to deliberate upon reparation to the victim and/or community. Their informal atmosphere and inclusive practice allow young people, their parents or carers, victims (where they attend), community panel members and YOS staff opportunities to discuss

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the nature and consequences of offending, as well as how to respond to this in ways that seek to repair the harm done and to address the causes of the young person's offending behaviour.

Victims

Involving victims in a meaningful and sensitive way within the youth offender panel process constitutes one of the greatest challenges in realising the full potential of referral orders. The research found that the level of victim attendance at panels remains low by comparative measures. A victim attended an initial panel in less than 9% of eligible cases. National standards, requiring the initial panel meeting to be held within 20 working days of the referral order being issued by the court and victims to be contacted within 5 working days of that date, often militate against high levels of victim involvement at initial panel meetings.

Good quality victim liaison work is both time consuming and labour intensive. The employment of dedicated VLOs affords a way of ensuring that victims' needs and interests are given due significance within the youth offender panel process and the referral order as a whole.

Specialist VLOs can, and do, act as champions of the victims' perspective within the YOS and ensure that victims are accorded the appropriate role and voice that they deserve, and the original legislation intended. However, one unintended consequence of providing dedicated VLOs can be that they may deflect responsibility from other YOS staff and, hence, may do less to transform the culture and workings of the organisation as a whole.

The Leeds YOS made important strides both to ensure that dedicated workers within the RJ Team represent victims' needs and interests and that a victim perspective is accorded due status throughout the work of the service. Victims who had contact with the service accord to it very high levels of satisfaction.

- The experience illustrates some of the difficulties of identifying victims and, more particularly, in encouraging 'corporate victims' to attend panel meetings.
- The evidence suggests clear thought needs to be given to providing victims with alternative means of input to panel meetings.
- There can be a tension between the requirements of informed consent and the aim of involving as many victims as possible in the referral order process.
- In the absence of significant victim attendance there are obvious concerns that victims' issues are insufficiently represented.
- In some instances victims are only kept informed of progress when, and if, they specifically request this.
- The experience of VLOs underscores the point that victim contact work is labour-intensive and requires significant resources, time, commitment and training.

The work of dedicated VLOs has enabled the YOS to provide a more effective and sensitive service to victims. It has also enabled the service to contact victims by telephone, rather than by letter, which is more personal and informative. It has allowed the service to move away from 'opt in' letters which earlier research showed to be less effective. It has also allowed victims who attend panel meetings to be thoroughly supported through the process which victims found to be significantly important in their experience. Victims preferring not to attend a panel meeting now benefit from greater information and feedback as a result of the work of VLOs.

Our survey of victims who did not attend a panel meeting but had contact with the service shows that 85% said that they were satisfied with the service delivered (more than half of these were very satisfied).

Of those victims that had had some kind of additional information or service, but had not attended a panel:

- More than three quarters (77%) agreed that contact with the service had provided them with a chance to have their say.
- Half of respondents agreed that the limited contact that they had had with the YOS had helped put the crime behind them.
- Nearly half (46%) said that the experience had increased their respect for the criminal justice system.
- Some 44% agreed that the experience had been more positive than they had expected.
- Just over a fifth (22%) felt that the service had helped them to put their fears about the offence to rest.

Those victims who attended a panel meeting greatly valued the work of the VLOs and most praised their helpfulness and consideration. Almost unanimously, they believed the opportunity to contribute to a panel to have been worthwhile.

Victims that prefer not to attend panel meetings, nevertheless derive significant benefit from being kept informed about the resolution of their case and the subsequent work and compliance of the young person(s) concerned.

Young people
The young people surveyed overwhelmingly agreed that the initial panel meeting afforded them an opportunity to express themselves, to be heard and to be involved in the deliberations.

Young people experienced panel meetings as fair and were treated with respect by those who attended. Of those surveyed 97% agreed that they were treated with respect and 96% agreed that the panel members were fair. The vast majority of young people felt that they were listened to and the panel took account of what they said.

Young people found the panel process effective in making them realise the consequences of their actions, encouraging them to take responsibility and to be accountable for what they do. In all, 87% agreed that as a result of the panel meeting they had a clearer idea of how people were affected and 96% agreed that the referral order experience had a crime preventative effect in helping them to stay out of trouble.

Generally, young people believed that the outcomes of the panel meeting, namely the terms of the contract, were suitable. A total of 86% agreed that the activities in the contract were appropriate and 77% disagreed that the contract was too harsh.

The presence of a victim at a panel meeting appears to have a more significant impact upon young people, notably in terms of their views regarding how people are affected by their actions, keeping out of trouble and their capacity to put the offence behind them. Nevertheless, there are limits to the willingness and capacity of offenders to see victims in a positive light, to repair the harm or to empathise with the victim.

Most young people who met their victim found this experience difficult but helpful and said that it enabled them to realise the consequences of their actions and helped keep them out of trouble.

Contracts
Victim awareness is a frequent element in addressing young people's offending behaviour as identified in youth offender contracts.

Contractual requirements were largely couched in terms of the regularity of the meetings with YOS workers. More than three quarters (78%) of contracts specified that meetings were to be held either once a fortnight then once a month (the latter usually for the second half of the referral order term) or when required as determined by the YOS worker.

The research found comparatively little direct reparation and limited use of letters of apology. A letter of apology was a compulsory element of reparation in 9% of cases and was included as a voluntary element in a further 3% of contracts. A letter of apology was a significantly more common outcome where there had been some identifiable form of victim involvement. A letter of apology was more likely in relation to referral orders initially made for 12 months. Here, the figures rise to 36% for a letter of apology as a compulsory element and 18% for a letter of apology as a voluntary element of the contract.

Much reparation appeared to relate more clearly to the needs or desires of the young person rather than the nature of the offence or the involvement of the victim. The proportionate number of hours of reparation in relation to referral order length is broadly in line with national Guidance.

The distinction between reparative activities and activities aimed at addressing the young person's offending behaviour is neither self-evident nor clear. This can send confused messages both to victims and offenders about the value and role of reparation within referral orders.

Conclusions
There is a need to acknowledge that there are limitations to victim involvement. Some victims for very good reasons will not want to meet their offender and would prefer to leave the process of punishing and reintegrating the offender to professionals. There may be limits on both victims' capacities to see offenders in a positive light and offenders' willingness to repair the harm caused or empathize with the victim. Notable among the reasons for victims' negative judgements of offenders were the offender not showing remorse and not taking responsibility for what they had done.

Nevertheless, it is also clear that, where sensitively treated, victims have much to benefit from restorative approaches to justice, particularly at an emotional level. Young people also benefit from meeting with, and apologising to, their victims.

Key good practice lessons
1. Victims' needs should be accorded due status in arranging the timing and location of panel meetings. Victims should continue to benefit from good preparation where they attend, including being accompanied to meetings.
2. Where victims are unable to attend a panel meeting efforts should be made to arrange face-to-face meetings between victims (with their consent) and young offenders as part of reparation activities or at subsequent panel meetings.
3. Consideration should be given to involving victims more centrally in contributing to deliberations over the nature of reparation, be this direct reparation or reparation to the wider community. Efforts should be made to increase the amount of direct reparation, including apologies, where appropriate.
4. In all instances of victim involvement, no matter how limited, victims should be offered and provided with timely feedback on the outcome of the panel meeting and the young person's compliance with the activities agreed.

5. Thought should be given to the use of different ways in which a victim perspective can be introduced into panel meetings, including letters and written or recorded statements by victims.
6. Community panel members should continue to be provided with additional training focusing upon managing victim attendance at panels and ensuring a victim perspective is presented.
7. There is a need to clarify for all concerned distinctions between work which is aimed to address young people's offending behaviour and prevent future offending, on the one hand, and reparation work, on the other hand. This would benefit both victims and young people involved, so that they are clear on the nature and form of reparation. In so doing, it would send clearer messages about the value and role of particular activities.
8. Tracking cases where there have been different levels of victim involvement in the referral order process in order to monitor and evaluate comparative impact has been hampered by inadequate victim recording systems. In part, this has been constrained by the non user-friendly nature of the existing software and the data protection requirements to keep victim and offender details separate. The YOS needs to put into place appropriate victim recording systems that allow for easy monitoring of victim input into panels and the possible evaluation of such input for offender compliance and re-offending outcomes.
9. Efforts should be made to address the lack of public knowledge and understanding about the restorative justice policies employed in the YOS and the operation of youth offender panels in particular. Some consideration should be given to raising the public profile of referral orders, the role of volunteers and victims therein and the benefits of direct and community reparation schemes. The development of an effective communications strategy might also enhance the recruitment of additional numbers of volunteers serving as community panel members.
10. Interventions embodying principles of restorative justice not only reconfigure notions of justice but also displace traditional notions of 'success'. The diverse aims of referral orders and youth offender panels introduce new criteria of success. These extend far beyond the traditional emphasis upon offender reform (as measured by recidivism rates) to include the satisfaction and experience of the various parties involved with regard to both procedural and substantive justice, the impact upon the various parties and the nature of restoration as well as reintegration. These wider outcomes should not be ignored when assessing the impact of interventions such as the work of integrating victims in restorative youth justice.

