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An Online Journal by the British Society of Criminology

2009 Conference, (29 June -1 July)

A 'Mirror' or a 'Motor'? What is Criminology for?

Hosted by Cardiff University and University of Glamorgan

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Editorial

Andrew Millie

This year's journal draws from the papers presented at the 2009 British Society of Criminology Conference held in Cardiff from 29 June to 1 July. The conference was held by Cardiff University and University of Glamorgan with the theme "*A 'Mirror' or a 'Motor'? What is Criminology for?*" As with many conferences the theme was loosely interpreted and during the parallel sessions there were talks on any manner of criminological themes. There was a strong policing emphasis to some of the sessions, due in part to the input from Cardiff University's "Universities' Police Science Institute". Plenary sessions were provided by Professors Sherman and Marx, and during the opening session Professor Stanley Cohen was awarded the inaugural BSC prize for outstanding contribution to criminology, handed to him by his colleague David Downes. There will be few arguments that he was a worthy recipient. The postgraduate conference which ran before the main event went very well and, overall, it was a good conference this year. Thanks are due to Cardiff and Glamorgan who proved to be excellent hosts.

Next year's conference is to be held by the University of Leicester 11-14 July 2010. The theme will be "*Human Rights, Human Wrongs: Dilemmas and Diversity in Criminology*", and we have already been promised an impressive list of plenary speakers, including Clive Stafford Smith, Laurie Taylor, Jeff Ferrell, Ben Bowling, Lilie Chouliaraki and Reece Walters.

"Papers from the British Criminology Conference" this year reflects some of the diversity of interests in criminology. Six papers made the final cut - all reviewed by at least two academics - on subjects ranging from fashion counterfeiting (Joanna Large) to historic accounts of sex crimes (Keith Soothill). Other papers are on public perceptions of anti-social behaviour (Vicky Heap), Street Pasters and the night-time economy (Nick Johns, Greta Squire and Adrian Barton) and the use of public art murals to deter graffiti (Myra Taylor and Ida Marais). Finally, for the second year Stefan Machura from Bangor University has provided a paper co-authored with his masters class. Last year his paper was based on a survey of trust in

Police Community Support Officers. This year it is a survey on trust in the Chief Constable of North Wales.

Thanks are due, of course, to the editorial board members who gave up their time to review the papers, especially as time was limited in order for the journal to be published before the end of the year. Also, thanks go to Shadd Maruna, Judith Rowbotham and Majid Yar who stepped in when their specialist knowledge was needed.

We are planning to produce Volume 10 for the Leicester conference in 2010, so if you are already planning to speak, I hope you will also consider submitting your paper to this journal.

Andrew Millie, University of Glasgow, December 2009

Consuming Counterfeits

Exploring assumptions about fashion counterfeiting

Joanna Large, *University of Leeds*

Abstract

The introduction of the 2004 National Intellectual Property Strategy reflects a growing concern of the need for increased resources to 'tackle counterfeiting'. Alongside increased enforcement activities, the importance of the consumer's role in reducing counterfeiting has also been emphasised. Starting from the assumption that fashion counterfeiting has to be considered separately from other types of 'safety critical' counterfeits, this paper aims to contextualise fashion counterfeiting within wider debates surrounding fashion, consumption and culture. Drawing upon preliminary findings of a current empirical project, I argue that the assumptions that underpin the knowledge about fashion counterfeiting are problematic; in particular anti-counterfeiting policies which tend to approach the problem by attempting to change consumer attitudes toward counterfeit fashion goods. An assumption is built upon the deduction that reducing consumer demand will reduce market supply. Not only does this ignore economic theory debates but also wider issues surrounding consumption, culture and fashion.

Key Words: counterfeiting, fashion, consumption, crime

Introduction

The 'problem' of counterfeiting has allegedly increased substantially during recent years, with estimations of the counterfeit market at five to seven percent of all world trade (OECD, 1998: 23). Counterfeiting is no longer seen as a 'cottage industry' (Vagg and Harris, 1998: 189), but one which is linked to organised crime, other forms of economic crime and even terrorism (ACG, 2007; AAIPT, undated). Counterfeiting is seen as detrimental to legitimate businesses, but also to national economies and

society in general. However, even though counterfeiting is increasingly recognised by many as a serious crime problem, it remains a “relatively neglected research area in academic sociology and criminology” (Yar, 2005: 23).

This paper presents early indications from an empirical project in progress, taking the approach that it is essential to consider fashion counterfeiting separately from other forms of counterfeiting. Indeed, the paper argues that fashion counterfeiting has to be understood in terms of wider debates about fashion, consumption and culture. Further, the paper argues that assumptions that underpin our knowledge about fashion counterfeiting are problematic - particularly, since anti-counterfeiting policies tend to approach the problem by attempting to change consumer attitudes towards counterfeit fashion goods.

Background

‘Harm’ is the main argument against counterfeiting (see OECD, 1998). This may be particularly obvious in terms of some forms of counterfeiting - notably products which have been termed ‘safety critical’ counterfeits (Yar, 2005). These goods, such as ‘toxic’ toothpaste (see Rose, 2007) and defective automotive parts (see Yar, 2005), are of concern due to their potential dangers. Consequences of these entering the market can be devastating to both consumers and legitimate enterprises. Therefore the evidence documenting the harms associated with counterfeiting seemingly makes the issue quite straight forward - the dangers far outweigh potential benefits, justifying attention towards counterfeiting by public law enforcement agencies.

Much anti-counterfeiting discourse, however, does not distinguish between ‘safety critical’ and ‘non-safety critical’ counterfeits and merely applies arguments about harmful effects to all types of counterfeits. The starting assumption of this paper is that this position is problematic. When non-safety critical counterfeits are examined independently (e.g. fashion counterfeits) the clear cut public interest argument does not necessarily exist (Wall and Large, forthcoming).

Defining counterfeit fashion goods

The focus here is on counterfeit fashion, specifically, only items of clothing and accessories - referring only to trademarked goods. Design and copyright issues, although relevant, are not discussed here as these have further issues which warrant their own examination. Further, the definition is not limited to ‘luxury’ products. Whilst luxury goods are commonly thought of as the main goods which are counterfeited - “this is one of the most highly publicised sectors where counterfeiting is rife” (Hilton et al., 2004: 346) - there are problems holding this assumption, not least consumers and enforcement agencies own differing definitions of ‘luxury’. Further, previous empirical research suggests that sportswear and other

branded goods also form a large part of the counterfeit industry (Wall and Large, 2007).

Tackling fashion counterfeiting through consumers

The related concept of deception is also key to the debate about counterfeiting. For example, the criminal prosecution of trademark offences partly relies on the principle that a consumer would be, or has been, confused between the counterfeit good and the genuine product. However, research has found that many people knowingly buy counterfeits (see Ledbury Research, 2006; 2007). Once you remove the possible damage to private businesses from the debate this raises important questions about where harm, in terms of public interest, lies.

Alongside increased ‘policing’ enforcement activities in the UK, following the introduction of the National Intellectual Property Crime Strategy (NIPCS) 2004, to attempt to ‘tackle counterfeiting’, a consumer based initiative has also been developed. This approach attempts to ‘educate’ consumers about the “dangers of buying fakes” (AIM, 2005: 4). It is loosely based on the premise that if consumers are educated about the ‘harms’ of counterfeiting then they will cease to (knowingly) purchase counterfeit products - a reduction in demand will mean a reduction in supply. The importance of the consumer role is emphasised in the UK Intellectual Property Crime Report (Intellectual Property Crime Group, 2007) which, after claiming the NIPCS is starting to provide improved outcomes in dealing with counterfeiting, states that “the biggest hurdle to overcome is to educate the general public” (p5).

The idea of ‘educating’ consumers - with the ultimate aim of changing their behaviour - is far from unproblematic. Considering concerns about the evidence base for the anti-counterfeiting argument, will the consumer be satisfied enough by these arguments if all they can see is the positives (for themselves)? And what are the ‘dangers of [fashion] fakes’ from an objective standpoint? Incidentally, do we really know enough about consumer perceptions in this field to assume, perhaps arrogantly, that it is possible to change consumer behaviour through this means? Further, does such an approach take on board a comprehensive view of consumption, and fashion? This paper also seeks to raise concern with the implications of having a criminal justice enforcement policy which emphasises the role of the *non-criminal* participant.

Therefore, when considering counterfeiting, it is necessary to critically examine the assumptions and evidence of which it is based. This is important because this forms the basis of the anti-counterfeiting movement, and further because fashion counterfeiting has its own complexities. A critical approach to counterfeiting literature needs to be taken which incorporates discussions surrounding the concepts of risk (see Beck, 1992) and harm (Young, 2002: 268¹). Further, it is argued that a

¹ The argument that harm needs to be placed within its social context

broader theoretical framework needs to be in place which draws upon knowledge about consumption, culture and fashion.

Theoretical influences

This paper positions itself within a wider theoretical framework to consider some of the issues related to fashion counterfeiting. In particular, by arguing that failing to situate fashion counterfeiting within a broader context misses the fundamentally essential point of why people do (or do not) buy fashion products in the first place.

The research draws upon a broad review of literature which spans across disciplines. As well research on counterfeiting, and in particular consumer demand for counterfeits (from a mostly marketing and brand management perspective), more general ideas about fashion, consumption and culture have been drawn upon.

Economic theories about consumer demand have developed over time, moving away from rational choice theories based on the notion of supply and demand, to work known as 'the new consumer behaviour' (see Belk, 1995). Veblen ([1899]1998) argued that consumer goods can be used to express social status (pecuniary standing). Veblen talks about 'conspicuous consumption' - the importance of showing that one owns expensive goods - especially clothing. Leibenstein (1950: 189) developed the idea that individuals consume goods for reasons beyond their utility value providing a typology of consumer demand:

- the bandwagon effect (demand increases for a product because others are consuming it – a desire to conform);
- the snob effect (demand decreases for a product because others are consuming it – desire to be exclusive); and
- the Veblen effect (demand is increased because the product is expensive).

Baudrillard ([1970]1998) rejects many of the traditional views of consumption, arguing that the symbolic meaning of the consumer object is the reason it is consumed rather than the purpose of the actual good itself. Similarly to other sociologists, Baudrillard's arguments centre on the notion of class differentiation and the role of consumer goods as communicators of meaning. Thus, consumption of branded goods has added meaning in society: "status becomes visible through consumption" (Morrison, 1995: 314).

Simmel's ([1904]1957) influential 'trickle-down theory' sees fashion as a class-based process, where the upper class lead, by differentiating themselves with the latest fashion, and the lower classes attempt to follow. Despite its outdated approach to class (Davies, 1992), it remains important within fashion theory. Bourdieu ([1984]1993) however, acknowledges the importance of designers in the fashion process - who are argued to have the power to create the value of fashion. Contemporary analyses, such as

Sweetman (2001), disagree that fashion is - as often suggested - a personal manipulation to communicate ones appearance, but part of a much wider structural process. Sweetman's understanding of fashion draws upon the concept of neo-tribalism from work by Maffesoli (Sweetman, 2001), about fashion as a part of – albeit basic – form of community, and how a sense of 'togetherness' can be created through "a small scale social group" (Sweetman, 2001: 68).

Cultural criminologists - and notably Hayward (2004: 161) - argue that people have a "constant sense of unfulfilment" as consuming material products has moved from being something that is "culturally desirable" to being "fundamentally expected"; a "basic right". Further, Hayward maintains that consumption of branded goods provides an essential opportunity for socially and economically disadvantaged young people to find a way of expressing their identity, and regaining some form of control (2004: 155). Thus "brand names and designer labels" have an incredible value placed upon them (2004: 182) by socially excluded young people who "over identify with consumer goods in an attempt to create a sense of identity" (2004: 181). These ideas about the importance of consumer fashion goods as a means of social status - but within a social group rather than over another group - provide an interesting development.

Archer et al. (2007) also discuss the role of sportswear goods for young people, in terms of their "collective classed identities" (p223), again highlighting the social value which branded fashion can play. Their study found that, for young people, creating their appearance was a path of identity formation which they "invested heavily in" (p224). Further, the importance of consuming (the correct) branded goods is highlighted by the labels which are applied to those who did not consume them: "those who cannot afford to buy the appropriate symbolic goods are disparaged as worthless and labelled a 'tramp'", and frequently were "bullied, taunted and ostracised" (p226).

Methodology: Issues and Limitations

This project sought to critically explore assumptions which underpin knowledge about counterfeiting and deconstruct counterfeiting in terms of the cultural, legal, social and economic conceptualisations of it that currently exist. The lack of existing knowledge had implications for the empirical design of the project.

There is a significant body of knowledge which considers the debates around mixed methods research (see Bryman, 2008; Noaks and Wincup, 2004). This project followed the presumption that different methods are capable of exploring 'different layers of social reality' (Walklate, 2008) and together provide complimentary insights.

Taking a multi-method approach, the project identified different uses for each method. First, an online survey (self-completion questionnaire) was used to develop insights into people's views and

consumption habits, to shape the qualitative framework and identify interviewees. Second, semi-structured interviews were used to take up issues identified by the survey, (and those which might have been missed). Third, follow-up focus groups are planned to explore the overall research findings.

As we know relatively little about counterfeit and non-counterfeit consumers, the project sought a range of views from a relatively large range of consumers. This is by no means to claim that a large sample makes up for sampling bias issues (Fricker, 2008), but to identify themes and issues which can then be explored in more depth in the latter qualitative work. While important for the purpose of the project, online surveys are fraught with difficulties (Vehovar and Manfreda, 2008). There are two primary issues: the nature of researching online, and the problems of using a questionnaire methodology². A questionnaire traditionally relies upon its data being generalisable, reliable and representative (May, 2001). The lack of identifiable sampling populations meant that a structured probability sampling frame was not realistic.

The survey relied on a non-probability sample, following DeVaus' (2002: 90) proposition that this is "appropriate when sampling frames are unavailable or the population is so widely dispersed that cluster sampling would be inefficient". The aim of this method was to generate exploratory, initial data to create a framework and context for the later qualitative work, as opposed to discovering measurable representative outcomes. It is important to acknowledge how these problems "can significantly impact [upon] data quality" (AAPOR, 2006 *cited in* Vehovar and Manfreda, 2008: 181). The data analysis does not purport to be generalisable or statistically representative of the population at large. In particular, this means that no level of statistical inference or significance can be given.

Online surveys are limited in the sense they only access online populations (Fricker, 2008). Despite this, an effort was made to access a number of different types of internet users to reduce bias. The survey was posted on social networking sites and fashion forums. It was also sent, despite well documented disadvantages (see DeVaus, 2002; Vehovar and Manfreda, 2008) via various mailing lists (both personal and organisations) and by contacting 'gatekeepers' and asking permission for it to be forwarded on. Thus, a 'snowball effect' sampling method was developed - where respondents were asked to forward the survey email on to their own contacts. Other methods were also used - such as an article about the project with a link to the survey was placed in a student newsletter. Despite a significant range of distribution methods used, and even though specific attempts were made to access the non-student population through non-university contacts, there was a large proportion of student respondents to the survey.

² It is acknowledged that there are many other limitations with this method, but due to space constraints those particularly relevant to this project have only been considered here.

As with all types of survey, online surveys are far from being exempt from problems of non-response. Although procedures were put in place to try and minimise such problems, the invitation could have been missed or interpreted as ‘spam’. Even if the potential respondent did see the invitation, they still might have decided not to open the link to the survey or complete it (Vehovar and Manfreda, 2008).

The Survey: Demographics

A preliminary analysis of the survey, using statistical analysis software (SPSS) was conducted. The results discussed in this paper are based on a sample of 573 respondents from the UK (see Table 1).

Table 1. Respondents by employment status

Status	%	Status	%	Status	%
Student full-time	52.0	Student part-time	3.4	Parent/carer full-time	0.6
Employed full-time	29.0	Unemployed	1.5	Other	0.2
Employed part-time	12.3	Self-employed	0.8	Voluntary sector	0.2

(N = 573)

Approximately two thirds of the sample was female. The ages of respondents ranged between 18 and 62 with over half of the sample being between 18 and 24 (58 percent). The sample was primarily White (89 percent) and, as such, ethnic group comparisons are not discussed here (see Table 2).

Table 2. Respondents by ethnicity

Ethnicity	%	Ethnicity	%	Ethnicity	%
White	89.0	Asian/ Asian British	3.0	Chinese	1.8
Mixed	3.2	Black/ Black British	1.9	Other Ethnic Group	1.1

(N = 566)

The nature of distribution of the survey meant that it was possible non-UK residents could respond, but this was anticipated, and by asking for postcode/country data it was possible to identify and remove from analysis. While it was decided not to ask about occupation and levels of personal and/or household income, respondents were asked to select their monthly average spend on fashion goods (see Table 3).

Table 3. Respondents by average spend per month on fashion goods

Average spend per month on fashion goods	%
Nothing	5.1
£1 - £50	47.7
£50 - £100	31.1
£100 - £200	12.5
£200 - £300	2.6
£300 - £500	0.5
£500 +	0.5

(N = 570)

Discussion of Findings: Some Early Indications

The preliminary indications are organised around three themes; (i) who buys counterfeit fashion products; (ii) why do people buy, or do not buy, fashion counterfeits and (iii) how is fashion counterfeiting perceived in terms of crime?

Who buys counterfeit fashion products?

Approximately 50 percent of the sample had bought a counterfeit fashion item. Almost no differences in age, sex and employment status or monthly spend³ were found (see Table 4).

Existing research on who buys counterfeit fashion products has generated mixed results, with Tom et al. (1998) finding that 39 percent of their sample had knowingly bought a counterfeit, and were most likely to be under 30. However, the current survey seems to follow Ledbury Research's (2007: 9) finding that, despite common presumptions, "there is very little to distinguish demographically between those who do and do not buy fakes".

Of course it is important to note that not everyone who buys a counterfeit product does so knowingly at the time. Therefore the survey also asked people to differentiate whether at the time of purchase they: knowingly bought the counterfeit (77 percent); unknowingly bought the counterfeit (5 percent); or were unsure at the time (18 percent). However, some people who have bought a counterfeit may never be aware that they have done so. This reinforces the importance of deception in the anti-counterfeiting argument (see Bosworth, 2006; Grossman and Shapiro, 1988; Hopkins et al., 2003).

³ Those categories with under 10 respondents were excluded from analysis.

Table 4. Previously bought counterfeit: Demographic breakdown

Age			
	Yes (%)	No (%)	Total Count
24 and Under	52	48	332
25 and Over	48	52	233
			N=565
Sex			
	Yes (%)	No (%)	Total Count
Male	53	47	169
Female	49	51	398
			N=567
Employment status			
	Yes (%)	No (%)	Total Count
Student Full Time	53	47	334
Student Part Time	64	36	22
Full Time Employed	46	54	187
Part Time Employed	47	53	78
Unemployed	40	60	10
			N=573*
Average monthly spend on fashion			
	Yes (%)	No (%)	Total Count
£0	34	66	29
£1 - £50	50	50	272
£50 - £100	54	46	173
£100 - £200	49	51	71
£200 - £300	50	50	14
			N=559

Note:

* Respondents were able to select more than one employment status.

Why do people buy, or do not buy, fashion counterfeits?

The top reason for buying a counterfeit was because 'it was cheap' (32 percent). This remained true when considered by age and employment status breakdown. This follows the common presumption that many people buy counterfeits because of their lower price point. However, it became apparent in the interviews that not everybody associated counterfeits as being 'cheap', *per se*, but sometimes 'cheap' in the sense that it costs less than the real thing - with a couple of respondents pointing out that often

counterfeits are not actually that cheap at all, especially some high end counterfeits which can be sold for several hundred pounds.

The second most popular reason for buying a counterfeit fashion product was 'I was abroad' (29 percent). This remained the case when age and employment status were analysed which suggests it is not simply a reflection of the large sample of students. Ledbury Research (2007) found it was becoming more common for people to buy their counterfeits at home in the UK. However, when exploring this further in the interviews, some counterfeit buyers thought it unlikely that they would have bought the product had they not been abroad when doing so. One respondent explained that, despite thinking that buying a counterfeit was in some sense criminal, it was alright to do so because they were in a different country – in a sense displacing their concerns.

The main reasons given by those who claimed not to buy fashion counterfeits was 'I am not interested in branded fashion goods' (33 percent) and 'I only want to buy authentic fashion goods' (24 percent). This highlights the importance of viewing fashion counterfeiting in terms of the broader context. Some people simply claimed 'it has never occurred to me to buy a fake' (15 percent).

Interestingly, in interviews with some of the people who had previously bought fashion counterfeits, buying fashion counterfeits was something that they associated with age and especially being 'young'. Their changes in the consumption of counterfeit goods as they grew older were reflected in their changes in their overall buying habits - i.e. they no longer wear or buy branded fashion goods and therefore no longer have any need or likelihood of buying a counterfeit as it is outside their usual consumption patterns. Additionally, some interview respondents associated these changes with changes in how they perceive the social acceptability of certain fashion goods, in particular, designer and sports brands. Some respondents sought to actively distance themselves from being associated with particular stereotypical social groups by avoiding certain brands – or sometimes any obviously branded good. On several occasions, the association between 'Chavs'⁴ and particular branded goods became apparent as a strong reason for why people no longer chose these types of clothes (see Hayward and Yar, 2006: 23).