The full research findings are published by the Policy Press as part of its Researching Criminal Justice Series: *Integrating Victims in Restorative Youth Justice* by Adam Crawford and Tom Burden. See www.policypress.org.uk. Copies can be ordered through: Marston Book Services, PO Box 269, Abingdon, Oxon OX14 4YN, UK Tel: +44 (0)1235 465500; Fax: +44 (0)1235 465556' Email: direct.orders@marston.co.uk; Website: www.marston.co.uk

Filling the Void, Connecting the Pieces:
An Evaluation of Neighbourhood and Street Wardens in Leeds

Adam Crawford, Sarah Blackburn and Peter Shepherd

Recent decades have seen the loss of many secondary social control occupations (for whom security and reassurance were latent rather than overt functions), the fracturing of countless communities and increased social polarisation, as well as the withdrawal of police from locally-tied patrols. In this context, wardens afford a real opportunity to fill the void and link together the pieces that make up the jigsaw of local public and voluntary services and in so doing contribute to the betterment of the physical and social environment.

The research highlights that where they work well wardens are able to provide a unique contribution to environmental well-being, community cohesion and local safety. Wardens can help recreate and rebuild layers of intermediary action within civil society, and are capable of commanding sufficient authority to serve as agents of social control.

Wardens can act as important street-level links in the chain that binds together local service provision. They are the 'eyes and ears' of the council and other local service providers on the streets that can ensure:

- Problems are identified at the earliest possible stage and service providers informed. Put another way, they can ensure that 'broken windows' are identified and the appropriate authorities informed to facilitate swift repair.
- Appropriate information about social issues within communities is either informally managed or brought to the attention of relevant agencies. This will include information on crime and anti-social activities being passed on to the police or Anti-Social Behaviour Unit.
- Local people have an accessible semi-official figure of authority to turn to for assistance either in response to certain incidents or for individual assistance. Wardens will often not be able to resolve problems themselves but may be able to refer individuals to relevant organisations. As such, they can act as conduits between individuals and more formal institutions.
- By getting to know the communities that wardens work in, they can act as champions for that community within more official forums and lines of communication. This may involve assisting in accessing resources beyond the community.

They are often seen as the visible face of local community safety endeavours and should be utilised for their neighbourhood level knowledge, understanding and relations.

Neighbourhood wardens work particularly well in communities where there are high levels of distrust between residents and the police, as well as high rates of crime and anti-social behaviour. Where wardens work effectively they can help improve the physical environment, advance regeneration and civil renewal efforts and provide local services to support residents. More broadly, wardens can assist in building social capital through networks and trust that facilitate community cooperation for mutual benefit. Unlike other patrol personnel, wardens tend to be dedicated to tight geographic boundaries, allowing them to build relationships with the communities they serve.

The research suggests that there is no simple correlation between effective neighbourhood wardens and instant pay-offs in terms of crime reduction. Changes in recorded crime patterns are the subject of much wider influences than those over which wardens have some significant purchase. Wardens need to be judged on a much broader understanding of their impact on residents' perceptions of safety, environmental improvement, community relations and quality of life, as well as the

coordination and responsiveness of local services. Wardens can certainly impact upon anti-social behaviour, but in a way that current organisational measurements find hard to determine.

There is a dilemma for wardens, in that by filling the void left by other local providers and community inactivity, other services and residents themselves can come to rely too heavily upon wardens and hence withdraw from their own responsibilities. The challenge for wardens therefore is both to fill service gaps and to encourage communities and partner organisations to enhance their own efforts.

As wardens represent a new channel through which communities can communicate with partner agencies, wardens may be in a good position to highlight novel ways in which service providers may operate or react to new challenges. Partner organisations need to be willing and able to respond positively to and reflect upon local information provided by wardens.

Given the link between 'grime and crime' and particularly the connection between the urban environment and people's fear of crime, wardens can significantly assist in revitalising neighbourhoods and reconnecting people. As such, wardens can help advance the Government's 'liveability' agenda by contributing to 'cleaner, safer, greener' communities. Improving the physical environment can be an important first step or corollary to improving community relations. Moreover, interventions into the physical environment can produce quick benefits for public reassurance as urban areas are perceived as less threatening if they are kept clean and orderly. Environmental improvements may produce tangible and visible results and thus empower local people by convincing them that collectively they can make a difference.

Wardens have a significant environmental management function. This may be explicitly linked into the management of the council's housing stock, notably void properties, or more indirectly concerned with community regeneration. Within many neighbourhood warden schemes, for instance, the policing role is subordinate to the environmental or community cohesion functions.

Straddling crime prevention and environmental improvement is the growing concern for anti-social behaviour, which has attained a high political profile, promoted strongly by both local and national politicians. And yet, anti-social behaviour is something of an ideological construct, lacking precise definition, transcending and connecting both criminal and sub-criminal activities. It includes a range of problems such as noisy neighbours, abandoned cars, vandalism, graffiti, litter, youth nuisance and incivilities, but some of these are dependent upon subjective interpretation and hence variable. There remain considerable difficulties in measuring anti-social behaviour (ASB). The ASB One Day Count organised by the Home Office on 10 September 2003 attempted to do so, but this was a one-off best suited to making between-authority comparisons rather than arriving at a single value to represent 'the size of the ASB problem'.

The research highlights that for residents, local knowledge is as important a criterion for effective reassurance as visibility, and significantly more important than accessibility or familiarity.

Given the relative absence of time pressures and the discretionary nature of their role, wardens are well placed to work with vulnerable individuals within communities and help ensure that people do not 'fall between the gaps' by referring them to relevant local services.

However, the discretionary nature of the warden's role renders it important that wardens are appropriately managed and sufficiently accountable. As communities comprise diverse groups with different interests and priorities, notably with regard to security, it is critical that wardens do not become too closely associated with particular sections within a given community.

Where warden schemes work well the following features tend to be present:

- Clarity of aims and objectives together with strategies for realising these.
- Good and consistent communication about wardens to local communities and partner organisations.
- Engagement with all sections of the community and resident participation.
- Ability to target and reach particularly vulnerable populations.
- Close work with and involvement of young people.
- Involvement of a wide variety of stakeholders.
- Good engagement and communication with local police, environmental and housing services.
- The capacity to develop and nurture local partnerships.
- Tailored and flexible approaches to working, including targeted activities in response to local problems.
- Clear and consistent management.
- Motivated, knowledgeable and skilled staff.
- Consistency of staff.

The research highlights the following key functions of neighbourhood and street wardens:

- Reassurance through patrol and visibility;
- Crime prevention and problem-solving;
- Environmental management and improvement;
- Community engagement and cohesion;
- Linking and referral;
- Information and intelligence gathering; and
- Law enforcement.

Striking an appropriate balance between these (potentially competing) functions is central to the success of wardens in keeping with their ultimate aims and prioritise. The research revealed a significant degree of uncertainty on the part of wardens as to which elements of the work to priorities.

There are significant differences between street and neighbourhood wardens both in the nature of their role - the balance between the different functions that they perform – and the character of the physical and social environment in which they work. Where street wardens work in the city centre interacting with visitors, city centre employees, businesses and residents, neighbourhood wardens, by and large, interact with residents and some local businesses. Moreover, street wardens are deployed in larger groups within a concentrated area sometimes patrolling in pairs, whereas neighbourhood wardens often work alone or with a colleague in covering a dedicated area.

As a consequence, for street wardens in performing their reassurance function, visibility is more important than accessibility, familiarity and local knowledge.

Findings from surveys of city centre users and residents suggest that the presence of street wardens has been noticed and well received by members of the public. Street wardens have helped make the city centre a safer and more welcoming place, notably during the day-time. Along with the deployment of community support officers (CSOs), street wardens have helped contribute to greater perceptions of safety and levels of reassurance in the city centre.

The research highlights that in some areas beyond the city centre the majority of residents were not aware that wardens were working in their neighbourhood. This was particularly evident in the

Seacroft South and Broadleas sites. By contrast, there were high levels of awareness of wardens in Cottingley and Lincoln Green.

The research suggests that most residents were not aware of the warden Freephone service and few used it. The research also highlights significant frustration on the part of some of those who have sought to use the services as it does not stay open 24 hours and there have been occasions where the operative has simply recommended calling the police.

The research highlights the importance of building inter-organisational trust and effective communication in the deployment of street and neighbourhood wardens. Clear and consistent communication of the role, aims and limitations of wardens can help build effective inter-agency working relations and help manage residents' expectations. External and internal communication and marketing strategies are important in promoting public and professional understandings of wardens' roles, strategies and limitations, and in responding effectively to particular media reports and incidents.

Dedicated wardens who remain in post for a sufficient duration to become familiar to the local community and develop a sophisticated understanding of an area can build up trust with local residents and businesses, and local knowledge of the problems and resources within given localities. Ensuring continuity of personnel enables sustained relations to develop. Where wardens are moved from one location to another, either for long or short periods of time, for wider organisational reasons or in line with restructuring, this can undermine important working and trust relations. Similarly, the policy of deploying a warden across more than one area (on a part-time basis), particularly where the areas are geographically extensive and have large numbers of residents, can prove counterproductive with regard to building relations between wardens and the communities in which they work. The research revealed considerable concern on the part of some residents that 'their' wardens were being moved to cover other areas, due to staff shortages elsewhere.

Wardens across Leeds experienced a significant amount of movement between localities and forms of employment as some neighbourhood wardens became street wardens and others applied to become CSOs. There have also been a number of secondments of wardens into other areas of council work such as housing and estates management. For some wardens moving place and role was an important part of their own career development.

A crucial challenge for warden managers is how to encourage long-term commitments on the part of wardens to the work, whilst at the same time developing wardens' skills and maintaining their interest and enthusiasm for the job. Career and skills development need to be balanced alongside continuity and stability of posts. Rewarding long-term service within a particular locality should be considered as an incentive to building sustainable relations between communities and wardens.
Wardens can also provide good lines of communication between police and citizens, as well as facilitate the vital flow of information from the public to police. Communication can be facilitated by:

- Enhanced accessibility by informing people how they can contact wardens.
- The provision of a local base from which wardens work or a confidential information box where residents can leave information for wardens. These should be located in or close to frequented places or existing amenities.
- Good quality public relations, publicising the names and contact details of individual wardens in public places and local media outlets. Informing residents and businesses about local

partnership initiatives, their aims and limitations, for example through public meetings, newsletters and leaflets.

The research highlights the importance of wardens engaging with residents and businesses, exploiting their knowledge about local problems and providing them with a stake in their own civic governance.

Good community consultation at both strategic and operational levels was identified as important in establishing and maintaining community engagement and helping to build constructive and informed relationships. Examples include:

- Providing local people and businesses with accurate information on:
    o wardens' activities;
    o patterns of local anti-social behaviour and crime;
    o improvements to the local environment.
- Engaging with established business and community groups and facilitating dialogue with hard-to-reach and vulnerable groups, including asylum seekers, homeless persons, drug users, older and younger people, as well as members of black and minority ethnic communities.
- Involving personnel in key activities with vulnerable groups, such as refugee and asylum support services, victim support and witness assistance programmes.
- Organising activities that seek to involve the community, such as 'clear-up' days and events with younger people.

Wardens can engage with different community groups in matters relating to crime and anti-social behaviour in ways that police officers often find difficult given:

- levels of distrust between some communities and the police;
- unwillingness of some people to be seen to be too closely associating with the police, sometimes due to concerns over reprisals;
- the pressures upon police to respond to diverse demands.

Responsiveness to local needs and individual incidents provides a form of direct accountability to local citizens. However, wardens work inevitably entails mediating between potentially conflicting interests and demands of different sections within a given community.

- Local service level agreements can provide a useful framework in which to manage local expectations and respond to local needs. It is important that such agreements are tailored to the requirements of the local community rather than central organisational demands or targets.
- Monthly activity reports to local communities, businesses and beneficiaries on incidents and actions taken can provide useful feedback and foster community engagement.
- Structured community feedback can help to avoid problems escalating. Non-traditional methods of consultation may help elicit feedback from otherwise hard-to-reach groups.
- Enabling residents to provide confidential information to patrol personnel on problems, 'hot spots' and potential solutions - such as a well publicised dedicated telephone number or 'tasking box' - can encourage local participation and give people a stake in community safety.

The short-term nature of Government funding initiatives engenders a piece-meal approach to the implementation of warden schemes. This has helped to fuel significant turnover and flux in the delivery of warden services. Furthermore, it has served to undermine the development of strong bonds between wardens and local communities as funding has shifted, individual wardens have

been replaced and the priorities of initiatives have been forced to change. This has reinforced short-term thinking at the level of the city council.

The arrival of CSOs should not be allowed to skew and transform the community cohesion and urban regeneration agenda of wardens into one focused largely or wholly on policing, security and law enforcement. If wardens are to become an 'endangered species' with the encroachment of CSOs, as some people fear, Leeds will lose a unique element in community cohesion, environmental improvement and community safety.

The quest for policing or security solutions, alone, to local problems of order may fail to tackle more fundamental and structural social issues that may lie behind and inform these problems. Simply responding to public demands for greater security and policing through the provision of additional policing and security hardware may fail to engage with and negotiate the nature of these demands and, in so doing, miss the opportunity to subject them to rational debate and local dialogue. Seeking solutions to problems of local order merely through a policing and security lens may serve to exacerbate residents' fears and solidify lines of difference within and between local communities. Wardens are well placed to engage with and seek to find means of addressing such broader social problems.

The council need to review its long-term commitment to the neighbourhood and street warden services. Uncertainties over funding and the introduction of police CSOs funded by the council have created significant fears and concerns both amongst residents and wardens about the future of their role. The reduction in warden numbers over the past year has impacted adversely upon staff and residents' morale.

The significantly different role that neighbourhood wardens perform suggests that they cannot, and should not, be simply replaced by CSOs. This argument is less compelling in relation to street wardens, whose role - whilst distinct - more closely approximates to that of CSOs. With the termination of central government funding for street wardens in 2005, close consideration should be given to prioritising the maintenance of a robust neighbourhood warden service, even if ultimately at the expense of street wardens.

Recommendations
1. As wardens represent a new channel through which communities can communicate with partner agencies, wardens may be in a good position to highlight novel ways in which service providers may operate or react to new challenges. Partner organisations – including all the Leeds Community Safety Partnership 'responsible authorities', as well as Trading Standards, Environmental Health and Highways - need to be willing and able to respond positively to and reflect upon local information and insights provided by wardens.

2. Wardens should not be considered as an alternative to the work of police and CSOs, rather wardens should be understood in the many ways in which they complement and extend far beyond the work of police and CSOs. Wardens are able to interact with certain communities and work through environmental management, problem-solving, community cohesion and conflict diffusion in ways in which the police are unable to do. Nor should wardens be encouraged or required to take on the more serious crime and policing functions that police and, to a lesser degree, CSOs assume. As such, it might be counterproductive to expect wardens to work later in the evenings when different crime and disorder problems exist.

3. The reduction in warden numbers over the past year has impacted adversely upon staff morale. The council needs to review its long-term commitment to the neighbourhood and street warden services. Uncertainties over funding and the introduction of police CSOs funded by the council

have created significant fears and concerns both amongst residents and wardens about the future of wardens and their role.

4. The council should consider ways in which to report back directly to communities and local stakeholders on the work, activities and successes of wardens in order to foster local ownership and accountability.

5. Consideration should be given to ensuring that wardens' activity logs adequately reflect the performance and tasks conducted by them and are consistently completed. Activities data, where made available in a meaningful form, should be provided both to local stakeholders and members of the community, to enhance understanding of the wardens' roles, local accountability and ownership.

6. There is a need to improve the quality and form of information collected to assess the work and impact of wardens, particularly with regard to any possible impact on anti-social behaviour (ASB). There remain significant technical problems with the collection and collation of ASB data, and there is currently little agreement about how best to interpret ASB trends.

7. It is recommended that an assessment be made about the possibility of eliciting information directly from the public about the work of wardens, fear of crime, environmental well-being and the deployment of uniformed patrol officers. This information might be collected via existing periodic surveys commissioned by the council and other members of the Leeds Community Safety Partnership.

8. In areas where there are low levels of awareness about the work of wardens the following strategies should be considered:
    ➢ Targeted publicity in local media.
    ➢ Dedicated information leaflets.
    ➢ Organising and publicising high profile events.

9. There is scope for greater communication between the council and local communities about the role and work of neighbourhood wardens. A clear strategy for communicating to residents, stakeholders and partner organisations is vital to a successful locally-engaged warden service.

10. The policy of moving wardens around to cover for absences or to engage in city-wide initiatives should be reviewed so that this does not impact adversely upon stable relations between wardens and the communities in which they primarily work. Consideration should be given to twinning wardens where they work in close proximity, so that there can be consistent cover for sickness and abstractions. Where possible, two wardens per-site can ensure stability.