How is fashion counterfeiting perceived in terms of crime?

One of the main issues that the survey examined was how fashion counterfeiting is perceived in terms of crime. Information was collected in the survey in terms of: (i) how respondents perceived counterfeiting to be associated with crime; (ii) who should be responsible for 'policing' counterfeiting – in the broadest sense; and (iii) issues with the legal status of counterfeits. Indeed, much of the anti-counterfeiting approach focuses

⁴ Hayward and Yar (2006) describe 'Chavs' as "young people, clad predominantly in sports apparel, who engage in minor forms of unruly behaviour" (p10). They note how this term has been a popular replacement for the concept of the underclass (2006: 15).

on how counterfeiting is linked to criminal behaviour, and further, how it is argued to fund other crimes (see AIM, 2005; AAIPT, undated).

Respondents were asked to rate a number of attitude statements. In terms of the response to the statement 'fake fashion goods are a crime problem that should be taken seriously', there were no real differences in attitudes between counterfeit and non-counterfeit buyers. Some differences in attitudes occurred when a closer analysis of demographic variables was considered, but no consistent patterns emerged. Therefore, this seems to dispute Tom et al.'s. (1998) research which found that there were attitude differences between consumers which had bought counterfeit goods and those who had not – those who had never bought a counterfeit had much less favourable attitudes towards counterfeiting. However, attitudes are not necessarily reflected in behaviour.

The second statement - 'money raised from selling fake fashion goods funds other crime' found that for both counterfeit and non-counterfeit buyers there was generally quite a lot of uncertainty (33 percent counterfeit buyers and 30 percent non-counterfeit buyers answered 'not sure'). Interestingly, many people voiced opinion, both on the 'comments' option of the survey, and also during the interviews, about this issue. For example, one respondent said:

I personally believe it's unfair to attribute money accumulated from the sales of fake fashion products to crime. This may be true and sometimes probably is. Just like at some times it probably isn't. It's possible that exactly the same concept applies to authentic fashion product (21, Male, Previously bought counterfeit).

This question highlighted how contentious many people find the link between counterfeiting and crime. Whilst many believed that on one level, the nature of counterfeiting was inevitably linked to crime, due to the illicit nature of counterfeiting, many were unconvinced of the arguments that counterfeiting funded other serious and organised crimes. In fact, some people felt quite strongly that counterfeiting was in fact a tenuous issue and that it was something really which should not be viewed as a crime at all. As one respondent commented:

To be honest, with the levels of real crime (drugs, prostitution etc.) in Britain I couldn't give a tiny rats arse about fake goods! Sorry to be rude but that's my true opinion! (18, Female, Never bought counterfeit).

Who should be responsible for 'policing' counterfeiting?

Respondents were asked to rate who they thought should take responsibility for dealing with counterfeiting. Overwhelmingly, both counterfeit (41 percent) and non-counterfeit (39 percent) buyers disagreed that the police and trading standards should make fashion counterfeiting

more of a priority. This was also true when a closer examination was taken of different demographic characteristics. On the other hand, whilst counterfeit buyers across all demographic characteristics thought that brand owners should take responsibility for counterfeiting (45 percent agree), non-counterfeit buyers showed a much more mixed response with overall 34 percent disagreeing with the statement and 35 percent agreeing. This mixed response was also visible with age, sex, employment and monthly spend differences.

The survey findings reflect the emerging theme that many respondents just do not see counterfeiting as a 'real' crime, and therefore often have quite strong views that public resources should not be wasted on such 'menial' issues. However, when discussing this further with the interviewees, some respondents suggested that there is perhaps more of a role for trading standards - in terms of consumer protection - but generally were still reluctant for the police to play any more than, at most, a supportive role (i.e. letting trading standards conduct the investigation and compile evidence and the police assist with the actual arrest). For instance:

Police have other priorities [it] should be Trading Standards responsibility because fake is poor quality (32, Female, Never bought counterfeit).

When interviewees were asked whether their views on the role of the police and the priority given to counterfeiting would change if they found out that counterfeiting was definitely linked to funding other crimes, respondents became more relaxed to the idea that the police should take a role; but in most cases, they were still very anti the police 'wasting their resources' on focusing on the counterfeiting side of things. This kept coming back to the fact that, for many of the respondents, they just did not believe the link with crime. And even when they did, they often related this back to their perception that the fashion industry generally was linked to much criminal behaviour (particularly in terms of ethical concerns, notably child labour and poor working conditions) and therefore this almost counteracted any need for public resources to be used in dealing with counterfeiting. Although, a number of respondents did acknowledge that these problems were more likely to be exacerbated in the counterfeit industry due to lack of regulations. The onus on the role of the legitimate industry was certainly something which most interview respondents felt strongly towards, particularly with concern surrounding safe-working practices and the role of fashion brands in inflating prices of goods. In this sense, research by Hilton et al. (2004) adds an interesting insight to the debate of responsibility in their consideration of the fashion industry from an ethical perspective. Acknowledging that copying is 'endemic and condoned' within the fashion industry, they argue, therefore, that the industry must take some responsibility for the 'problem' of counterfeiting (2004: 347).

Legal issues

Respondents were asked whether it is currently illegal to buy counterfeit fashion goods in the UK and also whether they thought it should be. These questions were included because in some countries, including Italy, the law has recently been changed to make it so. Further, there is pressure in the UK from anti-counterfeiting supporters to do so, who suggest that even a non-enforced law would act as a suitable deterrent to stop people from buying counterfeit goods and therefore reduce the need for supply (Wall and Large, 2007). Albers-Miller (1999) also argued that the fear of a criminal conviction should deter consumers. However, this argument is not only problematic on an economic basis, but further, because of the amount of people currently who think that it is illegal to buy counterfeits and yet continue to, see no reason not to do so.

The survey asked respondents to rate two statements on this issue: 'it is illegal to buy fake fashion goods' and 'it should be illegal to buy fake fashion goods'. It seemed that there exists uncertainty over the legal status of counterfeit goods with 29 percent of counterfeit buyers and 35 percent of non-counterfeit buyers suggesting they were 'not sure'. Indeed, the second most common answer for both counterfeit and non-counterfeit buyers was to agree that it is illegal to buy counterfeits (29 percent and 31 percent respectively).

In terms of whether it should be illegal to buy counterfeits, there was a small difference in attitudes between those who had and had not bought counterfeits in the past - with those who had not most likely to agree (39 percent) and those who had, most likely to disagree (43 percent). Further, this pattern remained generally when considering the demographic breakdown, with the exception of non-counterfeit buying students who were more likely to disagree. Again, this issue provoked some strong reactions from respondents:

Counterfeiting is a real problem; but the responsibility should not be upon consumers. Dealing with counterfeiting by criminalizing consumers is ineffective and counterproductive (29, Female, Previously bought counterfeit).

Whilst I do not believe it should be illegal to BUY fake fashion goods. That would be absurdly difficult to police, and many people would be criminalised without any moral reprehensibility - which flies in the face of most of the criminal justice system. I believe it should be illegal to SELL fake goods (19, Male, Never bought counterfeit).

These findings seem to follow those of Cordell et al. (1996: 41) who suggest that because consumers form the "final participant in the counterfeit transaction chain" they are still supporting the illegal act. Yet, even though 97 percent of their respondents were aware that to sell a counterfeit is an offence, they themselves do not take any accountability for their role in the transaction (*ibid*, 1996: 50).

Conclusion

The empirical analysis has generated some mixed results, although it is important to remember that the project is still underway so these findings are only early indications. The indications generated by the survey analysis have provided a useful framework for the more in-depth qualitative work which is in progress. Despite some of the methodological limitations, interesting themes and issues have arisen, which certainly warrant further attention as the research progresses.

In particular, when looking across the different social demographics examined in this paper, there is no clear cut definition of who buys fashion counterfeits. This lends to the suggestion, made in this paper and elsewhere (Wall and Large, forthcoming), that it is more useful to understand fashion counterfeiting by developing consumer typologies and taking into consideration people's consumption habits and preferences.

The quantitative analysis found little difference in consumer attitudes to the issue of whether counterfeiting should be viewed as a serious crime problem when comparing non-counterfeit with counterfeit buyers. The analysis did highlight some variations when considered by a demographic breakdown, but provided no consistent patterns. The qualitative work explored this issue and in particular reasons why there often seemed a reluctance to view counterfeiting as a serious crime. Further complexities with this issue were also found to arise especially when considered with regard to the spending of public resources.

Interestingly, what has come across is how consumers' concerns about counterfeiting relate to ethical trading issues and how this may be linked to crime. However, this problematises developing anti-counterfeiting initiatives which highlight ethical concerns about counterfeiting as a reason why consumers should not buy counterfeits. Respondents have indicated that they are concerned about ethical issues, not just in terms of counterfeits but towards the fashion industry generally. This highlights the complexities which underpin counterfeiting and the difficulties faced by anti-counterfeiting enforcement policies which rely on changing consumer behaviour.

The research also problematises the simplistic notion that criminalising the purchase of counterfeits will deter people from doing so, in particular, when you consider the amount of people who already think that it is illegal to consume counterfeits - yet continue to do so.

Overall, the preliminary data analysis has identified a number of issues (and limitations) that can be explored further as the project progresses. Despite this paper only representing some early indications, it has reinforced the need to examine fashion counterfeiting within its wider social and cultural context, and certainly questions the approach taken by anti-counterfeiting policies which seek to change consumers attitudes and behaviour to reduce the 'problem' of counterfeiting.

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A Window on the Law

A historical study of the local media reporting of non-consensual sex crimes involving female victims aged 16 to 20 years

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Abstract

Media reporting is most people's window on the working of the law. This study of the newspaper reporting of non-consensual sex crime involving female victims aged 16 to 20 years in a local area over 120 years (1860-1979) demonstrates sizeable shifts both in the acquittal rate and in sentencing. The change in the proportion of contested cases is significant. A qualitative study on contested cases reveals the adversarial system at work. The focus in the paper is on the issue of consent and the reputation and/or behaviour of the complainant. Changes seem to mirror an increasing tension about the position of women in society. Newspaper text provides data that represent a barometer about public narratives surrounding a topic. The methodology used in the study demonstrates a way of examining change in a systematic way over a long timeframe.

Key Words: media, newspapers, history, consent, reputation

Introduction

The focus of this paper is the reporting of sex crime in a local area, Lancaster in north-west England, over a long time-span - 120 years from 1860 to 1979¹. Lancaster is a very old town receiving its first borough charter in 1193 (White, 1993); it became a city in May 1937. In the eighteenth century there were local beneficiaries from Lancaster being an important transit port in relation to the slave trade. In Victorian times it

¹ The interest in local sex crime over the period, 1860-1979, was developed originally in teaching Part 1 criminology students. The aim was to awaken a historical focus by considering changes over time.

became a leading centre in the world for linoleum manufacture. Since then, Lancaster as a manufacturing town has been in decline. However, Lancaster University opened in the mid 1960s and the service sector began to develop. In fact, during the 120 years of the study, while socially maintaining its status as a major assize town through much of the time, Lancaster has had mixed fortunes.

The aim is to use this town as a social laboratory in considering the reporting of sex crime. The study is substantive but there is also an interest in whether the methodology used - which embraces both quantitative and qualitative approaches - is an appropriate way to probe changes in sexual crime. But why a focus on the local media reporting of non-consensual sex crime and especially crime involving female victims aged between 16 and 20 years? There are at least two reasons. Firstly, this study is part of an ongoing research project on sex crime (e.g. Soothill, 2003; 2006; 2009). Secondly, it extends some earlier work on the reporting of sex crime in general (Soothill and Walby, 1991) and judges' (Soothill et al., 1990) and barristers' comments (Soothill and Soothill, 1993) in rape cases reported in *national* newspapers.

The specific focus of this study is on *change* in the reaction to non-consensual sex crimes involving female victims aged 16 to 20 years. Limiting the focus to this age group provides both a manageable study to present and also an important age control. Further, it is surmised that this age group of females experienced great change over the 120 years. Although females aged between 16 and 20 years had throughout the time-span passed the legal age of consent, there were very different expectations regarding their social and sexual behaviour over this time.

The study is concerned with both outcome and process. The overall focus is on identifying change using two approaches:

- The focus on *outcome* concerns conviction rates and sentencing of non-consensual sexual cases with female victims aged 16 to 20 years (1860-1979). It is basically a quantitative analysis using the local newspaper as the source of evidence.
- The focus on *process* considers the media reporting of the proceedings as a way of gazing through 'a window on the law'. This is basically a qualitative analysis. The specific focus is on the issue of consent and the behaviour and reputation of the complainant.

The choice of outcome measures - conviction and sentencing - is not contentious, but the choice of themes relating to processual issues is necessarily selective. However, the issues of consent and the legal response to the reputation and behaviour of the complainant are regarded as pivotal in many sex crime cases. There are, of course, other themes that are of potential interest in considering change over time. For example, the importance of corroboration and the increasing focus on medical evidence are likely to be relevant. However, this study is in the nature of a

demonstration project and is not intended to be exhaustive in its examination of themes.

Previous work in this area has not been extensive but, on occasions, it has been impressive. Edwards' book (1981) remains a powerful study of constructs of female sexuality as they inform statute and legal procedure. More recently, Bourke's *Rape: A history from 1860 to the present* (2007) has vividly portrayed the perception of rape, both in the mass media and the wider public. D'Cruze (1998) examines the nineteenth century courtroom as a theatrical arena, especially reminding that it was the woman whose reputation and personal integrity were on trial more than her attacker. D'Cruze's (2000) edited collection usefully examines how violence, including sexual violence, impinged on people's lives in the century before the Second World War, while Rowbotham and Stevenson (2003; 2005) usefully probe in their collections the relevance of history to present concerns by looking at Victorian and contemporary deviance issues, comparing continuities and differences. These would be hard acts to follow, but the present paper is simply a complementary offering trying to demonstrate a more systematic approach to some of the issues raised.

Methodology

The overall study concentrates on sex offences adjudicated by the courts and reported in the *Lancaster Guardian* between 1860 and 1979. This is not a study focusing on the media representations of crime (e.g. Soothill, 2009), but uses newspaper reports as a direct source of evidence. This may seem a surprising source for convictions and sentencing, but the retention of court records relating to Lancaster has been patchy; in contrast, the local newspaper provides a consistent and continuous record of what is in the public domain in this local area. A search of this newspaper - that is, over 6,000 editions - was carried out to identify any mention of sex offending. The classification was broad, so including all indictable offences (e.g. rape, indecent assault, incest) and appropriate non-indictable offences (notably prostitution-related offences and indecent exposure). More unusually, contraventions to local bye-laws such as activity charged as 'using obscene language' were also noted. As the court records are largely missing, there is no external validity to check the extent and accuracy of the coverage of sex offending in this local newspaper. However, it seems reasonable to argue that serious transgressions (such as rape) will almost invariably be reported, while minor transgressions (such as prostitution or indecent exposure) are less likely to have complete coverage². This present study focuses on court cases relating to non-consensual sex crimes involving female victims aged 16 to 20 years and these seem likely to be routinely reported in a local newspaper. The term 'court appearances' is important,

² The exceptions are incest offences and cases involving young children where reporting restrictions are applied. So, for instance, legal restrictions on naming minors in newspaper reports have been imposed since 1933.

for the series also includes those acquitted for a sex crime. As Table 1 shows, the timeframe was divided into six periods of twenty years.

Table 1. Timeframe of the study

Years	Periods
1860-1879	Mid-Victorian
1880-1899	Late-Victorian
1900-1919	Edwardian and the Great War
1920-1939	The Inter-War Years
1940-1959	Second World War and the Post-War Period
1960-1979	Increasing liberalisation of sex laws

In this study I aim to use newspaper text to provide data that represent a barometer about public narratives surrounding non-consensual sex crime involving female victims aged 16 to 20 years. Elsewhere (Peelo and Soothill, *forthcoming*), I have argued for a 'mixed methods' approach in considering newspaper representations of crime. Rather than presenting a clear divide between qualitative and quantitative research methods, in practice the ways in which methods are used suggest that there has been a continuum along which methods sit. In our previous work focusing on homicide and the media (e.g. Peelo and Soothill, 2000; Soothill et al., 2002; 2004; Peelo et al., 2004; Peelo, 2006), our studies offer examples that range from using just one reported homicide to a series of over two and a half thousand homicides as well as examples of using both quantitative and qualitative approaches and highly detailed analyses of text. Essentially I maintain that research is a systematic use of methods that illuminate a specific problem being considered. What makes research different from other types of knowledge, including, for example, practitioner experience, journalism or instinct, is systematic collection and analysis providing evidenced interpretations.

The numbers in the series

Table 2 divides the total series into five major categories for each of the twenty-year periods and indicates how the reporting of different sexual offences peaks at different periods.

The 'serious non-consensual' category (which principally includes rape and indecent assault) is always quite sizeable averaging between five and eight cases per year in each period with the highest number of persons in the last twenty years (1960-79). In fact, the figures displayed in Table 2 are misleading in terms of representing sexual offending in the local area of Lancaster. Many of the more serious cases will have occurred elsewhere in the county and come to Lancaster to be tried at the Assizes. Furthermore, in the nineteenth century (before the advent of popular national newspapers) the newspaper also served the wider function of reporting cases from

elsewhere in the country. Hence, this study includes *all* the appropriate non-consensual cases, whether the case happened in Lancaster or Burnley or even London.

Table 2. Number of persons appearing in a court case involving a sexual offence and reported in the *Lancaster Guardian* (1860-1979)

Type of sexual offence	1860-1879	1880-1899	1900-1919	1920-1939	1940-1959	1960-1979	Total
Non-consensual	97	141	106	103	148	153	748
Bigamy	27	23	22	49	83	3	207
Indecent exposure / indecency	17	55	20	11	80	53	236
Prostitution-type offences	5	79	77	-	-	-	161
Using obscene language	3	203	159	40	15	19	439
TOTAL	149	501	384	203	326	228	1791

There was a total of 87 persons charged in cases involving female victims aged between 16 and 20 years, thus averaging around two persons every three years appearing in court for these offences. In the qualitative study, *all* examples of the two themes explicitly mentioned in the text of the reports are presented. This approach helps to avoid the criticism sometimes made of qualitative work that the cited examples are highly selective.

Results

Table 3 considers the series in terms of the outcomes. At least three points can be usefully made:

- Taking the 120-years as a whole, approaching one-third (31%) of the alleged offenders are acquitted or discharged. Approaching another one-third (30%) are awarded a custodial sentence, while one-fifth (20%) are awarded a non-custodial sentence. Finally, there is a further one-fifth (20%) for whom there is 'no information' regarding outcome. The latter are largely cases committed for trial elsewhere or juvenile cases.
- The acquittal rates change over time. In the sixty years (1860-1919) up to the end of the First World War, approaching one in two defendants are acquitted. In contrast, for the last sixty years (1920-1979) around one in five of the defendants are acquitted. (The apparent very low rate

for the 1940-1959 period is distorted owing to the comparatively large numbers of 'no information' cases in this period).

- Custodial sentences are the dominant penalty following conviction for the first 80 years (1860-1939), while non-custodial sentences are the dominant penalty for the final forty years (1940-1979). In fact, non-custodial sentences only became much more pervasive after 1920.

The outcomes are clear and the next task is to try to understand why these very substantial changes took place. Important clues are provided by the comments of judges, magistrates and lawyers. A crucial distinction is between contested cases (where the defendant puts in a 'not guilty' plea) and non-contested cases (where the defendant pleads guilty and the defence counsel's main role is in presenting a plea of mitigation). Table 4 shows the number of contested and non-contested cases for different types of non-consensual activity for the six periods (1860-1979). The 58 cases are divided into those involving two or more defendants (12% - that is, 7 out of 58), single defendants aged 23 years or under (41%) and single defendants aged 24 years or over (47%)³. In addition, there are eight cases where there is no information on whether the case is contested: these are mainly cases where only the committal proceedings are reported and the defendant has not entered a plea. There are at least four points to make in relation to Table 4:

- Offences involving two or more defendants are rare - only 7 such cases over the entire period, thus averaging one case every 17 years. All these cases are contested.
- While older defendants outnumber younger defendants in the early periods, there is, however, a definite later shift towards younger defendants, especially in the last period (1960-1979) where younger defendants outnumber older defendants.
- Where it is known, around three-quarters (or 71%) contest the case - however, older defendants are more likely to contest with 78% doing so compared with 54% of the younger defendants.
- There is a major shift over time. Up to the beginning of the Second World War, the vast majority were contested, while after the Second World War it is a very different picture with more being non-contested than contested, that is, guilt being more readily admitted after the Second World War.