11. The council should consider ways in which wardens can be rendered more accessible to the communities they serve, for example, through improved lines of communication, contact points, a confidential information box where residents can leave information for wardens and 'tasking box' or face-to-face meeting opportunities.

12. The promotion, publicity, use and operation of the warden Freephone service should be reviewed. At present, too few residents are aware of the service and many of those that are prefer not to use it. For wardens to be easily accessible it is important that a good quality free telephone service is available which puts residents in direct contact with a local warden.

13. Given the diversity of individual warden schemes and the uncertainties over wardens' roles highlighted by the research, managers should consider the closer guidance of wardens' activities

without sacrificing the important flexibility necessary for wardens to provide local 'home grown' responses and solutions to local needs and problems.

14. Enhancing strong bonds and mutual trust between different social groups both within and across communities - between different generations, cultural, ethnic and religious groups - constitutes a challenging aspect of wardens' work that should be further encouraged and developed.

15. It is critical that wardens do not become too closely associated with particular sections within a community and that there are robust mechanisms for individual complaints and accountability in place.

16. Leeds City Council should not rush into accrediting neighbourhood wardens or giving them additional fixed penalty notice powers, before careful consideration and consultation, in the light of possible adverse impacts this may have on public interactions, perceptions of wardens' independence and their central non-law enforcement tasks.

17. A crucial challenge for warden managers is how to encourage long-term commitments on the part of wardens to the work, whilst at the same time developing wardens' skills and maintaining their interest and enthusiasm for the job. Career and skills development need to be balanced alongside continuity and stability of posts. Rewarding long-term service within a particular locality should be considered as an incentive to building sustainable relations between communities and wardens.

18. Clearer career paths within and between neighbourhood and street warden schemes and other aspects of council services should be mapped out, allowing for career development and the transfer of skills.

19. The quality of relations between local police and wardens is variable and dependent upon individual personnel and informal contacts. West Yorkshire Police should seek to engage more actively, constructively and consistently with neighbourhood and street wardens. The deployment of CSOs in areas where wardens are working offers a particularly fruitful opportunity for greater operational cooperation.

20. At both strategic and operational levels there is much more that could be done by West Yorkshire Police and Leeds City Council to ensure that the work of wardens is better harnessed in the furtherance of community safety. West Yorkshire Police's Plural Policing Unit and Leeds Community Safety should take the lead in developing information sharing protocols between warden schemes and the police, to ensure that wardens are well briefed on local crime problems.

21. At an operational level individual police officers or CSOs should be identified as primary 'links' or contact points between the police and wardens. West Yorkshire Police should consider the introduction of neighbourhood policing teams that incorporate wardens either in a direct or indirect capacity.

22. There is scope for much better collection, analysis and use of community intelligence gathered by neighbourhood wardens. West Yorkshire Police and warden managers need to consider how best to collect, collate and use community intelligence and information gathered by neighbourhood and street wardens.

23. Leeds Community Safety Partnership has an important role to play in coordinating the division of labour between wardens and the police and providing oversight of partnership working. The partnership has a role to play in joining-up, promoting and enhancing the role of various patrol personnel (in both the public and private sectors) within the city of Leeds, with a particular view

to overseeing guidance on deployment models, risk assessment, designation of powers, uniform and equipment.

24. Leeds Community Safety Partnership should grasp the opportunity to lead work to market more effectively the 'extended policing family' to address the public confusion and uncertainties evident from this research as to the powers, roles and responsibilities of different patrol personnel, including neighbourhood and street wardens, and what the public can legitimately expect from them.

25. Uncertainties over future funding can undermine the morale of neighbourhood and street wardens and their standing within particular communities. The council needs to develop a more strategic and long-term plan for the future of wardens across Leeds and ensure that adequate funding is available to support a robust service with continued experimentation and evaluation. Wardens should become a mainstream council service to reflect the importance and value of their contribution to environmental well-being, social cohesion and community safety in Leeds.

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Assessing the Neo-liberal Turn and Youth Justice

Sam Lewis and Adam Crawford

In May 2005, members of the *Groupe Européen De Recherches Sur Les Normativés* (GERN) met in Ljubljana, Slovenia, to discuss juvenile penal justice in Europe. The particular focus of the discussion was on the extent and effect of the 'neo-liberal globalisation' of youth justice in Europe. In advance of the meeting, participants were sent a discussion paper written by Francis Bailleau and Yves Cartuyvels (two notable French and Belgian criminologists) which argued that 'the paradigm of control and risk management and reduction that is associated with neo-liberal reasoning is on a roll in Europe'. Their paper went on to ask:

What, then, are the changes ... sweeping through juvenile criminal justice systems today that can lend substance to and validate the hypothesis of the dominance of a managerial and risk-reducing rationale associated with a neo-liberal plan? (Bailleau and Cartuyvels 2005: 4).

In an effort to explore this hypothesis, we responded with a paper that analyses the influence of neo-liberalism on youth justice in England and Wales. This paper was presented by Sam Lewis at the Ljubljana meeting. The paper highlights problems of conceptual conflation and confusion, and notes that whilst many trends, policies and practices appear to bear witness to the influence of neo-liberalism and an 'Americanisation of criminal justice policies', there is also evidence of countervailing tendencies. We conclude that the youth justice landscape is being shaped by many complex influences of which neo-liberalism is just one – albeit important – factor, and that notions of the neo-liberal globalisation of youth justice are overly simplistic.

Conceptual conflation and confusion

It has become fashionable to understand national and local social changes through the lens of globalisation. Many writers have identified neo-liberalism as the ideological driving force behind a global restructuring and 'the discourse of globalisation' (Gamble 2001; Bauman 1998). However, within the literature there is all-too-often a conceptual conflation of diverse trends, namely globalisation, neo-liberalism, neo-conservatism and the Americanisation of public policies, such that developments in one are attributed to the steady march of global influences emanating from American neo-liberal inspired reforms. Rather, what is needed is an element of conceptual clarity that disaggregates the competing and co-existing dimensions at play.

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Neo-liberalism, as a political ideology, demands a retreat from the 'illusion' that governments can provide social goods and 'create the future of mankind' (Hayek 1979: 153). Rather, the provision of goods and services should be left to the self-activating capacities of free individuals together with the spontaneity and enterprise of the market. Neo-liberalism entails a shift away from 'government' through the state-centred provision of welfare towards forms of pluralised 'governance'. In a refigured role, the state seeks to 'steer' by setting agendas and facilitating change, leaving the task of 'rowing' – the 'doing' of things – to others (Osborne and Gaebler 1992).

Neo-liberal governance has clear implications for the social arena. It demands the dismantling of systems of state-sponsored welfare provision that socialise risk and are deemed to foster dependency. The neo-liberal 'assault on welfarism' is intended to promote individual autonomy, responsibility and freedom (O'Malley 1999: 184). However, enhancing enterprise and self-actualisation in a market economy reduces social behaviour and cultural values to an economic rationale of calculative actions premised on choice, with little or no regard for a moral domain.

Neo-conservatism, by contrast, has an avowedly moral agenda. It asserts a notion of responsible agency that is conceived in highly moralistic tones embodying values and virtues. The state's role is not merely to free autonomy but to shape it. Civic renewal underpins much of the New Labour agenda, particularly its assault on 'yob culture'. The influence of communitarian philosophies is evident, with their emphasis on individual and collective responsibilities that supplant and sometimes conflict with individual rights. For communitarians the duties we owe to our communities constitute the basis for value commitments and social order (Etzioni 1993). Consequently, appeals to 'community' have been appropriated as the focus of moral renewal.

The apparent 'Americanisation' of criminal justice policies in other liberal democracies has been noted by various commentators (Christie 2000; Newburn 2002; Jones and Newburn 2002). However, despite the undoubted influence of American criminal justice policy within Europe (Wacquant 1999), it would be wrong either to reduce this to a neo-liberal hegemony or to suggest simply that all contemporary forms of influential policy transfer emanate from the USA. Furthermore, the reception of policies garnished from the USA or elsewhere often evoke resistance and confront prevailing traditions and sensibilities. Similar vocabularies – such as 'zero tolerance policing' – frequently mean very different things in divergent settings. Linguistic or rhetorical convergence should not be read as implying authentic equivalence.

Neo-liberal influences and countervailing trends
The criminalisation of disorder: Recent years have seen the criminalisation of previously sub-criminal or non-criminal activities, for example through the use of anti-social behaviour order (ASBO), acceptable behaviour contracts (ABCs) and child curfew orders. Neo-liberalism underlines the responsibilities of individuals, families and communities, and the measures designed to tackle anti-social behaviour seem to promote this. However, some of what commentators ascribe to neo-liberalism might be better attributed to neo-conservatism, and the criminalisation of disorder may be a case in point. The conception of responsibility that is woven into the anti-social behaviour agenda seems to have little to do with neo-liberal radical individualism, and everything to do with the neo-conservative notion of the communal good. Thus neo-conservative philosophy, rather than neo-liberal influences, might actually provide the ideological underpinnings for the assault on anti-social behaviour.