³ A defence to the charge of unlawful sexual intercourse *with a girl under 16 years* is known as the 'Young Man's Defence'. Using this defence a man who is under the age of 24 years is not guilty of the offence if he believes the girl to be of the age of 16 or over and has reasonable cause for the belief. While this defence is not strictly relevant to this study, it still seemed a useful age divide when making a distinction between younger and older defendants. However, one also needs to recognise that over time there will have been changes in perception in terms of how age might affect responsibility in relation to both defendants and victims.

Table 3. Conviction rates and sentencing of non-consensual sexual cases with female victims aged 16 to 20 years as reported in the *Lancaster Guardian* (1860-1979)

OUTCOMES	1860-1879		1880-1899		1900-1919		1920-1939		1940-1959		1960-1979		TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Acquitted, discharged etc.	6	40	7	54	4	44	2	20	2	10	6	32	27	31
Awarded a non-custodial sentence	1	7	1	8	-	-	3	30	5	24	7	37	17	20
Awarded a custodial sentence	6	40	4	31	4	44	5	50	2	10	5	26	26	30
No information (e.g. committed for trial etc.)	2	13	1	8	1	11	-	-	12	57	1	5	17	20
TOTAL	15	100	13	100	9	100	10	100	21	100	19	100	87	100

Note: Percentages may not total 100 owing to rounding.

Table 4. Number of contested and non-contested cases for different types of non-consensual activity for the six periods (1860-1979)

Types of cases	1860-1879			1880-1899			1900-1919			1920-1939			1940-1959			1960-1979			TOTAL		
	Con.	Non con.	n/k	Con.	Non con.	n/k	Con.	Non con.	n/k	Con.	Non con.	n/k	Con.	Non con.	n/k	Con.	Non con.	n/k	Con.	Non con.	n/k
Two or more defendants	2	-	-	-	-	-	-	-	-	2	-	-	2	-	-	1	-	-	7	-	-
Defendant aged 23 years or under	2	-	-	1	1	-	3	-	-	3	1	-	2	3	-	2	6	2	13	11	2
Defendant aged 24 years or over	3	-	3	7	1	1	4	-	2	2	-	-	3	2	-	2	3	-	21	6	6
Total	7	-	3	8	2	1	7	-	2	7	1	-	7	5	-	5	9	2	41	17	8

The next task is to probe the processes which underpin the various outcomes. What is actually happening in the court interaction as portrayed by the newspaper reports? Contested cases demonstrate the adversarial system in action. These are the cases where the defence challenges the account of the prosecution. Are there shifts over time? Two themes are considered in probing such shifts - the issue of consent and, secondly, the behaviour and reputation of the complainant.

As Table 4 shows, there are 41 contested cases and there are seven or eight such cases in each period except for the last period when the figure drops to five (these are highlighted in bold in Table 4). This fall reflects the rise of non-contested cases in this period. While many cases have just short and uninformative reports, there are 16 contested cases (listed in Table 5) where the two relevant themes are explicitly mentioned in the newspaper reports.

Table 5: Cases of non-consensual sex crimes involving females aged 16 to 20 years where issues of consent and/or the reputation or behaviour of the complainant are explicitly mentioned in reports in the six 20-year periods

Case identification	Year of report	Issue of consent mentioned	The reputation and behaviour of the complainant mentioned
A	1860		YES
B	1869	YES	
C	1875		YES
D	1887		YES
E	1888		YES
F	1893		YES
G	1903	YES	
H	1920	YES	
I	1927	YES	
J	1935	YES	
K	1940		YES
L	1948		YES
M	1953		YES
N	1960	YES	YES
O	1965		YES
P	1973		YES

As Table 5 shows, each of the six periods has three relevant cases, except for the 1900-1919 period which has only one. However, the distribution of the themes varies. While cases involving the issue of consent are particularly concentrated in the 1920 to 1939 period, the reputation and behaviour of the complainants are more likely to be explicitly mentioned in the nineteenth century and since the Second World War. In only one case (case N in 1960) do the two themes overlap.

The issue of consent

Lack of consent is the crux of the matter in relation to rape cases, whereas earlier authorities emphasised the use of force. In fact, interestingly, the issue of consent can be considered as the mirror to the issue of the use of force. Smith and Hogan (1988: 433) note that this subtle change of emphasis occurred in the middle of the nineteenth century in the cases of *Camplin* [(1845) 1 Den 89] and *Fletcher* [(1859) Bell CC 63], but old habits die hard. In this series there were just six cases where consent (or otherwise) was explicitly mentioned in the reports:

1. In 1869 a 17-year-old mason was charged with a criminal assault on a young woman of “about 19 years of age”. The report notes that “The learned counsel contended at great length - and very ingeniously pointed out circumstances in the evidence which, he alleged, pointed to the conclusion – that the young woman herself was a consenting party to what took place.” The jury were clearly not convinced and found the defendant guilty. He was sentenced to five years’ penal servitude”. (*Lancaster Guardian*, 6 March 1869)
2. In 1903 a 23-year-old carter was accused of committing a rape on a 17-year-old domestic servant. His defence was that “the girl *partially* consented” (emphasis added). The judge summed up, “saying the defence was at variance with the medical evidence”. The jury found the defendant guilty and he was sentenced to five years’ penal servitude. (*Lancaster Guardian*, 31 January 1903)
3. In 1920 a 42-year-old dealer was accused of the abduction of a girl who lived next door to his home. The defence was that the “the girl asked prisoner to take her away”. The defence failed and the accused was sentenced to three months’ hard labour. (*Lancaster Guardian*, 23 October 1920)
4. In 1927 a 26-year-old farm labourer pleaded not guilty to committing an indecent assault on a 19-year-old girl. There is evidence that “he seized her by the throat and there was a struggle, in which he bruised her throat.” Nevertheless, the accused insisted “he was on his way to chapel and the girl allowed him to embrace her and ‘kiss her every nine yards’. He admitted he put his arm round the girl’s neck, and pulled her to the ground, but they did not struggle. This the girl repudiated”. The defendant was found guilty and sentenced to 15 months hard labour. (*Lancaster Guardian*, 29 October 1927)
5. In 1935 a 21-year-old farm labourer was charged with “a grave offence against a 17-year-old Keighley girl.” His defence “was that anything that occurred was by consent”. The defence claim succeeded in this case. However, the judge said, “You may be discharged, but you will not depart without a stain on your moral character.” (*Lancaster Guardian*, 20 September 1935)

6. In 1960 a 17-year-old soldier charged with “improperly assaulting” a 16-year-old schoolgirl “alleged that the girl was the instigator in what took place”. During the evening the accused asked the complainant for a dance, but instead of going on to the floor, he led her outside. The girl told the court that “I did not mind him kissing me, but when he was saying he loved me, I did not approve really.” The defendant claimed that the “it was the girl who led him outside ... They were there for 25 minutes kissing and then she voluntarily committed a certain act.” The jury found him not guilty and he was discharged. (*Lancaster Guardian*, 13 August 1960)

There seems to have been a shift. In the first four cases the defence of consent was rebutted, while in the last two cases the defence of consent seems to have been accepted with the outcome of an acquittal. This contrasts with the high acquittal rate of the early period and a lower acquittal rate of the later period. Does a focus on reputation and behaviour of the complainant help to explain these apparent discrepant findings?

The behaviour and reputation of the complainant

There are 11 occasions in the series of contested cases where the behaviour and/or reputation of the complainant is directly addressed. Again by considering *all* the occasions, there can be no challenge that the examples are highly selective.

The last case described in the previous section involving a 17-year-old soldier charged with “improperly assaulting” a 16-year-old schoolgirl is the only one where the issue of consent *and* the reputation and/or behaviour of the complainant come together in the same case. It is “alleged that the girl was the instigator in what took place”. In other words, the girl is proposed as an active player in the proceedings. There is certainly a clear tension in the report. She attended a Young Conservative’s dance with a number of friends including her elder brother with the girl telling the court that this was the first time she had been to a dance without her parents. This apparent naïvety contrasts with the alleged sexual sophistication of kissing outside for 25 minutes and then voluntarily committing “a certain act”. The defence’s account seems to have been accepted as the defendant was found not guilty and discharged.

The remaining ten cases show marked variations in portraying the alleged victim:

The two relevant cases in the first period (1860-1879) demonstrate in different ways how the reputation of the alleged victim is crucial. The first case illustrates how seriously the rape of a virgin is taken and the second case indicates how the alleged behaviour of the complainant, quite irrelevant to the case, can be the trigger for a dismissal of a case.

1. In 1860 a 25-year-old travelling showman was charged with criminally assaulting a 19-year-old girl: the prosecutrix was one of the performers. The accused gave her several glasses of rum punch and subsequently committed the assault complained of. He was found guilty and the judge, in passing sentence, said “he certainly thought it was one of the worst cases he had ever had the misfortune to hear” (*Lancaster Guardian*, 18 August 1860). Instead of protecting the girl, as she was an orphan, he “had violated the chastity of the prosecutrix, who, notwithstanding the temptations of her calling, had, up to that period, preserved her virtue.” The sentence of the court was penal servitude for life.”
2. In 1875 a local case headlined, ‘UNFOUNDED CHARGE OF RAPE’ (*Lancaster Guardian*, 5 June 1875) involved a discharged militiaman being charged with committing a rape upon a 16-year-old girl. The complainant lived with her parents but was by herself when the accused “came in, took hold of her by the waist, and dragged her through the yard into the privy, where he committed the offence with which he was charged. She called out aloud ‘George’, and when she was at liberty she ran out and met her mother, to whom she told what had occurred.” After various questioning, the report states that, “In reply to a further question, prosecutrix admitted being out all night on Whit-Sunday with George Mount [a neighbour], but denied that she slept with him on a haystack. At this point the Bench stopped and dismissed the case, and the prisoner was discharged”.

There were three relevant cases in the next period (1880-1899). The respectability of the girls in the three cases was not challenged.

3. In the report of a case in 1887 everything follows from the description of the complainant as “a thoroughly respectable girl employed as a domestic servant” (*Lancaster Guardian*, 8 January 1887). She was feeding some pigs at her master’s house when the accused went into the hut and committed an assault on her. The defence counsel acknowledged that the accused had been drinking at a public house and that he had “conducted himself in a way which he was very sorry for.” The defence further claimed “no harm seemed to have happened to the girl”. The defence counsel suggested that the plea of not guilty should be withdrawn and the prisoner should plead guilty to the minor charge of common assault. The Chairman said that the Court quite agreed to that course of action being adopted, adding that “the case was one which could not possibly be entirely overlooked, and a penalty of £3 would be inflicted upon the prisoner, in default of payment three months’ imprisonment.”
4. The next relevant case in 1888 also involved a domestic servant who was described as “a very respectable young girl” (*Lancaster Guardian*, 18 August 1888). An ex-pupil teacher aged 18 years was charged with

criminal assault upon this girl. She had been sent by the housekeeper to post a letter. At the post office she met the accused, who though a perfect stranger to her, accosted her. Despite saying that she wanted nothing to do with him, he insisted on accompanying her. Eventually after putting his arm around her and kissing her, he got hold of her and committed the assault complained of. The girl allegedly screamed but the other servants who were in the house could not hear any screams or any noise of the struggle. Ultimately she got away from the accused and rushed into the house in an agitated condition. When the accused was arrested, he replied saying, "No, not an indecent assault" (*Lancaster Guardian*, 20 October 1888).

For the defence, a curate at the Parish Church, Lancaster, said that the accused was a pupil teacher at the National School, Lancaster. The defence counsel made much of the accused's very good character, maintaining that nothing more than a kiss and a struggle for another kiss occurred in the passage. After a brief deliberation the jury returned a verdict of "Not guilty" and the prisoner was discharged. The reputation of the accused seems to have won the day over the claims of a "very respectable" domestic servant.

5. In 1893 a single man employed as a plasterer was charged with attempting to commit a rape on a 17-year-old girl who lived with her parents. The accused was a sometime lodger with a next door neighbour. It is alleged he walked into the house without knocking. He sent off the younger children on errands and then allegedly attempted the offence by throwing the complainant on to the hearthrug. The girl screamed but the accused stifled her scream with her clothes (*Lancaster Guardian*, 11 March 1893). The defence counsel "suggested that it was a case where the girl had been excited. When lighting his pipe, [the accused] took the cramp fell forward and stumbled against the chair on which the girl was sitting. She got excited and had imagined that the prisoner committed misdemeanour" (*Lancaster Guardian*, 8 April 1893). In cross-examination the prisoner said that the girl was "old-fashioned" like her mother. The defence counsel stressed that his client "had served his country and had under his control a hundred women without a blemish on his character. They had to put alongside that character the inaccuracies - not the falsehoods - of a mistaken nervous girl". After considering their verdict for half-an-hour, the jury returned a verdict of indecent assault. The prisoner who had been in prison one month was committed for two months with hard labour.

There were no further reported mentions of the reputation or behaviour of the complainant until 1940. The three examples in the 1940-1959 period suggest that the complainant is expected to do more – for example, to take the opportunity to escape – as well as being allowed to do more – for instance, drinking in public houses – but can still be under a misapprehension as to what has happened to her.

6. In 1940 a butcher's assistant was charged with an offence against a 17-year-old girl. The complainant and her friend got into a car with two men. The car stopped and the occupants got out. After an attempted assault, the accused suggested that they should go into a hut situated near by, and the girl, thinking she might have a chance to escape, agreed. In the hut the offence occurred.

As the case developed, the judge remarked to the prosecuting counsel, "Can you on this evidence ask a jury to commit this boy who is only 19 years of age?" After commenting that the girl could have run away and that she may have bitterly regretted the incident, the Judge asked whether the jury wished to go on with the case. Without retiring the jury intimated that they did not wish to hear the remaining evidence and the accused was accordingly discharged (*Lancaster Guardian*, 31 May 1940). The age of the defendant and the allegedly passive behaviour of the complainant seemed to produce a compelling mix for this case to be dismissed by the jury.

7. In 1947 there was the case of a 25-year-old boiler fireman being charged with the attempted rape of a 19-year-old single woman employed as a laundry worker. The complainant told how she had spent the evening with two women friends, visiting public houses and having six half pints of mild beer. After leaving the last public house, she met the accused and two other men at 10.50 p.m. The accused offered to accompany her home as he lived in the same direction. Despite her objections, the complainant alleged that the accused pulled her across the road and dragged her into a passage between two houses, which was in darkness. She alleged that the accused then got her on the ground and attempted to commit a serious offence. The complainant said she struggled but was handicapped by a partially paralysed right arm. Two witnesses living by the passage seemed to substantiate the girl's account. The police surgeon who examined the complainant confirmed the physical beating and said that "she smelt very slightly of drink but was perfectly sober" (*Lancaster Guardian*, 9 January 1948). Cross-examined, the accused said he had been married seven months and that his wife was standing by him. When the defence counsel started to call witnesses to speak as to the complainant's character, the Chairman ruled that such evidence was inadmissible. The jury found the accused guilty and he was sentenced to 12 months' imprisonment. Passing sentence, the Chairman said the magistrates had taken into consideration in the defendant's favour, the fact that his Army record was assessed as good. The fact remained that young women must be protected against brutal assaults of that kind, for brutal it was. Even though the particular young woman was in the habit of going to public houses, it did not deprive her of the protection she was entitled to have under the law.

8. In 1953 a 19-year-old nursing orderly described incidents in a Lancaster cinema when a 23-year-old was committed for trial for indecently assaulting her. At the trial after a hearing which lasted nearly two hours, the jury - without leaving the box - took less than two minutes to acquit the accused, a 23-year-old insurance agent, of either indecent assault or, alternatively, committing a common assault. What seemed to be a crucial response to the defence counsel was that the complainant "admitted that she had once before complained to an usherette about being interfered with by another man who on that occasion ran out of the cinema and her complaint on that occasion 'treated as a joke'". The Chairman said, "There is no corroboration here at all and the law states that in these cases without corroboration it is dangerous to convict. No one impeaches the young lady's good faith in this case. She may well believe that something was done which was in fact not done. ... You may in all the circumstances come to the conclusion that this young woman is perfectly honest, straightforward and sincere in her charge, but you may also decide to acquit this young man because you may think she is perhaps under a misapprehension" (*Lancaster Guardian*, 8 May 1953).

The final three examples occurred in the last period (1960-1979). The case of the 17-year-old soldier who was acquitted has already been discussed. The other two cases both involve the complainants' drinking but with different outcomes.

9. In 1965 a 28-year-old married man was cleared of assaulting a 17-year-old girl (*Lancaster Guardian*, 24 September 1965). She told the court that after talking to the accused and his two friends, she went with them to the John O'Gaunt Hotel, where she alleged that while her attention was diverted a gin and a gin and orange were put into her glass of orange juice. She alleged that on leaving the hotel at closing time, the accused began kissing her and made an improper suggestion. When she told him she would not do that she alleged he threw her to the floor and hit her. She got up and hit him back and he hit her again and left her. The accused told the court that he left the hotel with three men and walked straight home. He arrived home at 11 p.m. His wife was at home. He told the court: "There is no truth that I assaulted her. I was never alone with her." His alleged companions appeared as witnesses. Replying to the defence counsel, the complainant admitted telling the accused that she was pregnant by her boyfriend, but denied saying she had attempted to have an abortion to get rid of the child. The Chairman, in dismissing the case, told the accused that the Bench felt there was a doubt and they were giving him the benefit. Interestingly, gin was popularly used as an abortifacient, and this may have enhanced the doubt as to what was happening in this case.

10. The final case in the series related to an offence occurring in 1973. There were four reports with the final report of the trial being four column inches spread across four columns on page 12 of the newspaper and headlined 'GIRL HAD 'TERRIBLE ORDEAL'. Essentially the charge was that four men from Barrow, aged 19, 25, 27 and 28 years, were accused of raping a 17-year-old Lancaster girl. They were also accused of abducting the girl from Morecambe. The judge said at Lancaster Crown Court that the girl must have been terrified and frightened of her life when she was bundled into the back of the car at Morecambe, driven to a lonely country lane and raped. Three of the men were found guilty of kidnapping. By a unanimous verdict one of them was also found guilty of rape and by a majority verdict of 10-2 the jury found another of them guilty of rape. The 28-year-old was acquitted of all charges. The judge sentenced the three guilty men to three years' imprisonment, 12 months' imprisonment suspended for two years and Borstal Training respectively. When she was taken to a lonely country lane leading to a farm in Quernmore, she said she did not resist because she thought they would kill her if she refused. She agreed that she had drunk four or five whiskies and orange and one small champagne, but was not under the influence of drink. The Judge said all the men had far too much to drink. Very little chivalry was shown to the girl at the end of what must have been a terrible ordeal for her, he said (*Lancaster Guardian*, 23 November 1973).

Conclusions

This study of the newspaper reporting of sex crime in a local area is the outcome of a long journey. It took over ten years to develop the database with the use of student labour. The present study focuses on non-consensual sex crimes involving female victims aged 16 to 20 years and uses the database as a resource for evidence.

The substantive results seem clear. The study usefully demonstrates the shift in the acquittal rate and the changes in sentencing of non-consensual sex crime over the 120-year time-span. The change in the proportion of contested cases is probably crucial. But newspaper studies do not show what prompts an accused in one era to contest a charge and an accused in another era to accept a charge. Such a change is likely to be related to the underlying assumptions which underpin the process. So, for example, defence counsel can pursue a line of questioning in one era which would be unacceptable in another. The qualitative study focusing on the contested cases provides some clues of the adversarial system at work.

Consent does not seem to present as a major issue in non-consensual sex crime in the nineteenth century. In contrast, reputations are crucial. If a good reputation is wanting for a female, then consent would be tacitly assumed. However, if respectability is awarded to the female, this respectability can still be capped by the respectability of the accused.

Recognising that consent is the crux of the matter is largely a twentieth century phenomenon eventually becoming firmly embedded in the Sexual Offences (Amendment) Act 1976.

The re-emergence since the Second World War of the importance of the reputation and behaviour of the complainant seems to mirror an increasing tension about the position of women in society. In relation to this study, females aged between 16 and 20 years are beginning to be seen differently. Females are increasingly being allowed to do things, such as drinking in pubs, without totally undermining any attempt to obtain justice in a non-consensual sex crime. In short, it is gradually being recognised that a good reputation is no longer regarded as pivotal to the success of a case.

Without making too strong a claim, it is still fascinating what an important role alcohol tends to play in the proceedings - both in terms of the actual assault and the subsequent interpretation in the court arena of what happened. In particular, in the years soon after the Second World War, patterns were changing. Not only were females drinking more openly in pubs with women friends but the courts began to recognise that such social acts did not deprive a woman of the protection she was entitled to have under the law. Another dimension which has not been discussed in this paper is, of course, the possible impact of alcohol on the behaviour of the defendant and the court's interpretation of an inebriated state. In several cases, alcohol is pivotal in various ways.