The rising prison population: In attributing the rising juvenile prison population in England and Wales (Home Office 2003) to the influence of neo-liberalism, custody 'is seen to reflect the urge for accountability, as it prioritizes victims as the customers of criminal justice, withdraws welfare practices from penal policy, and renders justice more cost-effective' (O'Malley 1999: 184). And

yet, neo-liberal managers with one eye on costs may realise the contradiction involved in spiralling imprisonment rates. As Matthews questions: 'Why would neo-liberal governments want to spend millions of dollars locking up minor offenders rather than just leave them to their own devices in deprived inner city areas?' (2005: 187). The answer lies in political, cultural and institutional imperatives rather than neo-liberalism *per se*.

New Labour's desire to dispel their old image of being 'soft on crime' is well known (Downes and Morgan 2002), and it has been argued (Lewis forthcoming) that New Labour's commitment to being 'tough on crime' is driven, in part at least, by political expediency. Perhaps the increased use of custody for juveniles and adults in England and Wales is politically and culturally motivated, and is intended to symbolise the Government's 'sovereign' command over law and order. That similar rises are occurring in some (but not all) jurisdictions need not mean that they are happening for the same reasons, and need not indicate a neo-liberal flattening of the criminal justice landscape.

It should also be noted that the advent of Intensive Support and Supervision Programmes (ISSP) reflects a genuine effort and conscious decision on the part of government to reduce courts' resort to youth custody. ISSP aims to address the needs of some of the most difficult and disadvantaged young people and to manage them in the community. Clearly, this runs counter to a neo-liberal, punitive and exclusionary stance. Whilst ISSP may help reduce juvenile imprisonment, other developments (such as the expansive use of ASBOs) may fuel custodial sentences for young people. It would seem, then, that the rising custody rate is shaped by a complex (and at times paradoxical) array of political, cultural and institutional forces: to ascribe such trends to neo-liberalism alone is to over-simplify the issue.

The demise of the New Penology? It has been suggested (Feeley and Simon 1992; 1994) that a paradigm shift is taking place within criminal justice, and that this is central to the way that the 'risk' posed by crime is conceptualised and managed in modern times. Traditional concern for the individual offender – for establishing her level of responsibility and guilt, holding her accountable if she is guilty, and affording appropriate intervention and treatment – has given way to a 'new penology' with an actuarial focus. Thus offenders are no longer seen as people in need of help but 'as risks who must be managed. Central to this process are assessment instruments that have been developed to enable practitioners to determine the risks posed by individual offenders, and to process them efficiently. The Offender Assessment System *(OASys)* and the *Asset* assessment, used with adult and juvenile offenders respectively in England and Wales, may be cited as examples of such instruments.

However, close inspection of 'third generation' (Bonta 1996) assessment tools like *OASys* and *Asset* reveals that these instruments assess levels of *both* risk *and* criminogenic need. Criminogenic needs are characteristics that increase an individual's risk of offending *but are in principle capable of change*. Once identified, steps may be taken to meet these 'criminogenic needs'.

Furthermore, the crime prevention initiatives that focus upon young people at risk of offending, such as the Youth Inclusion and Support Panels (YISPs) and Youth Inclusion Programmes (YIPs), whilst on the surface appear to conform to actuarial notions of early intervention, also embody quite traditional welfarist notions that seek to provide young people with 'a stake in conformity' (Cloward and Ohlin 1960). The emphasis upon young people's needs is also apparent in the ISSP and other new court orders.

It would seem, then, that hybrid neo-liberal/welfare-focused strategies of governance are emerging as the managerialist drive for efficiency, effectiveness and economy combines with an appreciation of 'dynamic risk factors' to produce risk management strategies that encompass efforts to address criminogenic need. This has prompted O'Malley to suggest that 'we might rethink our certainties

about neo-liberalism and risk' (2001: 100). We might also wish to rethink any suggestion of the neo-liberal dominance of youth justice.

Restorative Justice: The Crime and Disorder Act 1998 and the Youth Justice and Criminal Evidence Act 1999 introduced several new disposals that support restorative justice principles and practice. The advent of restorative justice in England and Wales, as elsewhere, holds out both congruencies and disjunctures with neo-liberal trends. Whilst restorative principles and values rearticulate notions of justice and reconfigure relations between offenders, victims, communities and the state in ways that feed into strategies of responsibilisation and the 'privatisation' of disputes, nevertheless, they also reaffirm welfarist notions of 'reform' in the guise of 'restoration', foreground the needs of victims, offenders and communities and privilege state interventionism (Crawford and Newburn 2003).

From global processes to local justice
There are other reasons to doubt the convergence of youth justice across Europe. Muncie is surely correct to note that 'global neo-liberal pressures are always mediated, and can only be realized, through national and local identities and sensibilities' (2005: 57). That youth justice practice 'remains stubbornly local and contingent' contradicts simplistic notions of the neo-liberal globalisation thesis.

Conclusions
There is no doubt that youth justice in Britain in particular and across Europe in general have been subjected to a significant neo-liberal assault upon many of the traditional assumptions about the governance of youth crime, and that these global influences have had enduring impacts. However, this paper sought to sound a note of caution against over-interpreting developments in a unidirectional manner that conflates distinct trends. Evidence of the conflation of and confusion surrounding key concepts was presented. Efforts were also made to highlight some of the variant trends in a youth justice system often characterised as at the vanguard of neo-liberal ascendancy. Finally, the paper sought to show how ostensibly global trends often take their meaning and limits of applicability from their immersion within local cultural and political practices.
The full paper is due to be published in 2006 as part of an edited collection of papers analysing the comparative experiences of diverse European countries by members of the juvenile justice working group.

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'Liberating Legal Education':
The University of Leeds Innocence Project

Carole McCartney

During 2005, funding of £8000 was secured from the White Rose Centre for Excellence in Teaching and Learning in Enterprise, to establish a pilot Innocence Project within the Centre for Criminal Justice Studies and the Law School. The project is being directed by Dr Carole McCartney, with Jonny Burnett acting as Innocent Project Manager. The Innocence Project idea is not a new one, and research has been undertaken on projects internationally, including attendance at the National Innocence Network Annual Conference in Washington DC in May 2005. In addition, a trip to Australia involved extended visits to the Innocence Projects at Griffith University in Queensland, and the University of Technology in Sydney. Concurrent research is ongoing into current thinking on, and mounting pressures upon legal education in the UK.

The 'Innocence Movement' internationally

Whilst gaining in momentum and influence in the late 1990s, the 'innocence movement' in the US, has its roots in a small non-profit organisation founded in 1983. Former corporate executive and lay minister James McCloskey instituted Centurion Ministries, dedicated to vindicating, and freeing the wrongfully convicted, particularly those facing the death penalty, or life imprisonment. Perhaps better known as the forerunner of the innocence movement, and the ignition for a developing 'innocence scholarship', is the non-profit legal clinic established by Barry Scheck and Peter Neufeld at the Cardozo School of Law in New York in 1992. This student project investigates and litigates cases where post-conviction DNA testing can provide conclusive evidence of innocence. To October 2005, they have assisted with 163 exonerations, many from death row.[2] The founders, overwhelmed by the response to their project, with resources clearly unable to address the size of the problem adequately, undertook to establish 'satellite' innocence projects, and formed the US Innocence Network. With the success of the Cardozo project, and the dedication and dynamism of it's founders, not only has the pace of exonerations continued to grow, but innocence projects have spread across America, (with some States now having more than one project operational), and have reached Canada and Australia.[3]

Innocence Projects are not uniformly constituted, and take different forms. Most, like the Cardozo project, are affiliated with law schools and are similar to many legal pro-bono clinics, but others incorporate other academic departments, such as journalism, criminal justice/criminology, or other social science disciplines. Understandably, given their different constitutions and settings, projects have varying aims, priorities, and working practices. Individual projects determine their criteria for case acceptance, including whether they limit intake to claims of factual innocence, or consider sentencing appeals or 'due process' wrongful convictions. They also must determine whether they require there to be biological evidence, and whether there will be a requirement that there be a minimum sentence left to serve.

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[2] Check http://www.innocenceproject.org. for the latest statistics. A book published in 2001 was based upon a number of their early cases: Sheck, B., Neufeld, P. & J. Dwyer. (2001) *Actual Innocence: Five Days to Execution and other Dispatches from the Wrongly Convicted* New York: Signet Publications.