The methodology used in this study attempted to examine change in a systematic way over a long timeframe. By dividing the timeframe into 20-year segments comparisons are easy to make in terms of the crimes reported in this local newspaper and their outcomes. By revealing *all* the examples of the chosen themes found in the newspaper, the study avoids the familiar challenge that the qualitative work is highly selective. However, there are concerns. The newspaper is used to portray reality rather than simply representations of reality. Further, by focusing on one local area and a specific age group of complainants, the study has narrowed the context and contours of the empirical work. The filters of area and age produced manageable numbers to consider but, disappointingly, the media coverage of the cases was usually not as detailed as had been expected. In one of the very first reports (*Lancaster Guardian*, 18 August 1860), it was stated "the details of this case are necessarily unfit for publication"; words to this effect were repeated in several of the cases. As time went on, the sexual activity in question became much clearer but the detail of the reporting was rarely extensive.

Part of the motivation in developing this paper was a concern about the neglect of history in contemporary criminology. But does a focus on history simply feed an intellectual curiosity about our past or does it also have a contemporary relevance? It can, in fact, do both. As Edwards (1981: 173) reminds, "historical analysis of ideas and legal practices sheds considerable light on contemporary legal practice". Hopefully, this paper has demonstrated that there have been massive changes in both process and outcome over the 120 years of the study. It shows that change is

possible. Nevertheless, some contemporary laws and legal practices are still derived from earlier and perhaps outdated discourses. In fact, the paper does not indicate whether and what change is necessary in contemporary practice. Hence, there is still more to do for, as Schlink (2008: 178) has observed, “Doing history means building bridges between the past and the present, observing both banks of the river, taking an active part on both sides”.

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Street Pastors: From Crime Prevention to Re-Moralisation

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Abstract

This paper reports on a staged research project conducted in a major city in the south of England. It largely involved an evaluative effort to consider the development, implementation and the perspectives of different key actors about the impact of a local Street Pastors project on areas of the night-time economy (NTE). We first set out the origins of the Street Pastors movement, before describing the methods employed in the research. While early findings are presented the purpose is at this stage to provoke debate and to provide an early commentary for what has far-reaching implications for community safety generally, and even further, for large areas of public policy.

Key Words: religion, community safety, public policy, re-moralisation, governance

Introduction

Since this paper was presented at the 2009 Conference the research has moved on a stage, thus what we present here will be slightly different, slightly more advanced, than we were able to produce at that time. Nevertheless, it remains a piece designed to stimulate debate rather than articulate very clear conclusions. Street Pastors is an inter-denominational Christian organisation that actively patrols areas of the night-time economy (NTE). They are visible due to a distinctive uniform and employ outreach methods to make contact with and serve vulnerable groups, offering a range of interventions which are ostensibly secular in nature. Their progress has been remarkable since their inception on 2003, and consequently it would seem an apposite time to consider the implications

of their rapid growth, not only for crime prevention and community safety, but also in terms of the impact of religion on public policy more generally.

We begin with a brief section reflecting on the historical relationship between religion and public policy, which has been an uneasy one in the post-war period as a separation was promoted pushing religious belief further into the private sphere. Clearly, religion has played a major part in social welfare through the voluntary or third sector and continues to do so, but aside from specific areas such as faith schools that receive state sponsorship arguably its role in mainstream service provision has been limited (Moss and Thompson, 2006). Historically crime prevention activities where religious groups have been involved have arguably operated at the welfare end of the continuum. What we see with Street Pastors might be considered a more hard-nosed crime prevention oriented group actively patrolling the NTE. In this respect the Street Pastors initiative may be unique but there is much more to reflect on than simply their novelty factor. The nature of their operation and its timing may well have opened up possibilities for them to play a significant part in local governance using the police service as a convenient conduit. From this point of view it is worth examining the origins of the movement and exploring its development, and the means of that development.

One of the key points of interest is that despite the current importance of establishing an evidence-base for public policy (Wells, 2004), the Street Pastor movement does not have that evidence base. Some grand claims have been made for their impact on anti-social behaviour and violence in the NTE (Norfolk Street Pastors, 2009), but thus far little has been supplied in support of them. At the time of writing, to our knowledge, only one evaluation has been conducted nationally. It was carried out in Portsmouth by a trainee health worker and, with all due respect, does not provide a critical appraisal (Cornish, 2009). We are about to complete a staged research project in a major city in the south of England and it may be the first critical evaluation of the Street Pastor scheme, albeit centred in one location. It is vital therefore that we explain how this research project was undertaken.

It would be premature to set out the findings as the final part of the research has yet to be completed, but we will outline what is emerging and draw out the most serious implications for crime prevention and public policy. As it is the stated purpose of this piece to stimulate discussion, we will conclude by highlighting the most important themes and the most resonant issues. Ultimately, we believe that before further expansion is sanctioned, and more public resources are made available to the Street Pastors, there needs to be a serious and thoroughgoing public debate about the place of religion in public policy, and the appropriateness of using a religious group to supplement the policing of the NTE (if indeed that is what is happening).

Religion in Public Policy

Religion has made a significant contribution to the development of public policy in the UK, arguably with most impact on the practice of social work (Bowpitt, 1998; Fraser, 2002; Thane, 2002; Jordan, 1984). Christian churches have a historical legacy of delivering services, being formative influences and contributing physical and social resources (Orton, 2006). However, the centrality of religion to policy formulation and service delivery began to wane in the early-to-mid part of the twentieth century due to the growing secularisation of society coupled with the influence of critical thinkers such as Marx and Freud (Moss and Thompson, 2006). One of the central issues was the belief that religion had a history of intolerance and oppression that was not consistent with ideals of public welfare (Moss, 2005). It is arguable that the onset of the post-war welfare state meant there was less need for direct church involvement.

However, as in many aspects of social policy the Thatcherite inspired welfare reforms created a space in terms of depth and scope of service provision and this space has been filled by third sector agencies some of which have been faith-based. This process has accelerated with the arrival of New Labour, which has embraced the notion of the mixed economy of welfare, emphasising themes such as freedom of choice (Finlayson, 1999). It also appears to have been driven in part by Christian socialist beliefs (Chapman, 2008). As a result, organised religious groups are increasingly being seen by policy-makers as appropriate providers in delivering public policy. As Lowndes and Chapman (2005: 4) point out:

Engaging faith groups is part of a broader government strategy to mobilise the resources of civil society in pursuit of citizen well-being and better governance. But there is also an assumption that faith groups have special qualities that enable them to play a particular role in civil renewal.

This perhaps reflects the arguments of authors such as Moss and Thompson (2006) that the historic connection between key public policy concepts such as equality and spirituality have been lost and that in order to fully appreciate their meaning and develop a meaningful framework for their pursuit the connection between religion and public policy has to be redrawn.

The way in which it appears to have been redrawn in the view of Lowndes and Chapman (2005: 10) is through three 'in principle' rationales for faith group involvement. These rationales include:

- a normative rationale which is linked to theology and presence in communities;

- a resource rationale, which is focused on organisational capacity – clearly churches have a large number of people and skills at their disposal, and the ability to reach socially excluded groups; and
- a governance rationale, which identifies the representative and leadership capacity within communities and broader networks.

These rationales, if Lowndes and Chapman (2005) are right, are providing a template for the reintroduction of religious involvement in mainstream public policy in the UK.

Of course we are in a period of possible political transition. At present the Conservative Party lead Labour by fourteen clear points in the opinion polls (Sparrow, 2009), therefore, it is worth considering what the future might hold for religious bodies in terms of public policy. During his time as leader William Hague openly espoused a moral agenda underpinned by Christian values. In fact, the Conservative Christian Fellowship was given office space at Conservative Central Headquarters. Furthermore, faith groups were also, along with other voluntary organisations, invited to share their views and experiences. While David Cameron's Broken Society programme consciously avoids the same moral theme, echoing the New Labour language about evidence, the importance of voluntarism remains at its heart. It would seem unlikely despite the less overtly religious overtones the input of faith groups will be limited or curtailed by a Conservative government led by Cameron (Kirby, 2009). At this stage we need to outline what the Street Pastors are, how they came about and the way in which they function as a part of the NTE.

The Birth and Development of the Street Pastors

The Street Pastor project was set up through the Ascension Trust, which was established in 1993 by Reverend Les Isaacs and colleagues in response to what they saw as the increasing economic, social and spiritual deprivation in Britain at that time. The original work of the Ascension Trust was predominantly around gang-related gun crime in inner city London. In 2001 Reverend Isaacs visited Jamaica to investigate how the church was involved in implementing strategies to deal with the disaffected youth involved in gangland culture, this provided the impetus to set up the Street Pastor initiative as a model adapted from the Jamaican experience. In 2002 The Ascension Trust launched a project in five areas of London - Brent, Hackney, Haringey, Lambeth and Southwark - Aston in Birmingham, and inner city Moss Side and Longsight in Manchester. The project was called the 'Guns of our Streets' tour. The overall aims of the tour were to raise awareness of gun crime, to generate practical ways to implement policy to reduce gun crime, to build community relations between the church and the non-church community and to encourage a multi-agency approach to dealing with gun-crime in each of the given areas. According to the Street Pastors Website, apparently a report was written as a result of

consultations and discussions, which led to the setting up of the Street Pastor project in January 2003¹.

The Street Pastors form an inter-denominational response to neighbourhood problems that seeks, not to preach, but to offer practical based solutions to immediate problems. The Street Pastors use outreach methods to engage with disenfranchised young people and other vulnerable groups. There are both pragmatic and spiritual criteria which have to be satisfied before an individual is selected for Street Pastor status. In terms of the former each person has to pass a Criminal Records Bureau check in order to proceed. The latter requires that recruits to the Street Pastor movement have to be people with a deep faith and a religious-inspired desire to offer practical help within their communities. In this way, Street Pastors accommodate the practical needs of the secular world and the faith-related needs of the religious domain. Once a twelve week training programme has been completed the Street Pastors join a team which patrols the NTE. The Street Pastor teams are visible and wear a uniform which consists of reflective jackets and baseball caps.

The growth of the Street Pastors has been remarkable. At the last count there were over 3,000 individual Street Pastors in the UK, working in more than 100 projects. These stretch right across the country from Aberdeen in Scotland to Camborne in the far south west of England (McGuinness, 2009: 20). It is important to note that whilst the Street Pastors work under the umbrella of the Ascension Trust there is a great deal of local autonomy and arguably any democratic scrutiny of this movement should take place at the local level as it is at this level where agreement to accept the Street Pastors is negotiated.

The Street Pastors' mission statement is to provide an "interdenominational response to neighbourhood problems; engaging with people on the streets and in night-time venues to, listen, dialogue and offer practical help and solutions" (<http://www.streetpastors.co.uk>). Their expressed values are as follows:

- The sacredness and sanctity of human life
- Valuing and honouring the community
- Taking personal responsibility
- Being a person of integrity
- The growth and development of the person to their fullest potential.

Drawn from these values they have two stated aims:

- To develop the project to build capacity and sustainability
- To provide an outreach volunteer service to prevent crime, defuse volatile situations and divert those involved and/or at risk of criminal activity and anti-social behaviour into training, employment and other

¹<http://www.streetpastors.co.uk/WhatisaStreetPastor/AscensionTrust/tabid/203/Default.aspx>

meaningful and empowering pursuits (Select Committee on Home Affairs, 2006).

What this really indicates is just how far the movement has grown away from its original rationale and arguably its target community. In the first instance it was designed to tackle the problem of gun crime and this mainly amongst the African-Caribbean community in the UK. What we now have is an organisation that seeks to provide wide-ranging welfare-oriented interventions on the streets with 'anti-social behaviour' in mind, notably targeting the problem of binge-drinking.

The local initiative obviously subscribes to the general lead provided by the Ascension Trust; however, it, like all Street Pastors schemes, also enjoys a large degree of autonomy. Partly this reflects their local circumstances and context. The initiative we studied operates in a large city in the south of England, and came into being through the confluence of key interest groups. On the one hand church leaders became aware of the work of the Street Pastors through a national conference of evangelical Christians. This led to one of its founders, Les Isaacs, visiting the city to talk about the scheme at an open forum. A senior police officer happened to be there and was so impressed he elected to champion its introduction to the city. The Base Command Unit Commander then helped to fund its start-up costs. It was universally recognised that in public policy terms the Street Pastors scheme was police sponsored and driven.

Recruits come to the programme through their churches as either nominees or volunteers. They pay a £300 fee to enrol which covers training and the cost of the uniform. The training, as stated above, includes a 12 week programme which has components on sociology, criminology and theology as well as more practical matters such as first-aid and self-defence. Although recruits can accompany patrols before they graduate, they cannot formally become Street Pastors until it is successfully completed.

At the time of the research, the patrols were made on Saturday nights between the hours of 10pm and 4am, they were split into two teams each covering separate areas. Each patrol consisted of between 2-4 people and they were supported via radio link with a group based back at the church - this static group offered the patrols advice, support and prayer. The patrols not only engage with people on the streets, they also make a point of building relationships with shopkeepers, door staff, takeaway proprietors and publicans. The published aims of the Street Pastor group involved in the research are as follows:

- "As a 'presence' ministry from the Christian churches ('the church has left the building')
- As a visible presence to reassure folk who may feel vulnerable
- To help reduce the (alarming) fear of crime that far outweighs the actual reality of the situation

- To be a listening ear to the lonely, the vulnerable, the frightened, the intimidated, the hurting....
- And to offer genuine, non-judgemental pastoral support to those who request help.”

Having described how the Street Pastors began and how they operate, nationally and locally, we now need to outline the research in which we are currently engaged in order to set up themes and issues for wider discussion. First we will describe the scope of the work before going on to outline some of the key emergent findings.

The Research

The data in this paper comes from a two part project conducted in a major city in the south of England. The first part of the study was something of a hybrid in line with the requirements of the Street Pastors scheme and its sponsoring agencies. It involved a process evaluation in which the recruitment and training procedures were investigated, as well its patrol activities. But it also featured a feasibility study aimed at assessing whether an existing Street Pastors group could be moved into a higher risk area of the city’s NTE. This was arguably the more important of the two aspects because of the expansionist ambitions of the initiative.

The second phase of the study, conducted some six months later, was an evaluation driven by the realist imperatives outlined by Pawson and Tilley (1997). In effect, its purpose was to explore how the services’ extension had been received, not by measuring its impact as this is always problematic with outreach work (Barton and Welbourne, 2005), but through the perceptions of key actors. It was commissioned by the local police, a local community group and the Local Authority’s Community Safety Unit in concert with the Street Pastors.

The first part of the research ran from December 2008 to January 2009 and the second part took place in July 2009. The research applied a multi-method approach: documentary analysis, observations, informal and semi-structured interviews and an unstructured focus group. Observations were made of the training sessions provided to the Street Pastors and the authors accompanied patrols to see firsthand how they operate in both NTE areas of the city. Additionally an observation was carried out in the CCTV operations room of the city.

In total ten semi-structured interviews were completed with various actors, some of whom were re-interviewed in the second phase. They included:

- The Managing Director of the Street Pastors scheme
- The scheme’s Coordinator
- The Training Coordinator
- A police Inspector and Street Pastors Director

- The Leader of the City Council
- Three members of the Local Community Safety Unit.

It was originally intended to include beat officers assigned to the second NTE area and other relevant actors in the interview survey. Unfortunately, financial and temporal limitations meant that this was not possible. While this does limit the scope of the study somewhat, nevertheless, in line with most qualitative research the limitations are in the range of perspectives offered not in the number of interviews conducted.

The informal interviews were carried out on four separate evenings the first of which involved door staff in the area. Thirteen pubs and clubs took part and twenty three staff members. The second round of interviews was conducted with takeaway and restaurant owners in nine establishments. Finally, an unstructured focus group was organised with homeless people (ranging from street drinkers to rough sleepers) whilst helping out at a Christmas dinner organised by one of the Police Community Support Officers. Again, in the second phase, some of the same individuals were re-interviewed, with an additional set of informal interviews undertaken with CCTV operators. The stage is now set for some of the early findings to be reported.

Key Emergent Findings

At the outset it is important that we make clear the scope of our reporting. We did not record the informal interviews so we cannot always quote participants. Often the nature of the interviews and their context (undertaken in public during working hours in the NTE) made recording difficult and some respondents actively opposed it. Therefore, some of what we present here will appear in the form of analytical summaries (Barnett and Cain, 2000). There are numerous things we could talk about here, so we have elected to concentrate on the most prominent themes: Intervention, levels of support and the strategic position of the Street Pastors.

Intervention

From the process evaluation component which largely involved observational methods, a number of notable points emerged. Perhaps the most important related to the nature of intervention. One of the guiding principles of the Street Pastors is that they do not intervene unless approached. While on patrol the authors observed that this had implications for the efficacy of the service. In one instance a young man was encountered wearing a dress, he was very drunk and he had clearly been ejected from a nightclub. He also appeared to have no money or indeed any possessions at all, and was completely alone. As they were not asked for help the Street Pastors did not engage with this individual even though he seemed highly vulnerable. In a similar incident an inebriated young woman

who was being violently ill and surrounded by other young people was ignored, while a man who was less drunk and only mildly sick was offered a bottle of water. In addition to the unsolicited help directive Team Leaders are charged with making on-the-spot risk assessments so this may have been another factor.

Presumably, these principles are in place to protect the Pastors and to avoid the perception that they are preaching or moralising. However, it meant in this case that two people in need received no assistance. In a different situation a homeless man was approached briefly and there was a short discussion but no help or practical advice was forthcoming..

Levels of support

In terms of the feasibility study the most apparent finding was that there was general support for expanding the Street Pastors patrols to the proposed NTE site. Virtually every group we spoke to were tentatively supportive, though it would perhaps be fairer to say they were positively agnostic. It was broadly felt that they probably would not do any harm but that they probably would not do a lot of good either. Having said that activities like litter collection were regarded favourably and there were key things that they might be able to contribute, such as:

- To have some deterrent effect in preventing violent offending
- To bear witness if offences were committed
- To offer assistance to vulnerable young women, and a lot of publicity had been achieved locally because the Street Pastors hand out flip flops to women who are drunk or have broken their heels.

On the other hand there were universally expressed concerns:

- There were fears that Street Pastors would be overwhelmed by the horrors occurring in that part of the city. One respondent said their faith would be sorely tested.

And specific concerns were identified by different respondent groups:

- Several door staff said that Street Pastors might be an added burden; that they would help out but could do without the added responsibility
- Two young homeless men stated that they were generally supportive but that they would not tolerate being preached to, even though we made them aware this was not part of the *modus operandi* of the Street Pastors.

Overall then, although there was tentative backing for the intended expansion, there were also clear reservations. In purely practical terms the clearest outcomes were the removal of litter from the street, the distribution of flip flops and water, and a number of individual and group

interactions. Of course there may also have been a deterrent effect, but this is not something susceptible to measurement.

The strategic location of the Street Pastors

Through the semi-structured interviews in particular it soon became apparent that they were not a formal part of the Crime and Disorder Reduction Partnership (CDRP) in the city, despite having a central place in its NTE:

But it is very much an independent role, so they are there to help not to police. And I think we have to respect that division. So while obviously I know that they let the police know when they're out and about. Their role is... they would assist us as they do here as part of community focus week, but that's the limit of what they want to do (Community Safety Officer 1).

The desire for independence and autonomy was echoed by the Leader of the City Council:

On the other hand I think it's got to stay voluntary, we don't want people out there thinking 'Oh this is the council', because some people don't react to the council very well... So we have tried to keep it informal... They know they've got our support for whatever they need... But they want to be independent and that's right.

The head of the Community Safety Unit in the city felt that the Street Pastors scheme ought to be incorporated into the CDRP, but there had been little willingness on their part to integrate themselves more fully into the community safety infrastructure. While the Chair of the Street Pastors maintained that they might be prepared to do so if officially approached, he stressed that they would not be interested if it meant they had to compromise on what they wanted to do.

Resonant Themes and Issues

It is clearly our intention to provide a more thoroughgoing commentary on the Street Pastors scheme in due course, certainly once the research is completed. However, there are critical themes and issues emerging already that we feel require urgent consideration and debate. At a pragmatic level this is in large part about the consistency and coherence of government policy. A central factor which has aroused our interest is the rapidity of the growth of Street Pastors schemes nationally, from six groups in 2003 to the position we see now. The government has continually emphasised, , that public policy should be driven by 'what works' and this requires a constant recourse to evidence:

We will be a radical government. New Labour is a party of ideas and ideals but not of outdated ideology. What counts is what works. The objectives are radical. The means will be modern. Britain will be better with new Labour (Tony Blair, Labour Party Manifesto for the 1997 General Election; cited in Wells, 2009: 1).

And yet, as stated earlier, aside from our work which is yet to be concluded, there is only one completed evaluation of a Street Pastors scheme that we are currently aware of. This was carried out in Portsmouth by a trainee health practitioner, and lacked any critical edge (Cornish, 2009). Street Pastors schemes are growing rapidly in a geographical sense, but also in terms of the areas of public policy they wish to access. The latest development is the establishment of Schools Pastors schemes, where patrols occur after school hours escorting children to bus stops. Eventually they want to get past the school gates and take a greater role in activities like assemblies (McGuinness, 2009).