[3] With the success and spread of Innocence Projects in the US, others have come to emulate this mode of legal education. Osgoode Law School at York University in Canada launched an Innocence Project in 1999 (with a further Canadian project in planning), while in Australia, two Innocence Projects were launched in 2001, at Griffith University, Queensland and the University of Technology, Sydney. A further project in Melbourne is also now operational, with plans in place for a project in Perth, WA.

Once a case is accepted after preliminary screening, participants read the trial transcripts and other documentation. Cases are then re-investigated by students, with new evidence or other arguments pursued through the courts by the students or staff, or taken up by legal professionals. Most often, it takes several years before an exoneration may be secured, but experience demonstrates that it does not take long for others to follow. Exonerations, while clearly welcome and indicative of an effective project as well as incredible motivation, are not an evaluative tool for innocence projects. 'Success' is measured rather, in educational terms, with student experiences and learning outcomes being the true evaluative mechanism. Indeed, the educational 'mission' is stressed by many projects.

An Innocence Project then can take many forms, but essentially is a group of students studying previous wrongful convictions and their causes, and investigating alleged wrongful convictions with a view to achieving the exoneration of the individual(s). The funding for this pilot project was secured because of the great opportunity an Innocence Project provides within the law curriculum, to encourage the development of 'enterprise skills'; those skills identified as necessary for entrepreneurs; intrapreneurs; or social entrepreneurs, including innovation; communication; networking; creativity; problem-solving; and presentation skills. Whilst law students have not traditionally been identified as budding entrepreneurs, these 'master skills' are increasingly vital to any career path.

The University of Leeds Innocence Project
So far, the University of Leeds Innocence Project is at an embryonic stage, with ten students (5 first, and 5 third years) working together as a team to formulate the criteria and working methods of our Project. Contact has been made with potential guest speakers and collaborators, and we hope to soon recruit some local legal professionals to supervise the work of the Project. Once this framework (negotiated by the students who 'own' the UoLIP) is in place, the students will then in pairs, re-investigate real cases of alleged wrongful convictions. The students will collaborate and ground themselves in the case, to enable them to communicate information on the case to the whole UoLIP team during weekly meetings. During their preliminary work, the students will need to be creative in deciding what investigation is required, and how this will be achieved. The investigative work must then be undertaken, under the supervision of legal professionals and the rest of the UoLIP, with the pairs working to devise an effective methodology for their case. This will most often involve working with external agencies, contacting experts etc., requiring the students to forge networks with whom to negotiate for access and information. The UoLIP students will be expected to communicate independently outside of IP meetings, as well as be able to present their casework progress with the rest of the IP at meetings and assist one another with problems as they arise, or alert others to potential pitfalls, more advantageous lines of inquiry, or ways of working. The success of the UoLIP will be dependent upon the free exchange of ideas in this way, with each individual an active participant. The 'outcome' of an investigation is to be a thorough application to the Criminal Cases Review Commission with a view to the case being swiftly referred back to the Court of Appeal.

Innocence Projects in the UK
Innocence Projects then, can contribute to many essential learning outcomes for students, permitting them the opportunity to develop their skills within an experiential learning environment, while at the same time, they can take responsibility for their own learning and ethical development, undertaking reflective practices vital to ongoing professional development. However, Innocence Projects are not without their own challenges, and there are some clear differences between the US where they have been successful, and the UK. Despite such challenges, Innocence Projects continue to spread and achieve important pedagogical aims, as well as stimulating significant legal reform, and of course, liberating innocent people from prison. A number of universities now have

Innocence Projects established, commencing, or in planning, including the University's of Bristol, Cardiff and Manchester.

There are clear resource issues for implementing an Innocence Project (fundraising will become a priority if the Project is to be sustainable), but if law educationalists are to respond to the many demands being made of them, and take seriously the responsibility of producing proficient, and ethical lawyers with a lifelong commitment to pro bono work, and the pursuit of justice, then such innovation must be embraced. Students and staff alike can gain personal satisfaction from using their time at university to help those in most dire need of legal assistance; 'merely participating in an innocence project and striving toward the exoneration of a wrongfully convicted prisoner has a certain intrinsic value: a chance for a student to associate themselves with a socially desirable objective, and accordingly, derive some personal fulfilment from that association.'[4] Whether Innocence Projects are to be successful in the UK, what can be learnt from the spread of such Projects internationally, is that it is possible, and beneficial, to resist the tendency of law schools; 'to sprinkle moral and political commitment over the top of [legal facts] like so much icing sugar'.[5]

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Terrorist Suspects, Deportation and Diplomatic Assurances

Clive Walker

This paper expands upon a segment in a submission to the Joint Committee on Human Rights, Counter-Terrorism Policy and Human Rights, (2005-06 HC 561, HL 75) which also formed the basis for oral evidence before the Committee by the author.

The deportation problem

Following the bombings of 7 July and 21 July 2005, the Prime Minister gave a stark warning: 'Let no one be in any doubt, the rules of the game are changing.'[6] One should, of course, be wary of such language from politicians. Aside from deprecating the idea that a solemn process determining substantial rights and societal interests should degenerate into a 'game',[7] one should be especially wary of politicians speaking for effect – possibly to sound grand, so as to deflect more searching

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[4] Medwed, D. 'Actual Innocents: Considerations in Selecting Cases for a New Innocence Project' (2003) 81 *Nebraska Law Review*, 1097-1151:1135.

[5] Toddington, S. 'The Emperor's New Skills: The Academy, the Profession and the Idea of Legal Education' in Birks, P. (ed) *What are Law Schools For?* (Oxford University Press, 1996) p74.

[6] *The Times* 6 August 2005 p.1.

[7] But the game metaphor has been adopted by academics as well as politicians. See for example Pizzi, W.T., *Trials Without Truth* ((New York University Press, New York, 1999).

questions about intelligence failings and security structures. Nevertheless, the ensuing months have shown a determination on the part of government to deliver some startling changes through its Terrorism Bill 2005-06 – so startling in the case of 90 day detention,[8] that even Parliament was sufficiently disquieted as to reject that proposal, though many other provisions have survived scrutiny to date.

One particular aspect of the 'game' being played with terrorist suspects concerned the treatment of foreigners who found themselves in legal limbo in the United Kingdom. Their plight is not quite as bad as falling into the abyss of 'the legal black hole' that is Guantanamo Bay.[9] Under the doctrine of *Chahal v United Kingdom*,[10] they cannot be returned to their state of origin because of fears of torture by the receiving state. Nevertheless, if they choose to remain in the United Kingdom, then they must inhabit a 'prison with three walls' because of the suspicions about their involvement in terrorism.[11] This prison was real enough in the case of those detained without trial under Part IV of the Anti-terrorism, Crime and Security Act 2001. Since that measure was condemned by the House of Lords in *A v Secretary of State for the Home Department*,[12] most have been subjected to forms of 'control order' under the Prevention of Terrorism Act 2005. But there were signs well before the Prime Minister's pronouncements that the government was becoming impatient and dissatisfied with these arrangements. It wanted rid of these alleged terrorists.

The rhetoric of the dark threat of a changed legal landscape may have achieved the official objective in at least one case, when one thorn in the side of the government, Omar Bakri Mohammed, decamped to Lebanon.[13] But others, including those subject to control and therefore far more dangerous in official eyes than Bakri, have not been so willing to depart. As a result, the government has begun to explore the possibilities of forced removal. The Prime Minister's original hints that a solution might be found in abrogating human rights requirements have not been pursued. One should here be thankful that the wholesale disregard for constitutional rights and restraints which have become a feature of President Bush's 'war' on terrorism[14] are not repeated to the same degree here. Yet, some very unpalatable arrangements are being sought to be put in place, with diplomatic assurances being sought from states of origin with a record of torture. Should the diplomatic assurances offer credible and effective safeguards against abuse, then they would provide an effective means of ridding the country of radical sheikhs and others. The strategy[15] badly stumbles over being able to write in sufficient assurances to be credible and then being able to trust in the assurances which have been given.

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[8] See 2005-06 HC no.55 cl.23. The period is now set to be 'just' 28 days: 2005-06 HL no.38.

[9] Steyn, J., 'Guantanamo Bay' (2004) 53 *International & Comparative Legal Quarterly* 1. Some light is now being cast following the US Supreme Court decisions in *Rasul v Bush* 542 U.S. 466 (2004), *Hamdi v Rumsfeld* 542 U.S. 507 (2004), and *Rumsfeld v Padilla* 542 U.S. 426 (2004).

[10] App.no.22414/93, Reports 1996-V.

[11] See Walker, C., 'Prisoners of "war all the time"' [2005] *European Human Rights Law Review* 50.

[12] [2004] UKHL 56.

[13] *The Times* 9 August 2005 p.1.

[14] These continue in the shape of domestic surveillance network outside of any court authorisation: *The Times* 17 December 2005 p.41.

[15] It was proposed in Home Office, Counter-Terrorism Powers (Cm. 6147, London, 2004) para. 38.

The diplomatic assurance revealed

A good example of the difficulties of being able to write in sufficient assurances concerns the case of *Hani El Sayed Sabaei Youssef v Home Office*.[16] Youssef, an Egyptian, was detained under the Immigration Act 1971 with a view to deportation on national security grounds that he was a senior member of Egyptian Islamic Jihad. The case relates the efforts made in 1998 and 1999 to reach an agreement with the Egyptian government. There is revealed the repeated insistence of the Prime Minister that diplomatic assurances should be obtained and that it would be sufficient to base the agreement on the simple promise not to torture which would be taken at face value given that Egypt was a party to the UN Convention against Torture and had passed domestic legislation to ban torture.[17] This line was seemingly opposed by the Home Office and Foreign and Commonwealth Office, who warned that such a level of guarantees would not satisfy obligations under article 3 of the European Convention on Human Rights. In any event, the Egyptian authorities refused to make even a basic assurance, let alone the assurance sought in earlier negotiations about procedural rights and monitoring of conditions by British officials and lawyers.

Since 1999, negotiations have been attempted with a number of states, culminating in an agreement with Jordan of 10 August 2005.[18] This document appears to represents a considerable improvement on the Egyptian experience. There are procedural safeguards, requiring, *inter alia*, treatment in a humane and proper manner and in accordance with internationally accepted standards and a fair and public hearing. Furthermore, there is provision for visits by the representative of an independent body nominated jointly by the UK and Jordanian authorities, but consular visit are not permitted where the returned person is arrested, detained or imprisoned. There is also no specific guarantee in respect of the death penalty.

Is this type of document worth the effort? International law is rightly demanding when it comes to state protection under Article 3, as affirmed in a number of recent cases. In *N v Finland*,[19] the European Court of Human Rights stated that:

As the prohibition provided by Article 3 against torture, inhuman or degrading treatment or punishment is of absolute character, the activities of the individual in question, however undesirable or dangerous, cannot be a material consideration.

It would seem that the 'rules of the game' have certainly not changed in the eyes of international judges, though it is understood that there might be a further attempt to sway the Court in *Mohammad Ramzy v Netherlands*.[20]

Another example of the difficulties of meeting international law standards concerns the cases of *Ahmed Agiza and Mohammed al-Zari v Sweden* before the UN Committee against Torture.[21] These

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[16] [2004] EWHC 1884 (QB). See also the survey by Human Rights Watch, Still at Risk: Diplomatic Assurances No Safeguard Against Torture (New York, 2005).

[17] *Ibid.* para.38.

[18] Memorandum Of Understanding Between The Government Of The United Kingdom Of Great Britain And Northern Ireland And The Government Of The Hashemite Kingdom Of Jordan Regulating The Provision Of Undertakings In Respect Of Specified Persons Prior To Deportation. A corresponding agreement with Libya was signed on 18 October 2005: Foreign and Commonwealth Office, Memorandum of understanding between the government of Libya and the government of the United Kingdom concerning the provision of assurances in respect of persons subject to deportation (HC Library 05/1248).

[19] App.38885/02, 26 July 2005 para.159. The applicant was seeking asylum from the Congo.

[20] App. no.25424/05. He is accused of fomenting terrorism on behalf of the GSPC.

[21] CAT/C/34/D/233/2003, 24 May 2005.

asylum-seekers were deported from Sweden to Egypt aboard a U.S. government-leased airplane, following written assurances from the Egyptian authorities that they would not be subject to the death penalty, tortured or ill-treated, and would receive fair trials and would also benefit from regular visits to the men in prison by Swedish diplomats Agiza was tried before a military court which patently lacked some fundamental requirements of due process in April 2004. Al-Zari was released without charge or trial in October 2003. Both complained of torture, and there is evidence that the Swedish diplomats concurred in at least some of these allegations.[22] The UN Committee against Torture found Sweden to be in breach of its obligations:[23]

The Committee considers at the outset that it was known, or should have been known, to the State party's authorities at the time of the complainant's removal that Egypt resorted to consistent and widespread use of torture against detainees, and that the risk of such treatment was particularly high in the case of detainees held for political and security reasons. The State party was also aware that its own security intelligence services regarded the complainant as implicated in terrorist activities and a threat to its national security, and for these reasons its ordinary tribunals referred the case to the Government for a decision at the highest executive level, from which no appeal was possible. The State party was also aware of the interest in the complainant by the intelligence services of two other States: according to the facts submitted by the State party to the Committee, the first foreign State offered through its intelligence service an aircraft to transport the complainant to the second State, Egypt, where to the State party's knowledge, he had been sentenced in absentia and was wanted for alleged involvement in terrorist activities. In the Committee's view, the natural conclusion from these combined elements, that is, that the complainant was at a real risk of torture in Egypt in the event of expulsion, was confirmed when, immediately preceding expulsion, the complainant was subjected on the State party's territory to treatment in breach of, at least, article 16 of the Convention by foreign agents but with the acquiescence of the State party's police. It follows that the State party's expulsion of the complainant was in breach of article 3 of the Convention. The procurement of diplomatic assurances, which, moreover, provided no mechanism for their enforcement, did not suffice to protect against this manifest risk.

Conclusion

Paper assurances are not sufficient to give protection against breaches of article 3. Until states such as Algeria, Egypt. and Jordan can demonstrate sustained and practical reforms or allow a degree of intrusion into their criminal justice and penal processes which goes well beyond what has been on offer, then diplomatic assurances will not prevent the United Kingdom from being condemned in law for having a hand in torture. While, Governments in the United Kingdom and, more so, the United States with its programme of extra-judicial rendition,[24] seem to be intent upon in cynical manipulations of international law, one hopes that the courts will pay much more than 'lip-service' to the protection of absolute rights, as they promised in *A v Secretary of State for the Home Department*.[25]

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[22] Human Rights Watch, *Still at Risk: Diplomatic Assurances No Safeguard Against Torture* (NewYork, 2005) fn.178.

[23] para.13.4.

[24] *The Times* 6 December 2005 p.34.

[25] [2005] UKHL 71 at para.80 per Lord Nicholls. The sentiment is shared by the Joint Committee on Human Rights, *Counter-Terrorism Policy and Human Rights* (2005-06 HC 561, HL 75) para.146. The Council of Europe has so far covered only the process of return: Committee of Ministers, *Forced Return* (Strasbourg, 2005).

What are Cybercrimes?

David S. Wall

'Cyber-terrorism', 'information warfare', 'phishing', 'spams', 'denial of service attacks', 'hacktivism', 'hate crime', 'identity thefts', 'online gambling', plus the criminal exploitation of a new generation of pornographic peccadilloes, comprise the new language which describes the criminal and harmful behaviours that are conspiring to degrade the overall quality of life online and beyond. In so doing they pose significant threats to public safety and are tempering significantly broader commercial and governmental ambitions to develop the information society.

Although 'cybercrime' is a vastly topical and newsworthy subject, little information is known about it other than through news reportage. Although few would deny that cybercrimes exist, there is an overall consensus as to what they actually are. Without reliable sources of knowledge misinformation cannot be countered, misunderstanding is perpetuated and there lacks a firm platform for responsive criminal justice policy. Particularly confusing is the tendency to regard almost any offence that involves a computer as a 'cybercrime'. This is not helped by the series of contradictory messages in media reportage, which on the one hand demonise the internet as a place where youngsters are groomed by paedophiles and upstanding citizens robbed of their identity, while on the other hand, simultaneously depict it as a wonderland of personal, commercial and governmental opportunity. Furthermore, this malaise is not assisted by various academic and government endeavours to alternatively conceptualise similar issues either as 'Virtual crime' (Brenner, 2001), 'Cybercrime' (Wall, 2005a), 'net-crime' (Morris, 2004), 'hi-tech crime' (NCIS, 2002:s. 8) or 'computer crime' (Walden, 2003), often using different yardsticks.

Whatever its merits and demerits, the term 'cybercrime' has entered the public parlance and we are more or less stuck with it. However, it is argued here that the term has a greater meaning if it is understood in terms of the <u>transformations</u> of criminal or harmful acts by networked computing technologies rather than the acts themselves (see further Wall, 2005a). So, by applying a simple 'elimination test' (in other words, thinking about what happens if the internet is removed from the equation) three different types of 'transformed' cyber-criminal opportunity emerge as points on a spectrum that accommodates many of the previous attempts at conceptualisation.