There is a long tradition within the criminal justice field of seeking evidence to support new policy measures. Aside from the burgeoning amount of academic research in the area, there is also a substantial archive of research evidence available through the Home Office website dating back to 1969 (<http://www.homeoffice.gov.uk/rds/pubsintro1.html>). What is apparent is that there has been an acceleration of this process since the arrival of New Labour. While it is clear that the research evidence will be of variable quality, and, there are areas that might require more evidence to be collected, nevertheless, The key question we want to pose is why has such a far-reaching and expansive service been allowed to develop without integral evaluation, to see if it works?

This absence of evidence also has relevance for the role of the Street Pastors in terms of local governance. In terms of crime prevention and community safety the Home Office Circular 8/84 marked the beginning of our current approach to crime prevention as well as marking the genesis of joined-up working within the criminal justice system (Follett 2006: 96) and its delivery being localised (Crawford 1997). From this point, the whole thrust of crime prevention became multi-agency in approach: from Five Towns, through to Safer Cities, on to Morgan, the 1997 Labour election victory and the 1998 Crime and Disorder Act with the requirement on Local Authorities to promote and coordinate Crime and Disorder Reduction Partnerships, which provide an audit of crime within each local authority and a strategy to reduce it.

In 2002 the Police Reform Act extended the responsibility for the formulation and implementation of CDRPs to the Police, the Fire Service and the Primary Care Trusts, thus firmly incorporating health within crime. From here, the 2003 Anti-Social Behaviour Act, the 2004 *Building Communities, Beating Crime* White Paper, the 2005 Clean Neighbourhood and Environment Act, the 2006 Respect programme and the Police and Justice Act 2006 all served to allow CDRPs to incorporate more and more organisations into a multi-agency planning and delivery web. As a result,

the CDRPs have attempted to include almost all agencies working within the community in whatever capacity into an essentially crime reductive milieu.

With regard to the Street Pastors while they have demanded significant resources, and have taken on a central role in the NTE (a large part of which relates to community safety), they have no place in the local CDRP and judging by the views of the senior figures in the initiative we have researched this will only happen if it has no impact on their activities. The problem with this is that there is no direct accountability. Again, we need to stop and reflect on this situation: how has this been allowed to happen?

New Labour has had a strong Christian Socialist thread running through it since its inception and this has clearly made an impact on the shape and direction of public policy (Chapman, 2008). Essential public services have been provided for some time by such groups, however we are not aware of a religious group in the UK that has used crime prevention as their *raison d'être* before. When Michael Howard in 1993 raised the possibility of concerned citizens patrolling the streets there was an outcry about vigilantism, not least from the police, and the suggestion was first adapted under the tag-line 'walking with a purpose' and then eventually shelved (Joyce, 2006). Furthermore, at the Labour Party Conference in 1994 John Prescott ridiculed the proposal and said that the Conservatives ought to focus their energies on getting people 'working with purpose', as unemployment continued to rise (Goodwin, 2004). This appears to show that it is religion that provides the vital ingredient.

In making sense of this we can refer back to the work of Lowndes and Chapman (2005). One of the rationales articulated for the involvement of faith-based groups in areas of public policy, specifically urban regeneration, was resource-led. This has two key facets one of which serves the need of central and local government and one serves the needs of the faith-based groups. The first relates to the aims and needs of governments. Faith-based groups have access to significant physical and social resources and can mobilise people, skills, and spaces in the pursuit of public policy and thus present significant, and more importantly, willing, resource bases on which government can draw. From the faith-based groups' perspective engaging with government allows faith-based groups access to practical benefits such as funding, but also less tangible, but arguably more important benefits, such as widespread social acceptance and the ability to influence policy and achieve closeness to power.

While certain sections of the Christian community clearly feel that they are a hunted minority fending off the attention of an 'ignorant secular liberalism' (The Christian Institute, 2009), contradictory evidence suggests that in fact public trust towards the church is relatively high. For instance, a European poll conducted by Ipsos-MORI (2009) this year placed the church near the top of a list of most trusted institutions, and religious personnel as trustworthy on an individual basis. Tentatively supporting this latter evaluation, it was apparent during our research that the Street Pastors

were trusted almost implicitly because they were religious. Only one doorman asked whether they have to be registered. As it happens they are CRB checked. However, no-one questioned the right of the Street Pastors to be doing what they are doing.

Reflecting back to the framework set out by Lowndes and Chapman (2005) once again, another rationale for faith-based public policy activity revolves around governance. This makes reference to representation and leadership; indeed the Home Office (2003: 22) notes that, 'the leadership role of faith groups involves developing the skills and confidence of members to play an active role in society'. This is something the Street Pastors may well be happy to provide:

I hope to see a city that values its neighbourhoods, and partying, and commercial and family, and ethnicity and cultural life in a whole higher way, in a less selfish way, and in a way that allows for a more corporate image across the City. This is a massive statement and would imply that there isn't that at the moment. I believe there isn't that at the moment, the City has a very self-centred attitude, and within society generally. I want to see people start valuing human life, not taking things for granted, not sticking their heads in the sand when things get tough, a lot less addiction – alcohol, which is the key drug at the moment here – and with a little bit more sensibility...I think there is a spiritual inquiry generally, may not be Christian, or Islam, but a spiritual inquiry nonetheless, where can you ask the questions, the fact we are out on the streets and not hidden – we are just there. It gives people permission to bring out their spiritual inquiry in a non-threatening way on their own turf (Street Pastors Coordinator).

As stated above, one of the reasons religion was separated out from the planning and delivery of public policy was its association with intolerance and oppression (Moss, 2005). It would be wrong to connect the Street Pastors with terms such as these, but there may be a uniformity of vision, a desire to see society moulded into a shape that better fits with their ideals. This seems to be the leadership they are eager to provide. While the Street Pastors are very keen to distance themselves from preaching to people in the NTE, they are drawing attention to their faith simply by being on the streets. What is more, if what is really sought is not what is set out in the stated aims and objectives of the initiative, but is really to re-moralise society, then this is something that needs to be debated openly and honestly in a forum which is transparent and democratic.

In the current political climate it no doubt seems attractive to central government policy-makers who have promoted the re-moralization of society and a fashion a new sense of 'Britishness'. In some communities, particularly ethnic minority communities, religious groups provide an organised form of leadership which purports to represent the community. However, care is needed in taking this at face value as representatives are

often self-selected and do not always truly represent the diverse nature of communities (Johns, 2006). The links between this and wider debates about citizenship can be detected in the work of commentators such as Goodhart (Barton and Johns, 2005). However, Farnell et al. (2003) note that taking such claims at face value can be problematic as it can enable negative attributes to emerge, such as simplification, distortion and controlling strategies. It also appears to run counter to the promotion of Britain as a diverse society, which has also been a central plank of the New Labour agenda (Johns, 2004, 2005, 2006). With serious matters like diversity at stake, it is apposite that the place of religion in general, and that of the Street Pastors in particular, should be openly debated in civil society.

Conclusion

What we have attempted to do here is to present a piece designed to stimulate a debate about the shape and nature of public policy and the appropriate role for religion. For some time religion has arguably been seen as tangential to the achievement of mainstream public policy goals. This is now changing, and with a government driven by neoliberal values and a particular brand of Christian Socialism it is changing quite quickly. There are a number of rationales for the involvement of faith-organisations modelled by Lowndes and Chapman (2005) that appear to have gained acceptance. The case of the Street Pastors illustrates just how rapidly a voluntary organisation fuelled by faith can spread. This transcends geography and they are now branching out into other areas of public policy, though community safety is still the dominant thread.

When we look at the government's policy agenda it is clear to see that the Street Pastors fulfil several important criteria for engagement. They derive from the third sector and have faith on their side. Faith – as we have seen – can carry you a long way with this government, but also has real resonance with the general public and any prospective Conservative government. Faith-based groups and people are trusted and seen to be inherently good. They also appeal through the dual lenses of resource and governance rationales: they have large numbers of willing volunteers, facilities and expertise, and, a desire to provide moral leadership.

However, there is a paradox here which lies at the heart of the governmental project for public policy. First, the evidence-base for the efficacy of Street Pastors schemes does not exist. Second, they are operating – at least in some areas – outside the accepted framework for ensuring community safety. And third, and most importantly, the promotion of faith-based groups, Christian or otherwise, has serious implications for diversity and democracy, two concepts that New Labour have championed stridently since their election. On this basis we suggest that the time is ripe for a full and thorough debate to take place about the role of religion in public policy, not only for society at large, but also for the benefit of those religious organisations that wish to be involved.

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Does Urban Art Deter Graffiti Proliferation?

An evaluation of an Australian commissioned urban art project

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Abstract

In Perth, the capital city of the state of Western Australia, there is a growing move towards the use of urban art as graffiti deterrence. This paper reports on an empirical evaluation of a commissioned urban art project. A former graffiti hot-spot (three bus underpass walls at a commuter train station) and a one square kilometre area surrounding the hot-spot were monitored across four time phases (i.e. a baseline, two post-art intervention and a follow-up period) over an 11 week monitoring period. Following the completion of the artwork site a marked reduction occurred in the number of graffiti recorded at the artwork site across the two post-art intervention monitoring periods and a significant increase in the graffiti frequency counts between the second post-art intervention monitoring period and the final follow-up monitoring period. Similar graffiti spikes were found to occur in the control area surrounding the artwork site. Collectively, these results would suggest that mural artworks are not a general panacea for the graffiti proliferation problem which instead seems to require a non-homogenous solution.

Key Words: graffiti, deterrent, vandalism, urban art, commissioned art

Introduction

Graffiti, the unauthorized written, scratched, marked, sprayed, or affixed defacement of public/private property, is considered by some to be a social crime, an act of youthful vandalism, which needs to be erased from urbanity because of the feelings of disgust/fear it engenders in the general populace (Cohen, 1973; Craw et al., 2006; Grant, 1996; Halsey and Young, 2006; Lachmann, 1988). However, in recent years a move has taken place to distance illegal graffiti from its legally sanctioned counterpart, *urban art*

(e.g., murals, permission structures) through creating a conceptual distinction between 'graffiti as crime' and 'graffiti as cultural expression' (Alvi, et al., 2001; King and Setter, 2003). This move is similarly reflected in the dichotomous terminology which is increasingly used to describe individuals who engage in illegal graffiti as 'wayward youths', 'idiots', 'vandals', 'proto-subversives', and individuals who engage in legal graffiti as young *people*, urban/aerosol/spray *artists*. This distinction is also apparent in the terminology used to differentiate between graffitiists' illegal and legal art-forms. For instance, *illegal art (aka 'nuisance art')* is denigrated as being visual pollution that causes property defacement/damage/destruction; and *urban art* as being a creative vibrant art-form, that transforms otherwise sterile urban spaces into contemporary public places (Craw et al., 2006; King and Setter, 2003; Garner et al., 2006). Paradoxically, this dichotomy has led to a polarization of views on how authorities should deal with graffitiists. For instance, some members of society petition for the prompt removal of graffiti and the prosecution of its predominantly youthful perpetrators; others petition authorities to recognise the social benefits to be derived from using *urban art* as a means of re-engaging disenfranchised young people back into society; and still others complain that these dichotomous viewpoints are both shifting the goalposts between 'vandalism' and 'art', and blurring the boundaries between what is deemed illegal and legal graffiti (Docuayan, 2000; Halsey and Young, 2006; Schaeffer, 1996). It is little wonder then that government policy elites and the media have constructed an ideology of graffiti which is both accepted and at odds with the views of the general populace and with the lived experiences of graffitiists (Ferrell, 1993).

While debate continues as to how to situate graffiti in the 21st century, the cost of its removal and the damage it causes to property is undeniable. Typically, this cost is borne by taxpayers. For instance, the cost to Western Australian state taxpayers is estimated to be around \$25 million per year; to Australian taxpayers federally over \$300 million; and to taxpayers internationally, \$6.8 billion (Callinan, 2002; Halsey and Young, 2006; WALGA, 2006).

The majority of these removal costs are spent removing tags (the graffitiist's individual or crew's stylized street name moniker). These 'ego fingerprints' constitute not only the fundamental unit of graffiti production but also the basic means through which young, predominantly male graffitiists become attracted to risk, rebel against their abjection, create a voice, construct social identities, display allegiances, mark turf boundaries, and generate fame (Ferrell, 1993; Kan, 2001; Taylor et al., forthcoming). In light of this, tagging has been described as a social contagion resulting in the formation of a graffiti sub-culture. A sub-culture that is governed by its own codes, norms and requirements, is imbued with deliberate intent and meaning, and functions as a social capital resource for its members (Aguilar, 2000; MacGillivray and Curwen, 2007). By adopting the sub-culture's 'language' and engaging in its tagging practices adolescents become apprenticed to the sub-culture's more experienced members.

These experienced graffers are the sub-culture's self-appointed arbiters of taste, deciding which tags are 'toy' (i.e. amateur scribble), and which tags are of sufficient quality that they demand the respect of being allowed to stay up without being written over. Over time, through constant practice, the ability to write a quality tag is honed and perfected and, in turn, leads to the production of more elaborate *throws-ups* (i.e. quickly executed large, two or more coloured bubble-style rendition of the writer's tag) and *pieces* (i.e. very large, highly stylized multi-coloured rendition of an individual's or a crew's tag name or thematic design).

In addition, to the countless hours and funds spent on removing tags, throw-ups and pieces considerable resources are also spent on a plethora of ad hoc reactive and proactive graffiti prevention measures¹. However, many of these measures have been adopted without a credible body of empirical evidence to either support or negate their effectiveness. In some instances, the initiators of these reactive and proactive measures draw support for their use from an associate body of literature pertaining to the prevention of other aspects of youth anti-social/criminal behaviour (e.g. zero tolerance policing: see Newburn and Jones, 2007; cooling city centre crime: see Wootton and Marselle, 2008; camera surveillance at bus stops: see Doyle, 2003).

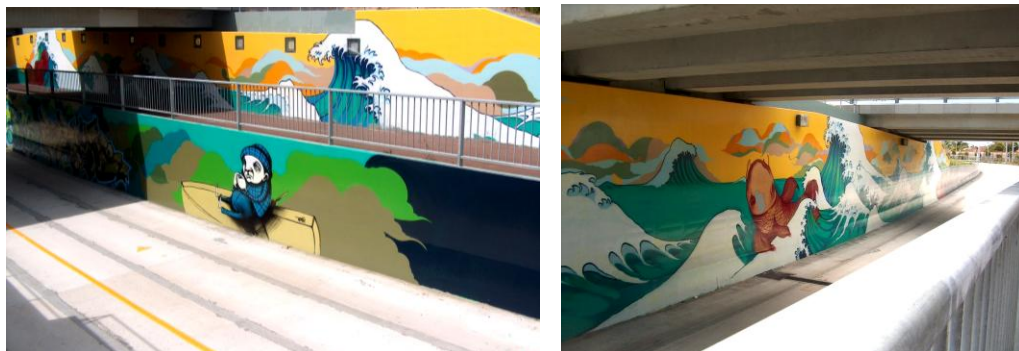
In Perth, Western Australia, the proactive graffiti deterrence measure of commissioning urban art murals in graffiti hotspots is gaining in popularity even though scant empirical evidence exists in regard to the practice's short and long term effectiveness. In 2006, in New Zealand, Craw and colleagues tried to address this research shortfall by conducting an evaluation of an urban artwork site (a wall 31.5 metres in length) which connected two major shopping streets. For the purpose of the study, the wall was sectioned into three, with Sections One and Two acting as controls for Section Three, the commissioned art-wall. Each section was monitored on alternate days over a two week baseline phase, and similarly across a two week intervention phase, then again once a month for three months in a follow-up monitoring phase. The results of the study showed that in Section 1, (an infrequently tagged 13.4 metre portion of the control wall) there was no significant difference in the amount of graffiti recorded across all three monitoring periods. It was hypothesized that the reason for the infrequency of tagging on this wall section was due to the increased risk taggers faced in being observed from the alley-way's main street entrance. Section Two, the 9.8 metre control wall section sandwiched between Section One and Section Three (the mural wall) became the main graffiti target, with a significant difference ($p < .0041$) occurring in the number of

¹ For example prompt removal, mobile CCTV cameras, protective wall coatings, planting vegetation in graffiti hotspots, caging spray-cans in stores, banning the sale of spray-cans and markers with a tip width greater than 6mm to minors, installing graffiti-report hotlines, awarding restitution orders, naming and shaming of adult offenders, designing out-crime in the built environment, commissioning urban art murals, providing mentorship programs for recidivist offenders, and enacting anti-graffiti publicity/educational campaigns

graffiti recorded between the baseline and follow-up monitoring periods. This Section Two increased graffiti count caused Craw and colleagues (2006) to suggest that a spread of grafter inhibition had occurred from the Section Three mural wall to the Section Two control wall. Finally, no graffiti were recorded on the 8.3 metre section of the mural wall during the intervention phase, and during the follow-up phase proportionally less (n=8 new graffiti) than at the baseline phase (n=14 new graffiti). The follow-up phase reoccurrence of graffiti on the mural wall caused Craw and colleagues to conclude that while wall murals do help to discourage graffiti attacks, they do not necessarily extinguish or prevent graffiti from occurring.

One of the limitations of the Craw et al. (2006) study was that it covered a restricted monitoring area. For instance, the opposing wall in the alley-way was not monitored even though “considerable graffiti was put on the opposite wall of the alley during the entire experiment” leading the research team to conclude “that the mural was shifting the focus of the writers’ attention barely meters away” (2006: 432). The present study addresses this monitoring limitation by not only reporting on a similar multiple baseline designed evaluation of an urban artwork site (i.e. two walls lining a bus entry/exit underpass at a commuter train station, and a cycle pathway-wall paralleling the underpass) (see Figures 1) but also reporting on the monitoring of a one square kilometre area surrounding the urban artwork site. The next portion of the paper details the research methodology used in this regard.

Figure 1: Zone 3 Bus-underpass and cycleway PTA commissioned artwork site



Method

Design

The one square kilometre urban art-site commissioned by the Public Transport Authority (PTA) of Western Australia was divided into eight zones. These zones were intermittently monitored over an 11 week period. The zones and monitoring periods are outlined below:

- Zone 1: incorporated a small convenience shopping/fast-food outlet centre, southwest of the urban art-site. The centre was located alongside the main traffic artery road from which side-roads exited into the surrounding residential areas.
- Zone 2: incorporated a footpath leading to and from the Zone 1 shopping/fast-food outlet centre to Zone 3, the urban art-wall bus underpass. The footpath, separated from the road by a continuous concrete barrier, was sandwiched between the main traffic artery road and a train track running parallel to the road.
- Zone 3: Incorporated the three art-walls constituting the urban artwork site.
- Zone 4: Incorporated both sides of a patterned brick wall separating the Zone 5 residential area from Zone 3.
- Zone 5: Incorporated a footpath leading eastwards to the crossroad which feeds traffic in and out of the commuter train-station. On one side of the pathway is verge-way and on the other side, houses.
- Zone 6: Commenced on the opposite side of the cross road to where Zone 5 ended and incorporated a second patterned brick-wall bordering a second residential area. The brick-wall, which was partially obliterated by shrubbery, ended at its intersection with the Zone 1 main traffic artery road.
- Zone 7: Commenced on the opposite side of the main traffic artery road to where Zone 6 ended and incorporated a mix of metal, asbestos and brick fencing that bordered a third residential area and ran westward to the northern most end of the train station which marked the beginning of Zone 8.
- Zone 8: Commenced at the end of Zone 7 and ran along the commuter train station's frontage and ended at the T-junction pathway intersection that marked the end of Zone 2 and the start of Zone 3.

Monitoring periods:

- *Week One: Pre-artwork monitoring period.* Three baseline frequency counts were conducted of graffiti images located in each of the site's eight zones.
- *Week Two: Site preparation and artwork completion.* Site preparation and commissioned artists' completion of Zone 3 urban artwork.
- *Weeks Three and Four: First post-art intervention monitoring period.* Three frequency counts were conducted of graffiti images located in each of the site's eight zones.

- *Week Five: Monitoring break.* A one week post-artwork monitoring break period.
- *Weeks Six and Seven: Second post-art intervention monitoring period.* Three frequency counts were conducted of graffiti images located in each of the site's eight zones.
- *Weeks Eight and Nine: Monitoring break.* A two week post-artwork monitoring break period.
- *Weeks Ten and Eleven: Third post-art follow-up monitoring period.* Three frequency counts were conducted of graffiti images located in each of the site's eight zones.

Data collection

Each individual graffiti image (tag, throw-up or piece) found in each of the eight zones during each of the four monitoring periods was photographed in situ (see e.g. Figure 2). Each image was recorded as a separate entity. As the intended analysis was based on a frequency count no distinction or allowance was made with regard to the size (big, small), type (tag, throw-up, piece) or style (wide, bubble, block, 3-D) of the recorded image. All the recorded frequency data were subsequently coded and entered into the SPSS statistical analysis program.