At the near end lie behaviours often called cybercrimes that are in fact 'traditional' crimes in which a computer has been used– usually as a method of networked communication or source of information to assist with the organisation of a crime (e.g., to find information about potential victims or even about how to harm, defraud, embarrass someone, or alternatively by paedophile groups). Remove the internet and the criminal behaviour persists because the offenders will simply revert to other forms of easily available communication.

Towards the middle are to be found the 'hybrid' cybercrimes - 'traditional' crimes for which network technology has created entirely new global opportunities (e.g., global frauds and deceptions, also the global trade in pornographic materials including child pornography). Take away the internet in this case and the behaviour continues by other means, but not with such great prevalence or across such a wide span of jurisdictions and cultures.

At the far end, however, lie the 'true' cybercrimes which are solely the product of opportunities created by the Internet and which can only be perpetrated within cyberspace (they include intellectual property thefts, spams, phishing and other forms of 'social engineering'). Take away the internet and they vanish – the problem goes away.

These distinctions are important because the first two tend already to be the subject of existing laws and existing professional experience can be applied to law enforcement practice. Any legal problems arising therefore tend to relate more to legal procedures than substantive law. The final group, however, are solely the product of the internet and methods of resolving the problems that they give rise to may not be so easily found.

It is also important of course to look at common features in the substantive behaviours. In this way they can be linked to existing bodies of law and associated experience in the justice processes (Wall, 2005a):

- *Computer integrity crimes* that assault the integrity of network access mechanisms (hacking and cracking, cyber-vandalism, spying, denial of service, viruses etc.).
- *Computer related crimes* use networked computers to engage with victims with the intention of dishonestly acquiring cash, goods or services ('phishing', advanced fee frauds etc.).
- *Computer content crimes* relate to the illegal content on networked computer systems and include the trade and distribution of pornographic materials as well as the dissemination of hate crime materials.

Despite the existence of applicable bodies of law backed up by international harmonisation and police co-ordination treaties such as the Council of Europe's Convention on Cybercrimes (ETS. 185) the specific characteristics of cybercrimes often conspire to impede the traditional investigative process. Particularly significant is the observation that the dangers posed by them are not always immediately evident to potential (or actual) victims. Either they are not regarded as serious, or they are genuinely not serious, but possess a latent danger in their being precursors to more serious crimes.

Each of the substantive criminal behaviours highlighted earlier illustrate this point. 'Computer integrity' cybercrimes, for example, pave the way for more serious offending - identity theft from computers only becomes serious when the information is used against the owner. Similarly, hackers or crackers may use Trojan viruses to install 'back doors' which are later used to facilitate other crimes, possibly by spammers who have bought lists of the infected addresses (Wall, 2005b). 'Computer-related' cybercrimes, such as internet scams perpetrated by fraudsters in collusion with spammers, tend to be relatively minor in individual outcome, but serious by nature of their volume. 'Computer content' crimes, on the other hand, mainly tend to be informational and while they are often extremely personal and/or politically offensive, they are not necessarily illegal. But they could contribute subsequently to the incitement of violence or prejudicial actions against others.

This brief deconstruction illustrates that not only does the term 'cybercrime' already have a general linguistic agency, but if understood in terms of the mediating and transformative impacts of networked technology upon the criminal and harmful behaviours it describes, then it can also situate and give relative meaning to the findings of other research done within the area of networked computer technology. Looking to the future, such conceptual preparation is important as we are gradually learning more about the impact that networked technologies are having on criminal behaviour. To assist us in this task more research is being commissioned by the funding councils and government bodies (see Morris, 2004) and the recent inclusion of questions about internet victimisation in the British Crime Survey will yield useful empirical data that will challenge some of the misinformation that has accrued during the past decade. Furthermore, there are proposals to introduce the routine recording of computer crime (Hyde-Bales, et al. 2004). Improved conceptual clarity combined with improved quality of data will further assist the analysis.

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APPENDIX 1 - CONSTITUTION AND MEMBERSHIP OF THE CENTRE FOR CRIMINAL JUSTICE STUDIES

Constitution of the Centre for Criminal Justice Studies

Object of the Centre
1. The object of the Centre shall be to develop, co-ordinate and pursue research and study into, and the dissemination of knowledge about, all aspects of criminal justice systems.

Membership of the Centre
2.1 Any member of the academic staff of the School of Law may be a full member of the Centre.

2.2 Other individuals may be appointed to full membership of the Centre by the University Council on the nomination of the Executive committee. Membership of the University is not a prerequisite of appointment to full membership of the Centre.

2.3 Associate members may be appointed by the Director on nomination of the Executive committee for a fixed term of up to three years. Membership of the University is not a prerequisite of appointment to associate membership of the Centre. Associate members shall normally be concerned with the pursuit of a programme of research and shall be provided with suitable facilities by the Centre. Any further rights or duties (such as in relation to teaching) shall be the subject of specific agreement.

Administration of the Centre
3.1 The Centre shall be administered by a Director, a Deputy Director and an Executive Committee.

3.2 The Director and Deputy Director, who shall be appointed by the Council on the nomination of the Head of the School of Law after consultation with members of the Centre, shall each normally hold office for a period of five years, and shall be eligible for immediate re-appointment.

Administration of the Centre
3.3 The Director shall be responsible to the Executive Committee for the running of the Centre and the representation of its interests. The Director shall have regard to the views and recommendations of the Executive Committee and the Advisory Committee. The Director shall be assisted by up to two Deputy Directors.

3.4 The Executive Committee shall consist of the Director and the Deputy Director(s) together with the Head of the School of Law (ex officio), the Chair of the Advisory Committee (ex officio), and up to twenty others who shall be appointed by the Director, Deputy Director and Head of the School of Law.

3.5 The Executive Committee shall meet at least twice a year, with the Director acting as convenor. Special meetings may be held at the request of any member of the Executive Committee. All full members shall be entitled to attend meeting of the Executive Committee.

3.6 Minutes of the meetings of the Executive Committee shall be presented by the Director to the following meeting of the School of Law.

3.7 There shall be an Advisory Committee appointed by the Executive Committee which shall formulate advice and recommendations and which shall consist of:
(i) all members of the Executive Committee;
(ii) up to three persons who shall be members of the teaching staff of the University of Leeds other than the School of Law whose activities or interests have relevance to criminal justice studies;
(iii) up to twenty persons who shall be practitioners in criminal justice systems (or other appropriate persons).

3.8 The Advisory Committee shall meet once a year, with the Director acting as convenor. Special meetings may be held at the request of the Executive Committee.

Amendment to the constitution
4.1 This constitution may be amended by the Council (or any committee acting with authority delegated by the Council) on the recommendation of the School of Law and the Executive Committee of the Centre.

Director	Professor Adam Crawford
Deputy Directors	Dr Anthea Hucklesby
	Dr Emma Wincup
Executive Committee	Dr Yaman Akdeniz
	Dr Louise Ellison
	Mr Stuart Lister
	Professor Juliet Lodge
	Professor David Ormerod (ex officio)
	Dr Teela Sanders
	Mr Nick Taylor
	Dr Sam Lewis
	Dr Toby Seddon
	Professor Clive Walker
	Professor David Wall (Head of School of Law) (ex officio)
Advisory Committee	(Chair) Professor David Ormerod
	Mr Jeremy Barnett, (Barrister)
	Professor Graham Clarke (School of Geography, University of Leeds)
	John Cocliff (Superintendent, West Yoirkshire Police)
	Chief Constable Colin Cramphorn, (West Yorkshire Constabulary)
	His Honour Judge Ian Dobkin
	Mr Neil Franklin (Crown Prosecution Service)
	Mr Nick Frost (Continuing Education, University of Leeds)
	Ms Jane Gill, (Leeds Magistrates' Courts)
	Mr Jim Hopkinson (Leeds Youth Offending Service)
	His Honour Judge Geoffrey Kamil
	Lord Justice Kennedy
	Mr Geoffrey Kenure (National Probation Service)
	Mr Peter McCormick OBE (Solicitor)
	Professor Cynthia MacDougall (University of York)
	Mr Richard Mansell, (Barrister)
	Mr Andy Mills (Community Safety, Leeds City Council)
	Mr Robert Rode, (Solicitor)
	Mr Steven Rollinson (West Yorkshire Police Authority)
	Professor Gill Valentine (Director, Leeds Social Science Institute, University of Leeds)
	Mr Paul Wilson (Chief Probation Officer, West Yorkshire)
Associate Fellows	Mr Ian Brownlee (Crown Prosecution Service, formerly University of Leeds)
	Dr Jo Goodey (European Monitoring Centre on Racism and Xenophobia in Vienna, formerly University of Leeds)
	Mr Peter J Seago OBE JP (Life Fellow of the University of Leeds)