Figure 2: Examples of graffiti recorded in situ on the Zone 3 artwalls during the post monitoring phases

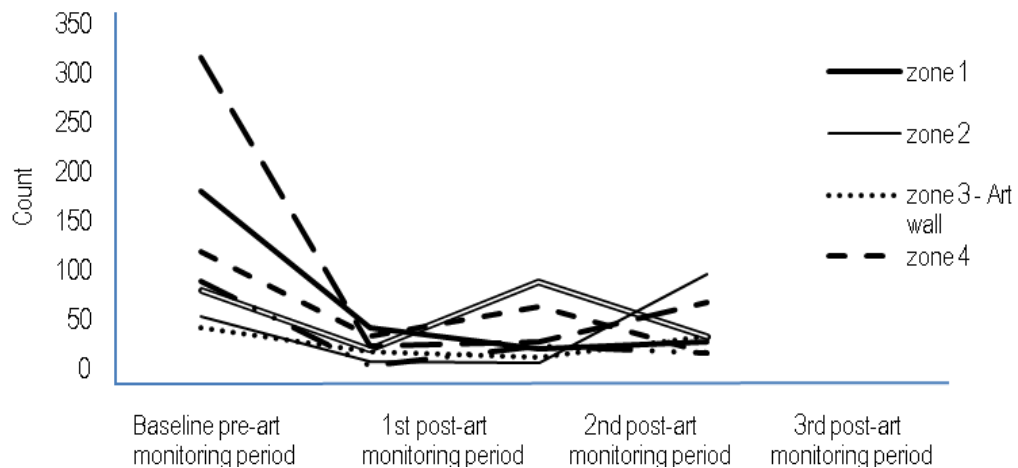


Data analysis

After an initial visual inspection of the graffiti count data, a decision was made to exclude Zone 8 from the analysis as the zone had a very low graffiti frequency count across all four monitoring periods² and represented only 1.2 percent of the total graffiti count. The reason for the low Zone 8 count is thought to be related to the fact that Zone 8 extends along the train station's frontage and is comprehensively monitored by CCTV cameras and is also regularly patrolled by transit personnel, thus, making it a high capture risk area for graffiti artists.

A frequency count of graffiti recorded at the other seven monitored zones (i.e. Zones, 1-7) across each of the monitoring periods is provided in Figure 3. In addition, Table 1 details the graffiti counts and the count as a percentage of the total count overall.

Figure 3: The graffiti frequency counts for each of the monitoring period for each monitored zone



² i.e., baseline n=17; first post-art intervention monitoring period n=1; second post-art intervention monitoring period n=1; and third post-art follow-up monitoring period n=0

Table 1. Graffiti frequency counts (%) and chi-square values for each monitoring period for each zone

		Baseline pre-art monitori ng period	1 st post- art monitori ng period	2 nd post- art monitori ng period	3 rd post- art monitori ng period	Total	Component χ^2
Zone 1	Count	180	42	20	28	270	
	%	11.6%	2.7%	1.3%	1.8%	17.4%	
	χ^2	4.87	11.21	11.29	9.95		37.32*
Zone 2	Count	53	7	6	96	162	
	%	3.4%	0.5%	0.4%	6.2%	10.4%	
	χ^2	16.29	4.36	14.46	143.08		178.18*
Zone 3 –Art wall	Count	42	17	12	34	105	
	%	2.7%	1.1%	0.8%	2.2%	6.8%	
	χ^2	5.09	5.30	1.10	10.59		22.07*
Zone 4	Count	119	33	63	16	231	
	%	7.7%	2.1%	4.1%	1.0%	14.9%	
	χ^2	1.04	6.08	20.93	17.05		45.09*
Zone 5	Count	316	23	28	67	434	
	%	20.3%	1.5%	1.8%	4.3%	27.9%	
	χ^2	20.25	7.56	22.72	2.42		52.95*
Zone 6	Count	89	3	23	16	131	
	%	5.7%	0.2%	1.5%	1.0%	8.4%	
	χ^2	3.00	6.96	0.38	2.92		13.25*
Zone 7	Count	80	20	88	33	221	
	%	5.1%	1.3%	5.7%	2.1%	14.2%	
	χ^2	16.20	0.02	85.02	1.65		102.89*
Total		879	145	240	290	1554	
% of Total		56.6%	9.3%	15.4%	18.7%	100.0%	
Component χ^2		66.75*	41.48*	155.90*	187.64*		451.77*

*= $p < .01$

It can clearly be seen from Figure 1 and Table 1 that Zone 5 is the zone with the highest percentage count out of all the zones (i.e. 27.9 percent of the total graffiti count), with its baseline count of 20.3 percent contributing most to this high percentage. One explanation for this high count is that many of the graffiti recorded in this zone were written on private property or non-PTA public assets, and as such, were not cleared off as vigilantly as graffiti written on PTA assets. The swiftness of the PTA's removal, in particular of graffiti written on the Zone 3 art walls, could similarly account to some degree for the comparative lowness of the Zone 3 total graffiti count (i.e. 6.8 percent of the total graffiti count).

From Figure 1 and Table 1 it is also clear that the pre-art baseline monitoring period had a higher frequency count overall compared with

each of the subsequent post-art monitoring periods. The baseline count of graffiti was 56.6 percent of the total graffiti count. The count at the first post-art intervention monitoring period was 9.3 percent of the total, the count at the second post-art intervention monitoring period was 15.4 percent of the total and the count at the third post-art follow-up monitoring period was 18.7 percent of the total. In fact, the pre-art baseline monitoring period had a higher frequency count overall compared with all three post-art monitoring periods summed together. As previously alluded to, the most likely explanation for this anomaly is the slow removal of graffiti written on private property and non-PTA assets, particularly in Zone 5.

A chi-square test for independence was used to examine the relationship between the monitored zones' and the monitoring periods' graffiti counts. A non-significant chi-square test would indicate that the relative frequency distribution, that is the proportion of graffiti over the monitoring periods, is the same for all of the zones. On the contrary, a significant chi-square test would indicate that the frequency distribution of graffiti over the monitoring periods is different among the zones.

A chi-square test revealed that the frequency distribution of graffiti over the monitoring periods is different among the zones (χ^2 (21, $n=1554$) = 451.77, $p<.01$). This means that the pattern for at least one zone does not reflect the total pattern evident in Table 1³. This test result, however, does not give an indication as to which zone or zones are different from the overall pattern. For example, if there was a reduction in the amount of graffiti in Zone 3, the urban art-wall, after completion of the art-work, the frequency distribution for this zone would differ from the distributions of the other zones, and would result in a significant chi-square test. However, the significant result could also indicate that the frequency distribution of one of the other zones differed from the overall pattern.

Since this test result does not give an indication as to which of the zone or zones differ most from the others, we investigated the data in Table 1 more closely in the following way: For each cell of the contingency table, the cell chi-square value was calculated. This value reflects the difference between the count of graffiti for that cell and the expected value for that cell. The larger the value the more that cell count deviates from what is expected. Then, component chi-square values for each row and column, which are simply the sum of all chi-square values in the row or column, were calculated. The approximate significance of these component chi-square values was then determined. All these chi-square values are also shown in Table 1 and give an indication as to which cells contributed most to the significant chi-square test result.

This analysis revealed that the component chi-square values for each monitoring period as well as for each zone were all statistically significant. This means that the frequency distribution for all the zones

³ That is, 56.6 percent for the pre-art baseline monitoring period, 9.3 percent for the first post-art intervention monitoring period, 15.4 percent for the second post-art intervention monitoring period, and 18.7 percent for the third post-art follow-up monitoring period.

differed significantly from the overall pattern. Also, that the frequency distribution for each monitoring period differed significantly from the overall pattern. A closer inspection of the magnitude of the chi-square values for each cell in Table 1 reveals that the value for the third post-art follow-up monitoring period of Zone 2, 143.08, was especially high compared to the other values. This contributed to the high component chi-square value for this zone, 178.18. Similarly, the value for the second post-art intervention monitoring period of Zone 7, 85.02, was especially high compared to the other values. This contributed to the high component chi-square value for this zone, 102.89.

It is hypothesized that these two spikes are indicative of the highly impromptu nature of graffiti-writing. Given the variance in the data, it would seem that most graffiti renditions (i.e. tags) do not follow a set appearance pattern but are spontaneous (i.e. reflective of an impulsive urge or chance opportunity) rather than pre-meditated habitual occurrences. From Figure 1 and Table 1 it is clear these two zonal incidences were the only ones where the baseline count was not the highest for the zone. For all the other zones, the graffiti count was highest at baseline. The graffiti count was also highest at baseline for Zone 3, the art-wall. The component chi-square value for this zone, 22.07, even though significant, does not have a high magnitude. This suggests that the pattern over the four monitoring periods for this zone differs from the overall pattern, but not as much as Zones 2 and 7, for example, differ from the overall pattern.

Discussion and Conclusions

Unblemished public surfaces and structural assets are perceived by many adult tax-payers to be harbingers of public order and safety (Halsey and Young, 2006). However, graffiti writers rupture this adult orthodox sense of order and cleanliness by leaving physical evidence of their presence in and around public spaces in the form of graffiti tags, throw-ups, pieces, stencils, and paste-ups. In turn, many adults view graffers' tags (their ego-fingerprints) and other graffiti forms as being irrational wanton acts of vandalism (Halsey, 2002; Halsey and Young, 2006). However, Garner et al. (2006) maintain that graffiti tagging is a reflection of the society in which graffitiists live. Furthermore, Halsey and Young (2006) contend that society's predominantly youthful graffitiists do not view their writings as vandalism but rather an entirely rational acts that enliven otherwise boring public spaces. Indeed, rather than being perturbed about officialdom's prompt removal strategy which constantly eradicates their writings, they welcome the cleaning procedure as it provides them with a continuous supply of pristine canvases on which to practice their endless writing.

Given this youthful perspective, it is small wonder then that many Western Australian tax-payers support officialdom's introduction of a wide range of reactive anti-graffiti measures to control the escalating tax dollar amount being spent on graffiti removal, and also, support the

implementation of measures that punish graffitists. Despite this reactive and largely punitive approach, a growing number of Western Australians additionally support the introduction of proactive measures, such as the commissioning of urban art murals, which offer the potential for redirecting youth away from their graffiti writing activities. The Public Transport Authority (PTA) of Western Australia (who spend \$6,850 per day [approximately, \$2.5 million annually] removing graffiti and window scratching from their assets⁴) is one local authority that has spearheaded this approach over the last two years by embarking on an extensive programme of commissioning urban artworks in known graffiti hot-spots. However, little empirical evidence currently exists to support or negate their approach. Aware of this deficit, the PTA commissioned the present study to provide them with an understanding of the effectiveness of using urban art-walls as graffiti deterrence. In this regard, an evaluation was conducted of one of the PTA's 2008 commissioned urban artwork sites.

The results of the PTA commissioned evaluation actually mirror the results of an earlier New Zealand study conducted by Craw and colleagues (2006) insofar as both studies recorded the highest count of graffiti on their respective urban artwork sites during the baseline monitoring period, a sizeable decline in the frequency count of graffiti recorded in the monitoring periods immediately following the artwork's completion, and a significant increase in the amount of graffiti recorded at the urban artwork site during the final post-art follow-up monitoring period. Collectively, the findings of both these studies suggest that in the short term urban artworks do deter graffiti writers from writing on them. However, the results would also suggest that urban artworks do not in the longer term totally prevent the reappearance of graffiti. This, in turn, would further suggest the need for additional research to tease out the motives writers give for defacing urban artwork sites. For instance, it would be insightful to determine whether defacers of urban artworks are local graffitists staking a territorial claim to the site? Are taggers of urban artworks opportunistic local youth uninvolved in the urban art commissioning process? Are the tags written on artwork sites left by graffitists residing outside of the neighbourhood area as an acknowledgement of the skills of the commissioned artist(s)? Are the defacing tags of local taggers (or crews) left as a disrespecting rebuff either to the artist(s) for profiteering from the graffiti art-form, or to the commissioning entity for bringing external artists in to paint their turf? The answers to these types of questions will provide bodies seeking to use urban artworks as graffiti deterrence with meaningful insights into the graffiti culture which, in turn, would assist them in the planning of future urban artwork projects.

In conclusion, while the study failed to evidence a long term total cessation of graffiti on the studied urban artwork site, it did highlight the existence of graffiti spikes both on the artwork site and in the surrounding

⁴ R. Cochrane, Corporate Communications Officer, Public Transport Authority, August 12, 2009

areas. Moreover, these sporadic graffiti-writing spikes occurred in areas that were distinctly different from each other (i.e. shopping centres, pedestrian paths, residential areas etc). Therefore, while murals can be effective when the graffiti sub-culture's membership respect the skills of the mural artist(s) (Allen, 2007), the authors conclude that the commissioning of urban art murals (socially constructed artefacts) are not a general panacea for solving the graffiti proliferation problem. It may well be, as Frost (2003) suggests, that what is needed is a more holistic approach where different elements of the proposed artwork's overarching *social value* (i.e. its relatedness) are considered and negotiated between viewers and graffers to facilitate inclusionary rather than exclusionary avenues for youth. Such an approach would have long term benefits for society. Specifically, consideration is required of the artwork's *environmental value* (i.e. ensuring that it is written in mediums which do not jeopardise either the environment or the graffer); *economic value* (i.e. the reduction in taxpayer monies to be gained on cleaning and policing costs of the site; the creation of designs that enhance rather than detract from property values; and the provision of job opportunities for graffers); and the *aesthetic value* (i.e. colour form and composition of artwork). Indeed, Halsey (2002), and Halsey and Young (2006), conclude that what is needed is a non-homogenous solution because the present response to the costly problem of graffiti proliferation is largely ungovernable.

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“I don’t say that bored kids hanging about are bad, but they are scary!”¹

Exploring attitudinal factors that affect public perceptions of anti-social behaviour

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Abstract

Anti-social behaviour (ASB) has been at the forefront of Home Office policy for over a decade provoking numerous additions to the statute book as well as substantial investment in support and prevention programmes. The extent of problems caused by ASB is measured nationally by calculating the proportion of British Crime Survey (BCS) respondents deemed to perceive high levels of ASB in their local area. This paper provides a critical appraisal of measuring perceptions of ASB, before moving on to present new findings that show a number of attitudinal factors have been found to predict perceived high levels of ASB. These include: the perceived motivation of ASB, whether respondents feel informed about local ASB, and the perceived financial investment being made to tackle ASB locally.

Key Words: anti-social behaviour, measurement, perceptions, attitudinal predictors

Introduction

Perceptions play a central role in the crime and disorder reduction landscape, be they the perceptions of residents, victims of crime, offenders or practitioners. Understanding people’s perceptions of anti-social

¹ The title quotation is taken from a completed questionnaire received during the course of this research.

behaviour (ASB) and the processes that influence these is a prerequisite for developing effective policy and practice in reducing the negative impacts of ASB (and its anticipation) upon people's quality of life.

The importance of reducing perceptions of high levels of ASB is underlined by the national performance indicators for England and Wales within which they feature. Public Service Agreements (PSAs) 23 and 25, as well as National Indicator 17 (NI17) of the Assessment of Policing and Community Safety (APACS) framework all contain targets relating to the reduction of perceived high levels of ASB.

But how much do we really know about what shapes perceptions of ASB, considering their centrality to ASB measurement and consequently ASB policy? This paper will highlight the issues surrounding the measurement and research of public perception data and present the findings from a public perception survey into the factors that affect perceptions of ASB in hard-pressed ACORN areas (ACORN is 'A Classification Of Residential Neighbourhoods' and will be expanded upon later).

Defining and measuring anti-social behaviour

The most common method of assessing the extent of problems caused by ASB is through the collection and analysis of public perception data. This information can give an indication as to the types of problems which are causing public concern and that are impacting negatively on communities (Harradine et al., 2004). However, a number of definitional and measurement issues need to be addressed before examining levels of public perceptions and what shapes such perceptions.

The definition of ASB in the 1998 Crime and Disorder Act focuses on the consequences of ASB; namely harassment, alarm and distress, instead of the behaviour that is causing the problem. Defining ASB as acting "in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household" (CDA, 1998, Section 1 (1a)), allows what is considered anti-social to be interpreted by individuals as opposed to adopting a more restrictive legal definition. However ASB is defined, it remains difficult to measure because of the way incidents are reported and counted (Wood, 2004). For example, there may be multiple reports of a single incident, particularly if it affects a large number of people in the same neighbourhood. Conversely, if few people are affected the incident may go unreported. An additional dimension which further complicates this picture concerns the tolerance of behaviour. What one person deems to be anti-social may be considered acceptable by others. Thus some people may tolerate certain forms of minor ASB, whereas others may not, leading to further discrepancies in what is, and what is not reported. This element of subjectivity allows what constitutes ASB to be governed by factors such as context, location, community tolerance and quality of life expectations (ODPM, 2003). A broad, subjective definition can however be a positive device. It embraces all victims of ASB, as their experience of the behaviour and the consequences it has upon their quality

of life is taken into account. From a victim's perspective "the use of such a permeable, all-encompassing definition is justified in terms of the need to protect the self-governing, law-abiding citizen from the dangerous, uncivilised 'other'" (Flint and Nixon, 2006:943). Nevertheless, a wide-ranging definition can simultaneously produce negative outcomes. It "is open to objection on the basis that it will catch conduct which is unorthodox or unusual, eccentric or bizarre, but which, nevertheless is conduct which ought not to be the subject of the legal process" (Card and Ward, 1998:108). Therefore the definition of ASB has the potential to affect law-abiding citizens whose behaviour may be deemed unconventional in a particular context.

Academically, debate has focused on how the CDA definition of ASB can be understood. Budd and Sims (2001: 1) note "the terms anti-social behaviour and disorder are often used interchangeably", demonstrating how the interpretation of ASB can be loaded with preconceptions of disorder and incivility, when some of the behaviour that is considered anti-social is relatively innocuous, for example cycling on footpaths. Others propose a different approach. Bannister and Scott (2000) consider ASB to contain three 'distinct phenomena', namely neighbour problems, neighbourhood problems and crime problems. Millie et al. (2005) go one step further by suggesting that ASB is viewed as a spectrum of behaviour, ranging from minor misdemeanours that warrant no sanction, to behaviour that could provoke criminal proceedings.

Counting incidents of ASB is consequently problematical. Complications arise because it is not clear what should be measured and which agency, or agencies, are responsible for data collection (Whitehead et al., 2003). In order to provide an indication of the extent of ASB, the Home Office conducted a 'One Day Count' of ASB incidents in September 2003. All reported incidents to key public agencies, such as the police and local authorities, were counted over a 24-hour period. This provided a snapshot of ASB activity generating a total of 66,107 incidents (Harradine et al., 2004). Despite providing a baseline figure, no multi-agency data collection currently exists to build upon this figure. It also fails to acknowledge the impact ASB has upon individuals and communities.

These definitional and measurement complexities are further compounded by the relationship between ASB and crime. Innes (2004: 345) suggests that many people have trouble in establishing "a clear distinction between crime and anti-social behaviour when constructing judgements about levels of risk in an area". Filtered in alongside issues of tolerance and subjectivity, this makes measuring and understanding ASB a major challenge. As a result of these issues, measuring public perceptions of ASB, albeit a proxy measure, is currently the main method used to assess the impact of ASB on a local and national scale. It is therefore important to analyse what influences public perceptions in order to put policies and interventions in place to reduce the number of people perceiving ASB to be a problem.

What we know about perceptions of ASB - Nationally

The BCS sheds light on a number of facets of ASB. These include; changes over time in levels of public concern, the socio-demographic profiles of those who perceive high levels of ASB and factors that influence people's perceptions.

The BCS and additional analyses conducted by the Home Office provide a measure of trends in ASB perceptions over time. The combined perceptions measure² has been employed to assess the proportion of respondents perceiving high levels of ASB³ in their local area. Since the first data were generated in 2001/02, the proportion of respondents perceiving high levels of ASB has remained relatively stable, with the score remaining between 16% and 18% from 2003/04 to 2008/09 (Walker et al., 2009). The BCS collects considerable amounts of additional information concerning the characteristics of those who perceive levels of ASB to be high. As Upson (2006: 25) states, a number of factors, "interact to mean that the likelihood of perceiving problems or experiencing anti-social behaviour is not even across the population". Such factors include; the area people live in, personal demographics and lifestyle choices. The most recent BCS findings in this area published by Flatley et al. (2008) show that the characteristics most strongly and independently associated with perceiving high levels of ASB are:

- Living in a 'hard-pressed', 'moderate means' or 'urban prosperity' ACORN areas
- The level of deprivation, particularly living in the most deprived wards
- Disagreeing that people from different backgrounds get on well in the local area
- Being a victim of crime in the past 12 months
- Not living in the Northern regions of England
- Age; being less than 65
- Having lived in an area for 3 years or more

ACORN categorises households according to their demographic, housing and employment characteristics into 5 main groups, as outlined in Table 1.

² The BCS asks respondents how much of a problem 7 different types of ASB are in their local area; 'Noisy neighbours or loud parties?', 'Teenagers hanging around on the streets?', 'Vandalism, graffiti and other deliberate damage?', 'Rubbish and litter lying around', 'People using or dealing drugs?', 'People being drunk or rowdy in public places?', 'Abandoned or burnt-out cars?' These questions are also referred to as the seven strand index.

³ Responses to the seven questions that constitute the combined perceptions measure are combined to generate an overall measure of perceptions of ASB. This measure is calculated using a scoring scale assigned to each response, for example; 'very big problem' = 3, 'fairly big problem' = 2, 'not a very big problem' = 1, and 'not a problem at all' = 0. The score for each of the seven questions are added together, with the maximum being 21. Those who score 11 or more are considered to perceive high levels of ASB, which generates the overall percentage calculated by the BCS and measured against the PSAs.

Table 1. Outline of main ACORN groups from Flatley et al. (2008: 42)

ACORN Group	Household characteristics
Hard-Pressed	low income families, residents in council areas, people living in high rise, and inner city areas.
Moderate Means	Asian communities, post-industrial families and skilled manual workers.
Comfortably Off	young couples, secure families, older couples living in the suburbs, and pensioners
Urban Prosperity	prosperous professionals, young urban professionals and students living in town and city areas.
Wealthy Achievers	wealthy executives, affluent older people and well-off families

Overall, “the relationship between level of deprivation and perceptions of ASB remained the most strongly independently associated factor” (Flatley et al., 2008: 17). In addition to highlighting the factors associated with perceptions, the BCS also explores the sources of perceptions. All previous Home Office analysis suggests that those who perceive high levels of ASB in their local area develop those perceptions from their own personal experience (Flatley et al., 2008; Upson, 2006; Wood, 2004). However, it is important to acknowledge that “not everyone who had experienced such behaviour actually considered there to be a problem in their area” (Upson, 2006: 9). This relates to some of the issues raised earlier regarding tolerance, subjectivity and definitions of ASB.

Overall, the BCS provides a comprehensive analysis of demographic factors that are associated with those who perceive high levels of ASB. In addition, this information is complemented by the information about what shapes perceptions, albeit fairly limited. The strength of the BCS is that it provides this data on a national scale. However, its major limitation is that it tells us little about why certain demographic groups are more likely to perceive high levels of ASB.

What we know about perceptions of ASB - Locally

In addition to the research conducted nationally by the BCS, in England local information is also collected biennially by the Place Survey. The Place Survey is a statutory survey that collects data at a local authority level, with the results measured against a number of national performance indicators (including NI17). This was introduced in 2008 to replace the Best Value Performance Indicator (BVPI) User Satisfaction Survey (also previously known as the Local Government User Satisfaction Survey (LGUSS)). The overall remit of the survey is to capture the views of local people on a range of local authority functions, so that future service delivery can reflect local priorities. The combined perceptions measure is employed to collect data about public perceptions of ASB, with results published by local authority area as well as for England as a whole. The Place Survey and its

predecessor the BVPI have produced markedly different national results to the BCS in previous years, as demonstrated in Table 2.

Table 2. BCS and Place/BVPI Survey Results for the proportion of people perceiving high levels of ASB in 2003/04, 2006/07 and 2008/09

%	2003/04	2006/07	2008/09
BCS	16	17	17
BVPI/Place Survey	38	23	20

Sources: BCS - Walker et al., (2009); BVPI - Ames et al., (2007); Place - DCLG (2009)

However, the gap between the scores appears to be reducing. An element of caution should be exercised when comparing these figures, due to the Place Survey only sampling local authorities in England, compared to the BCS which surveys England and Wales. The Place Survey may not be as methodologically rigorous as the BCS in terms of representativeness (Ames et al., 2007), but it does allow local authorities to make comparisons to their own previous performance as well as other neighbouring authorities and members of their most similar Crime and Disorder Reduction Partnership (CDRP) family group.

Overall, the research into public perceptions of ASB is conducted on a national and local scale. The data is collected on a regular basis and is quantitative in form. However, the overall topic appears highly under-researched as this work does not consider the underlying factors affecting public perceptions, which ultimately is needed to apply relevant, evidence-based policy interventions.

Research Methodology

From the above summary of current research, it is evident that public perceptions play a crucial role in measuring the extent of ASB. This paper provides the results of phase one of a multi-phase research project⁴, aimed at building a greater understanding of what drives public perceptions of ASB at a neighbourhood level.

⁴ The results presented in this paper are from phase one of a mixed methods PhD study into public and practitioner perceptions of ASB. Phase 2 involved conducting public focus groups in four case study areas, to discuss the factors significantly and independently associated with perceiving high levels of ASB generated by the Phase 1 survey. Phase 3 involved interviewing key ASB stakeholders in each case study area to determine how practitioners address perceptions of ASB in a local context. This research is currently ongoing. Overall inferences will be generated by combining the results of each phase.

With practical considerations in mind, this research is focused on one of the factors previously found to be associated with perceiving high levels of ASB - living in hard-pressed ACORN areas. Since 2004, living in a hard-pressed ACORN area has been the most significant predictor of those who perceive high levels of ASB, according to the BCS. Those considered to be hard-pressed “are experiencing the most difficult social and economic conditions in the whole country, and appear to have limited opportunity to improve their circumstances” (ACORN User Guide, 2006: 82). By generating information about those perceiving the highest levels of ASB, it is anticipated there will be future policy implications for reducing perceived high levels of ASB, when all phases of the research are complete.

The aim of the first phase of research was to gauge public perceptions of ASB in four case study areas, in order for comparisons to be made within and between these areas. The areas were chosen in order to determine whether perceptions vary due to location. All areas were metropolitan boroughs in the north of England, as the public service infrastructure should have been similar in each location opposed to a two-tier local government structure. In addition, two of the four areas were designated Respect areas. The government established forty Respect areas in 2007 to lead its Respect Agenda. This policy was first introduced in 2006 with the publication of the Respect Action Plan, which aimed to widen the remit of ASB policy by going ‘broader’; addressing ASB in all sections of society, ‘deeper’; tackling the causes of bad behaviour; and ‘further’; introducing new enforcement powers to make a sustainable difference to ASB, to tackle all aspects of ASB (Respect Taskforce, 2006). The Respect areas were selected because they had “earned the right to be exemplars of the Respect programme by their strong track record in tackling anti-social behaviour, and a willingness and capacity to do more” (Respect Website, 2007). The chosen areas then signed up to: provide family intervention projects; offer more parenting classes; hold face the people sessions for local accountability; use the full range of tools and powers; and to implement the Respect Standard for Housing Management, receiving additional funding to fulfil these commitments. Despite ASB policy having moved on from the Respect Agenda, the decision to select Respect and Non-Respect areas as a basis for comparison was to explore whether perceptions varied within and between these different case study areas, due to the additional support and elevated status of Respect. To ensure the research was focused on hard-pressed ACORN areas two hard-pressed dominant Wards were selected in each case study area. This means the majority of households in each Ward are classified as hard-pressed. The decision to sample hard-pressed dominant Wards instead of specific hard-pressed ACORN residences was made with the forethought of potential policy implications. Examining hard-pressed dominant Wards provides a realistic neighbourhood setting, at a level that is of greater relevance to practitioners who, through CDRPs and Neighbourhood Policing, operate at that level.

In order to build upon the demographic information provided by the BCS, the emphasis was placed on a number of attitudinal factors to determine whether there were any significant associations between certain attitudes and perceiving high levels of ASB.

Data collection

A self-completion postal questionnaire containing 26 questions (a copy is available from the author) was randomly distributed to 1000 residents in each of the four case study areas during November 2008⁵. Some questions were similar to those employed by the BCS, such as the combined perceptions measure, whether ASB is getting worse, and demographics. These questions were included to see whether the BCS findings were replicable in this hard-pressed setting. Additionally, new attitudinal questions focused around topics such as: whether ASB is deliberately motivated; does ASB or crime cause greater worry; do residents feel informed about what is being done to tackle ASB in their local area; and are residents aware of any local/national projects running in their area to reduce ASB. The questions selected for inclusion were chosen in order to expand on existing themes in ASB literature and acknowledge practical aspects of ASB reduction such as the awareness of local interventions. In addition, the content was finalised through detailed discussions with the Home Office as the collaborating organisation. Six versions of the questionnaire were drafted, with piloting taking place within the Applied Criminology Centre, University of Huddersfield and with a small convenience sample of non-specialists to test the wording and understanding of the questions.

Data analysis

The data were initially analysed using descriptive statistics producing frequencies about the proportion of respondent's perceptions. Secondly, cross-tabulations were generated with significant Chi-square (χ^2) testing to explore whether there were any relationships between the survey questions (independent variables) and respondents perceiving high levels of ASB. The Pearson χ^2 value was used to measure the significance of the association at the $p < 0.05$ level. Finally, in order to determine whether any of the independent variables were significantly associated with predicting those who perceive high levels of ASB (the dependent variable) a logistic regression analysis was conducted.

Logistic regression is a method that models the probability of an event occurring, the event in this case being whether or not the respondent is more likely to perceive high levels of ASB. The analysis was conducted in a systematic manner, with models being created for the full sample, and the

⁵ The response rate for the survey was 10.55% (Full sample $n = 422$; Respect sub-sample $n = 228$, Non-Respect sub-sample $n = 194$; Respect Area 1 sub-sample $n = 94$, Respect Area 2 sub-sample $n = 134$, Non-Respect Area 1 sub-sample $n = 99$, Non-Respect Area 2 sub-sample $n = 95$).

Respect and Non-Respect sub-samples. Logistic regression analysis was not appropriate to conduct at a smaller sub-sample level due to the sample sizes being too low to produce results of suitable validity (Green, 1991). The independent variables selected for inclusion in each of the separate logistic regression models were selected based upon:

- significant χ^2 associations identified during the early part of data analysis (Hosmer and Lemeshow, 1989);
- χ^2 variables with a value of $p < 0.25$ ⁶ (Bendel and Afifi, 1977; Hosmer and Lemeshow, 2000); and
- strong predictors from previous research (Norusis, 2003, Field, 2005), in this case the BCS.

A final caveat for inclusion was that no independent variables were to demonstrate correlation with other independent variables at a value of $r > 0.40$, which has been applied in previous BCS analysis (Flatley et al., 2008). A further dimension to consider was the method of logistic regression to employ. As the basis for conducting logistic regression was to initiate loose comparisons to the BCS, consideration was given to the method employed by the BCS in previous analysis. The BCS uses the forward stepwise method. Stepwise methods are used when building a non-theory testing, exploratory model and in circumstances where causality is not of concern (Field, 2005). For more information about stepwise methods see Table 3. This represented an appropriate type of model to use with this data.

Table 3. An explanation of logistic regression stepwise methods

Regression method	Description
Stepwise Methods	The stepwise method uses a statistical algorithm to select or delete variables from a model based on their significance level
Forwards Method	The forwards method starts with a constant and adds independent variables to the model until no significant independent variables remain
Backward Method	Instead of starting with a constant, all independent variables are included in the model. The variables are then removed according to their significance level and impact on the logistic regression model

⁶ A more rigorous value of $p \leq 0.05$ is often applied when selecting χ^2 variables for inclusion. However on this occasion, due to the exploratory nature of the research and the desire to “minimize type II error in selection” (Mickey and Greenland, 1989: 136) using a $p < 0.25$ level was justifiable. A type II error would have occurred if a variable had been rejected in error.

However, there are methodological issues with applying stepwise methods. Pallant (2007: 166) reports that “stepwise methods have been criticised . . . because they can be heavily influenced by random variation in the data”. If a stepwise method is appropriate for the data, a further choice has to be made between using the forward and backward methods. Field (2005) suggests the backward method is superior, which is the opposite method to that employed by the BCS. The forward method is more likely to generate “suppressor effects, which occur when a predictor has a significant effect but only when another variable is held constant” (Field, 2005: 169). Consequently, the forward method is more prone to producing type II errors.

To see whether parity with the BCS could be achieved while maintaining a high degree of methodological integrity, two methods of logistic regression were initially tested. For the full sample and two sub-samples of Respect and Non-Respect, logistic regression models were built using both forwards and backwards stepwise methods. The results were compared, with identical results produced for the full samples and Non-Respect sub-samples, regardless of method employed. The main difference between the methods was identified when comparing the results for the Respect sub-samples. The number of significant predictors varied between the two methods, as did the odds ratios and significance levels produced. As a consequence of these findings and in light of the methodological criticisms of the forward stepwise method, the results generated by the backward method will be reported. As a result of this decision, the methods no longer align to the analysis conducted by the BCS. However, the quality of these findings should be enhanced by this decision.

Results

Proportions perceiving high levels of ASB

The most straightforward comparison to previous research is to examine the proportion of respondents who perceive high levels of ASB in their area using the combined perceptions measure. Table 4 outlines the percentages for the main sample/sub-samples used in this research. When examining the full sample, 28 percent perceived high levels of ASB. This is comparable to the BCS figure for hard-pressed ACORN areas of 30 percent (Flatley et al., 2008). The proportions perceiving high levels of ASB in hard-pressed areas are markedly higher than the general population proportions reported by both the Place Survey and the BCS. In line with the emphasis on locality, it was important to look at the proportions of respondents perceiving high levels of ASB at the Respect and Non-Respect sub-sample level, to see if there were any differences.

Twenty-one percent in the Respect sub-sample and 37 percent in the Non-Respect sub-sample perceive high levels of ASB which - in the first results of this type - demonstrates a great deal of variance. This variance is replicated in the results when each case study area is considered. The

results for each area are not consistent, as they range from 13 percent to 45 percent. This affects and distorts the mean average values reported for the Respect and Non-Respect sub-samples. Variance is also apparent if you break down the figures to Ward level, as shown in Table 5. This shows that perceptions of ASB differ vastly between neighbourhoods, with the highest proportion of residents perceiving ASB to be a problem at 50 percent in Ward A (Non-Respect Area 2) compared to just 12 percent in Ward B (Respect Area 2).

Table 4. Proportion of respondents who perceive high levels of ASB by sample

Sample	Percentage
Full Sample	28
Respect Sub-Sample	21
Non-Respect Sub-Sample	37
Respect Area 1	33
Respect Area 2	13
Non-Respect Area 1	28
Non-Respect Area 2	45

Table 5. Proportion of respondents who perceive high levels of ASB by ward

Area and Ward	Percentage
<u>Respect Area 1</u>	
Ward A	40
Ward B	26
<u>Respect Area 2</u>	
Ward A	14
Ward B	12
<u>Non-Respect Area 1</u>	
Ward A	36
Ward B	23
<u>Non-Respect Area 2</u>	
Ward A	50
Ward B	40

Logistic regression: Full sample

The results from the logistic regression are reported in three sections; full sample, Respect sub-sample and Non-Respect sub sample. Based on the selection criteria outlined earlier, Figure 1 contains the independent variables selected for inclusion in the full sample model.

Figure 1. Independent variables selected for inclusion in the full sample model

Breakdown of independent variables included in the full sample model by selection criteria:

Significant χ^2 associations

- Whether ASB is committed deliberately or without thinking
- Respect / Non-Respect Area
- Does ASB or crime cause most worry?
- ASB: better or worse in last two years in local area
- Any money spent to tackle ASB in local area?
- Tenancy

χ^2 variables with a significant value of $p < 0.25$

- Respondents kept informed about tackling ASB in local area?

Previous Strong Predictors: British Crime Survey Results (Flatley et al., 2008)

- Crime Victim
- Age
- Length of residence at current address

A total of 422 cases were analysed and the full model was significantly reliable ($\chi^2 = 100.31$, $df = 6$, $p < 0.0005$). The model explains 34 percent of the variance in ASB perceptions status based on the Nagelkerke R^2 value, which measures the strength of the association. In addition, 85.3 percent of those who do not perceive high levels of ASB and 57.5 percent of those who perceive high levels of ASB were successfully predicted. Overall 77.4 percent of the predictions were accurate. Four out of the six significant predictors were based on attitudinal factors (see Table 6).

Table 6. Logistic regression results for the full sample

Full Sample: Backward: LR Method		
Significant predictors associated with perceived high levels of ASB		
Predictor Variable	Odds Ratio	Significance
Those who think ASB is committed deliberately	3.137	0.0005
Those who think ASB has become worse in their local area	3.129	0.0005
Those who said that no money is being spent in their area to tackle ASB	2.226	0.031
Living in a Respect area	0.453	0.004
Being more worried about crime than ASB	0.375	0.007
Being an owner occupier	0.336	0.0005

Half of the significant predictors generated by the full sample model are factors that are more likely to predict perceptions of high levels of ASB (odds ratios >1). The strongest relationship uncovered by the model relates to the perceived motivation of ASB. Those who perceive that ASB is committed deliberately are three times more likely to perceive high levels of ASB in their local area in comparison to those who think it is committed without thinking or don't know. Also three times more likely to perceive high levels of ASB are those who believe that ASB has become worse in their local area, compared to those who think it has stayed the same or improved. Those who said that no money was being spent in their local area to tackle ASB were also more likely to perceive high levels of ASB, with them being twice as likely to do so in comparison to those who thought money was being spent.

The remaining significant predictors are associated with being less likely to perceive high levels of ASB (odds ratios <1). Respondents living in a Respect area, being an owner occupier and being more worried about crime than ASB were all less likely to perceive high levels of ASB.

In addition, the significant predictive demographic factors uncovered by the 2008 BCS were re-examined in this model, but failed to demonstrate a significant predictive relationship.

Respect sub-sample

A slightly different set of independent variables were included in the Respect model based on the selection criteria and are outlined in Figure 2.

Figure 2. Independent variables selected for inclusion in the Respect sub-sample model

Breakdown of independent variables included in the Respect sub-sample model by selection criteria

Significant χ^2 Associations

- Whether ASB is committed deliberately or without thinking
- Does ASB or crime cause most worry?
- ASB; better or worse in last two years in local area
- Any money spent to tackle ASB in local area?
- Tenancy
- Ethnicity
- Whether respondents live in Respect area 1 or Respect area 2

χ^2 variables with a significant value of $p < 0.25$

- Respondents kept informed about tackling ASB in local area?
- Respondent aware of local projects to tackle ASB?

Strong Predictors; British Crime Survey Results (Flatley et al., 2008)

- Crime Victim
- Age
- Length of residence at current address

For the Respect sub-sample a total of 228 cases were analysed, with the full model found to be significantly reliable ($\chi^2 = 65.025$, $df = 7$, $p < 0.0005$). Forty-five percent of the variance in ASB perception status is explained by the model, based on the Nagelkerke R^2 value. Furthermore, 96.1 percent of those who do not perceive high levels of ASB and 40 percent of those who do perceive high levels of ASB were successfully predicted. Overall, 84.5 percent of the predictions were accurate. Table 7 contains the odds ratios and significance levels for the significant predictors associated with perceived high levels of ASB.

All of the significant predictors in the Respect model are associated with those more likely to perceive high levels of ASB. Three of the predictors were demographic and four were attitudinal. A number of significant predictors from the full sample model are replicated namely: those who think ASB has become worse in their local area, respondents who think ASB is committed deliberately and people who said that no money is being spent.

Table 7. Logistic regression results for the Respect sub-sample

Respect Sub-Sample; Backward: LR Method		
Significant predictors associated with perceived high levels of ASB		
Predictor Variable	Odds Ratio	Significance
Those who think ASB has become worse in their local area	5.294	0.001
Being a council tenant	4.493	0.016
Ethnicity – non-white	4.335	0.037
Those who think ASB is committed deliberately	4.221	0.002
Those who agree they are kept informed about ASB in their local area	3.879	0.007
Living in Respect area 1	3.579	0.007
Those who said that no money is being spent in their area to tackle ASB	3.291	0.035

The Respect sub-sample generated four sub-sample specific significant predictors (see shaded cells in Table 7). The strongest of these unique predictors was being a council tenant - these respondents were nearly four and a half times more likely to perceive high levels of ASB, compared to those occupying other tenures. A similarly strong significant predictor was ethnicity, specifically being non-white. In addition, those who agree they are kept informed about ASB in their local area are three times more likely to perceive high levels of ASB compared to those who feel they are not kept informed. Finally, those who lived in Respect area 1 were three and a half times more likely to perceive high levels of ASB opposed to those living in Respect area 2. This represents the vast difference in proportions perceiving high levels of ASB presented earlier.

Non-Respect sub-sample

The number of independent variables selected for inclusion in the Non-Respect model also varied to the previous two models. Figure 3 contains the independent variables included in the model.

A total of 194 cases were analysed and the full model was found to be significantly reliable ($\chi^2 = 41.987$, $df = 4$, $p < 0.005$). The model accounts for 31 percent of the variance in ASB perception status, based on the Nagelkerke R^2 value. In addition, 88.1 percent of those who do not perceive high levels of ASB and 45.9 percent of those who do perceive high levels of ASB were successfully predicted. Overall, 72.2 percent of the predictions were accurate.

Figure 3. Independent variables selected for inclusion in the non-Respect sub-sample model

Breakdown of independent variables included in the Respect sub-sample model by selection criteria:

Significant χ^2 Associations

- Whether ASB is committed deliberately or without thinking
- Does ASB or crime cause most worry?
- ASB; better or worse in last two years in local area
- Tenancy
- Whether respondents live in Non-Respect area 1 or Non-Respect area 2

χ^2 variables with a significant value of $p < 0.25$

- Respondents kept informed about tackling ASB in local area?
- Any money spent to tackle ASB in local area?
- Length of residence at current address
- Crime Victim
- Local newspaper readership

Strong Predictors; British Crime Survey Results (Flatley et al., 2008)

- Age

In contrast to the previous models, the non-Respect model contains one independent variable that demonstrated a correlation between another independent variable (multicollinearity), which can affect the validity of the predictor variables produced. The independent variable in question was tenancy, more specifically owner occupier. One solution to this problem would be to omit that particular independent variable. However, there is no definite way of knowing which variable 'owner occupier' is interacting with. Field (2005: 263) concludes that in such situations "there are no statistical grounds for omitting one variable over another" and the most appropriate solution is to acknowledge the unreliability of the model. Therefore the results produced by the non-Respect sub-sample model are slightly less reliable than the previous models due to a minor incidence of multicollinearity. Table 8 contains the significant predictors and corresponding odds ratios.

Table 8. Logistic regression results for the non-Respect sub-sample

Non-Respect Sub-Sample; Backward: LR Method		
Significant predictors associated with perceived high levels of ASB		
Predictor Variable	Odds Ratio	Significance
Those who think ASB is committed deliberately	4.990	0.0005
Living in Non-Respect area 2	3.099	0.004
Being more worried about crime than ASB	0.187	0.001
Those who read the local newspaper	0.159	0.023

The number of significant predictors generated by the non-Respect sub-sample model was less than the Respect sub-sample model, with only two predictors being unique (see shaded cells in Table 8). Of the unique predictors, one was a demographic factor and one was attitudinal. Respondents living in non-Respect area 2 were found to be three times more likely than respondents living in non-Respect area 1 to perceive high levels of ASB. This highlights the difference between the proportions perceiving high levels of ASB in each area and demonstrates a similar result to the Respect sub-sample model. Finally, those who read the local newspaper are significantly less likely to perceive high levels of ASB opposed to those who don't read the local newspaper.

Summary of logistic regression findings

Overall, a range of attitudinal predictors have been found to have a significant association with perceiving high levels of ASB. The analysis has also shown that different predictors are significant for different sub-samples based on location and Respect status. A summary of the key findings is as follows:

- The proportion of respondents perceiving high levels of ASB in hard-pressed ACORN areas is consistent at a full sample level with BCS findings;
- The proportion of respondents perceiving high levels of ASB vary between Respect and Non-Respect areas, and between case study areas and Wards within the same case study area
- New demographic and attitudinal factors have been found to be significantly and independently associated with being more likely to perceive high levels of ASB, namely:
 - Those who think ASB is committed deliberately
 - Those who think ASB has become worse in their local area
 - Those who said that no money is being spent to tackle ASB locally
 - Those who feel they are kept informed about local ASB
 - Being a council tenant (Respect sub-sample only)
 - Being non-white (Respect sub-sample only)

- Living in Respect area 1 (Respect sub-sample only)
- Living in Non-Respect area 2 (Non-Respect sub-sample only)
- New demographic and attitudinal factors have been found to be significantly and independently associated with being less likely to perceive high levels of ASB, namely:
 - Living in a Respect area
 - Being more worried about crime than ASB
 - Being an owner occupier
 - Those who read the local newspaper (Non-Respect sub-sample only).

Discussion

Reflection on results

The overall remit of this research is to gain a better understanding of what factors affect the public's perceptions of ASB. The rationale for the survey reported here was to produce a set of statistically significant factors associated with perceiving high levels of ASB. The findings presented within this paper demonstrate that attitudinal as well as demographic factors are associated with perceiving high levels of ASB in a hard-pressed dominant setting, which takes forward existing research in this area.

But what are the implications of these findings? The first point to consider relates to the proportions of respondents perceiving high levels of ASB. The full sample findings are similar to those reported for hard-pressed areas by the BCS. However, when examining the proportions at Respect/Non-Respect level, a real variation becomes apparent. This trend of variation is repeated when the samples are broken down to both case study and Ward level, demonstrating that the proportion of people perceiving high levels of ASB is neighbourhood specific. This reinforces the notion that perceptions of ASB are dependent upon location (ODPM, 2003). However, if this variance is apparent at a neighbourhood level, how appropriate are national and local authority surveys in measuring perceptions of ASB, and consequently the extent of problems with ASB? Based on the findings, local authorities would be better served by examining perceptions of ASB at a community level in order to implement appropriate, tailored interventions to reduce perceived high levels of ASB. In addition, it would be useful to understand how local authorities responsible for the reduction of ASB address those who perceive levels of ASB to be high.

Secondly, the logistic regression findings have produced a set of factors that are significantly and independently associated with perceptions of ASB. This has added a new attitudinal dimension to the existing research on perceptions of ASB. Some of the significant factors highlighted by this research are complex in nature - for example, the perceived motivation of ASB. However, like the research that precedes it,

this only reveals a limited amount of information because there is no understanding of why these factors are important. These factors will only begin to be unravelled through an inductive approach. For example, in relation to the perceived motivation of ASB a number of additional questions need to be discussed, namely: if people perceive themselves to be the deliberate target of anti-social acts, do they perceive higher volumes of ASB? Why do they feel they are deliberately targeted, and how does this affect their perception of ASB as a whole? It is only through discussing these intricate topics at greater depth that future policy implications and ways to reduce perceived high levels of ASB can be considered. The issue of locality will also have to be filtered into this debate as the factors driving perceptions may vary between the case study areas in a similar fashion to the proportion of people perceiving ASB to be a problem as reported above. All of the issues raised above warrant further enquiry.

Conclusion

Measuring perceptions of ASB is a useful way of gauging the extent of problems caused by ASB, due to the issues with counting actual incidents of ASB. Current research into public perceptions of ASB is focused on a quantitative approach at a national and local authority scale. This has produced a significant amount of data relating to the proportion of people perceiving high levels of ASB in their local area. In addition, analysis of BCS findings has provided a number of demographic characteristics that are more likely to be associated with perceiving high levels of ASB. This study examined perceptions in four case study areas. The proportion of people perceiving high levels of ASB locally varied due to Respect status, between case study areas and also between Wards within a case study area. Furthermore, a range of new attitudinal and demographic characteristics have been found to predict those who perceive high levels of ASB. Measuring perceptions qualitatively and at a more local, neighbourhood/street level is the next step in order to fully understand the factors that affect public perceptions of ASB. This will facilitate the development of appropriate interventions to reduce perceptions and allow the effectiveness of interventions to be accurately measured.

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Speeding, the Chief Constable and Trust in North Wales Police

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Abstract

Police Chief Constables have a public office. Richard Brunstrom, until recently the Chief Constable of North Wales Police (NWP), is especially known for his interventions in hot political topics. For many, Richard Brunstrom became a controversial figure. He is also identified with the emphasis NWP puts on combating speeding. Many citizens were affected and criticized the Chief Constable. What, then, is the influence of the crackdown on speeding and of the Chief Constable as a public figure on trust in the police force? There seems to be no prior empirical research on how perceptions of the leading police officer affect public trust in the police force. The study presented controls for other factors like personal or family member experience with police. A questionnaire study was undertaken with Bangor students and other residents in North Wales. Trust in the NWP was found to be significantly related to support of its speeding policy and to experiencing unfair treatment by police officers.

Key Words: trust, police, speeding, Chief Constables, fairness

Introduction

How do an unpopular policy and a controversial Chief Constable influence trust in the police? Public trust is pivotal for state authorities. The police often needs the voluntary cooperation of citizens who report incidents and provide information. Also, it depends on political decisions for its work, namely, on the allocation of resources and the provision of legal instruments. The public image of the police also influences the willingness of people to enter the police force.

Trust is related to legitimate authority. Legitimacy was famously defined by Max Weber (1980: 16, 123) as the willingness to obey an order

even if it is resented. Nowhere is this problem more acute than in the daily work of the police who often have to get individuals to act against their will. Legitimacy is also important for the inner relations in a police force as police officers can be ordered to act in ways they would personally reject. Trust encompasses legitimacy as it can influence actions before resistance has been evoked.

Chief Constables represent the police regularly in the media. Richard Brunstrom, the Chief Constable of North Wales Police (NWP) from early 2001 to July 2009, is especially known for his public interventions in hot political topics and for controversial policies. While Brunstrom has offered his advice and opinion on various topics and received UK-wide media coverage, among citizens of North Wales he is mostly known for propagating a crack down on speeding. Under his command, NWP has taken the strictest measures against even minimal violations of speed limits.

One might expect that the public profile of the chief representative adds to the degree of trust citizens have in the police. This is put into question in the case of North Wales. In the region, both the public image of Brunstrom and the emphasis on speeding provoked a lot of angry responses. For example, stickers are distributed via the Association of British Drivers website: “Croeso i Gogledd Cymru” with a speed camera sign and the explanation below reads: “(Welcome in North Wales) Inspired by Richard Brunstrom”¹. Some locals and tabloid media use defamatory words like “traffic taleban” and worse to express their dismay over Brunstrom and the NWP. A strict enforcement of traffic rules and a strong media presence of the Chief Constable responsible may therefore impact negatively on the public’s trust in the police force.

Social scientists have developed concepts that address the degree of trust people have in institutions and leaders. The present study, which resulted from an MA research seminar, not only sheds light on the relation between trust in NWP and trust in its Chief Constable but also looks at the contribution made by the most prominent policy of the force, namely, its clamp down on speeding.

Fair or unfair treatment of citizens by the police has attracted increased attention. Therefore, the role of fairness in evaluations of the police will be analyzed to have a fuller picture of factors contributing to trust. Intuitively, most would look at performance outcomes when analysing factors related to trust in authorities like the police. According to Tyler et al. (1985) research into political support for authorities has identified two types of poor outcomes: The first is the inability to provide solutions to the economic and social problems that people are suffering or to deliver expected governmental services or benefits. For the second outcome, citizen-leader policy incongruence is defined as politicians pursuing policies that are opposed to the values of a particular person. However, a more important factor is the notion of procedural justice (Tyler

¹ www.abd.org.uk/speed_camera_signs.htm

et al., 1985), the perception of how fairly decisions are reached. Procedural justice is commonly measured by criteria like bias suppression, careful examination of cases, and benevolence to parties involved as well as hearing all sides before a decision (Leventhal, 1980; Lind and Tyler, 1988; Machura, 1998). The experience gained from encounters with police officers would therefore be vital for levels of trust in the police. Indeed, studies have confirmed that procedural fairness is linked to trust in the police².

The public role of Chief Constables

Chief Constables (and their equivalents in the Metropolitan and City of London police forces) are the chief police officers within the 43 police forces of England and Wales. In the 1970s and 1980s, a time of increased debate on issues of crime and of increased social conflict, several police Chief Constables took on a more public role (Reiner, 1992; Wall, 1998: 2). A majority of Chief Constables believed it reflected badly upon the police, and this spurred on the development of the Association of Chief Police Officers (ACPO) to become a more conscious voice for all Police Chief Constables (Reiner, 1992).

In recent years, there has been one Chief Constable who has become quite prominent. Richard Brunstrom, Chief Constable of NWP from January 2001 until recently, Head of Road Policing for ACPO until 2005, and later for a while its Head of Rural Affairs, has gathered a reputation for courting controversy (BBC News, 2004; Devine 2009). He has attracted considerable media attention over various issues from breaking into his own office, subjecting himself to a Taser, arguing for the decriminalisation of heroin (BBC News, 2009b) and suggesting that he may prosecute MPs over any illegal expenses (BBC News, 2009a). Yet, it is his views on traffic policing that have caused the most controversy locally. Brunstrom himself argues that he needs to stir up debate on topics related to crime and police as politicians were too reluctant to address pressing issues in fear of media attacks and resulting unpopularity (personal communication, 18 February 2009).

Speeding policy

Traffic policing is a special case because a much broader array of citizens are stopped including those with a higher social status (Schafer and Mastrofski, 2005: 225). Generally speaking, the approach of police officers is to treat motoring offences very leniently, although such leniency is bounded by the policy of the given police force (Schafer and Mastrofski, 2005). Schafer and Mastrofski (2005) highlight reasons for lenient traffic policing: no interests of justice to prosecute someone for speeding, or the

² E.g. Tyler and Folger, 1980; Tyler, 1990; Tyler and Huo, 2002; Skogan, 2006. Researchers starting an international survey of literature related to procedural justice and legitimacy in policing estimated that there were “nearly 20,000 articles of which nearly 2,000 are likely to be of direct relevance” (Mazerolle et al. 2009: 3).

penalty deems too severe in relation to the seriousness of the offence. Prosecuting every speeding violator could be inefficient as it will create a mountain of work for relatively minor offences, whereas a more targeted approach (for example prosecuting speeders in areas that are known for high levels of road accidents) may be more beneficial and economical.

The use of speed cameras coupled with automated enforcement has increased over the last years. It does not give drivers the opportunity to appeal to the discretion of a police officer. Instead, it results in indiscriminate punishment which is seen as unfair by a majority who consider themselves as good drivers and wish to be heard and respected (Groombridge, 2008; Wells, 2008).

In 2007, 182,115 road accidents caused 247,780 casualties in Britain of which 2,946 died (Department for Transport, 2008). Citing that 3,000 deaths on the road is an unacceptable figure, NWP and Richard Brunstrom in particular have taken a hard-line approach with speeding, by prosecuting the vast majority of drivers who are even a small amount over the speed limit, which according to Brunstrom, is related to the number of deaths on the road. This tactic, Brunstrom has argued on his blog (Chief Constables Blog, 2008), has led to a reduction in the number of deaths on the roads in North Wales.

Yet, such is the controversy created by the traffic policing policy adopted by NWP and promoted by Richard Brunstrom that the Association of British Drivers have even gone as far as setting up a webpage dedicated to him (Association of British Drivers, 2009) where they claim that in 2003 NWP caught 10 percent of the North Wales population speeding within 5 months³.

Trust in British police

One of the images that police forces consciously aim to promote is the notion that policing across Britain has always been policing by consent, that there is a high degree of support for the police. Survey results on trust in the police reveal a favourable picture, especially in international comparison⁴. Nevertheless, trust in the police has gone down over several years (Jansson, 2007: 21, citing the British Crime Survey). Jackson and Sunshine (2007) illustrate that this could be due to a myriad of wide societal factors, from changes in society which have led particularly in the

³This would be unusual. In a survey for the Daily Telegraph, 18 percent of the respondents indicated to have “been fined for speeding in the past five years” (YouGov, 2003).

⁴For example, in a survey among 16 European countries, Finland, Denmark, Austria and Germany were on top of the list when it comes to satisfaction with how the local police control crime. Behind Ireland, the UK is a respectable number 5 with three out of four respondents answering positively. France, Greece, and finally Spain, can be found at the bottom of the list (Brings, 2008: 308-309). The GfK Trust Index 2009 has a figure of 78 percent trust for police in the UK in line with 75 percent trust for German police and 78 percent for Swedish police. Finnish police even scored 91 percent. East European forces typically fare worse, with only 28 percent of Romanians trusting their police, and 23 percent of Russians (GfK, 2009).

1980s to the police being used heavily during moments of social conflict or developing tense relationships with structurally excluded communities. There have also been well publicised cases of corruption and abuse of rights as well as recent serious failures on operations which have led to losses of the lives of innocents. Finally, concern of crime and criticism of state weakness has increased since the 1970s (Downes and Morgan, 2008: 235-236) and the public holds the police, to a certain extent, responsible for perceived crime problems.

Confidence in police also constitutes the official performance indicator for police forces and is therefore monitored closely. The British Crime Survey for the year 2008 produced as a prominent result that 46 percent of the respondents in England and Wales had “confidence in police and local councils” to deal with anti-social behaviour and crime issues that matter where they live. North Wales was close to the national average (Home Office, 2009b, Table 1). Furthermore, in March 2009, the Home Office (2009a) announced that police forces have to raise their “confidence rate” by 15 percentage points until 2012. This would require some forces to increase their ratings by a staggering 50 percent (Home Office 2009a, Table 1). The targets will be difficult to meet, and therefore, research into the antecedents of trust in the police is much needed.

Only recently, procedural justice in policing and its effect on trust has become a focus of research in Britain. In an analysis of British Crime Survey data for England, Myhill and Beak (2008: 6, 14) found that public confidence in the “local police” was significantly related mainly to “police factors” and “neighbourhood factors”. The latter related to perceptions of local crime and anti-social behaviour in the neighbourhood. Yet, “police factors” were more decisive for confidence. They fell into two categories: “agreeing that the local police are dealing with the things that matter to the people” scored highest to be followed by “agreeing that the local police treat everyone fairly and with respect”. Other studies have used local data to demonstrate the importance of procedural justice for trust in the police: Bradford, Jackson and Stanko (2009) based on the 2005/2006 London Metropolitan Police Public Attitude Survey; and Jackson and Sunshine (2007) with data from a rural area in England. A study with Bangor University students (Heenan et al., 2008) found that having experienced unbiased Police Community Support Officers in personal encounters correlated with trust in PCSOs.

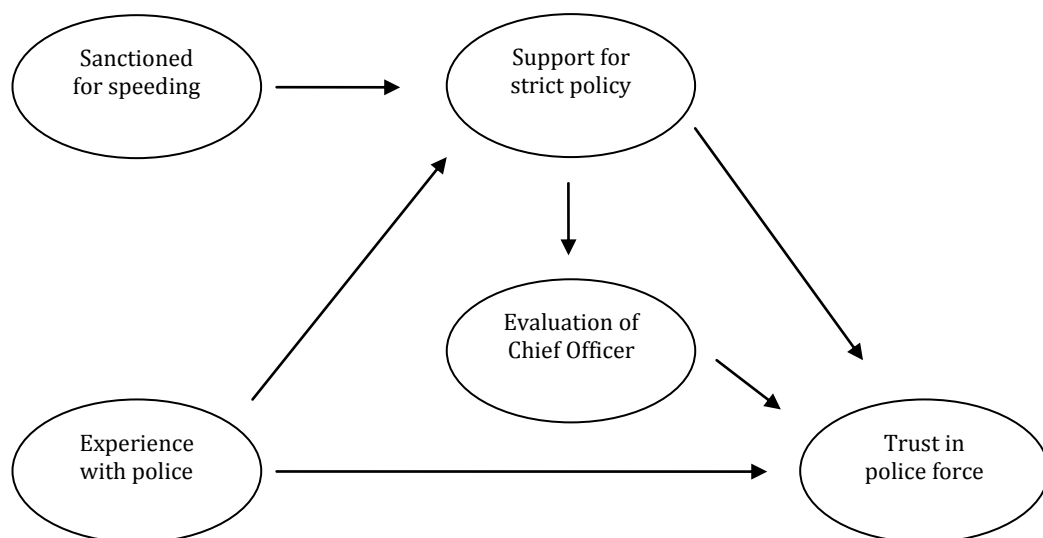
NWP, like other forces, has also recognized the importance of public trust. Mark Polin, who succeeded Richard Brunstrom as Chief Constable of NWP on 2 November 2009 (North Wales Police 2009b), was introduced to the public with the following statement:

My priority is to build on the strong track record that North Wales Police has in terms of performance and particularly to focus upon improving trust and confidence in our communities in terms of the policing services that we provide (North Wales Police 2009a).

Hypotheses

The main hypotheses are illustrated in Figure 1. Support for the strict speeding policy is likely to depend on positive personal experiences with police officers. Furthermore, it is assumed that the more harshly respondents or their family were sanctioned for speeding the less they will support the NWP speeding policy. Supporters of the crack down on speeding should be more likely to evaluate the person of the Chief Constable, Richard Brunstrom, positively while opponents of the policy are expected to resent the Chief Officer. The paper goes on to examine the influences of a three main factors on trust in NWP: personal experience with police, perceptions of the Chief Constable, and support for its most prominent policy. Personal experience with police has been identified as a powerful predictor of trust. Accordingly, our hypothesis is that favourable personal experience in encounters with individual police officers will enhance trust in the force while negative experiences strain the relationship between citizen and police. Also, we also assume that evaluations of the quality of Richard Brunstrom as Chief Constable are correlated to trust in the force. Finally, individual support for the strict speeding policy will be related to trust in NWP.

Figure 1. Main Hypotheses



In addition, we look at the role of perceived and experienced fairness. Procedural fairness of the police has been identified as a main factor for citizen's evaluations. It is assumed that actually experienced fairness shapes personal experience with police. Citizens will evaluate encounters with police by fairness criteria. Also, perceptions of how fairly Brunstrom acts as Chief Constable should be correlated with opinions on the quality of his work. Support for the speeding policy of NWP should be highest when respondents assume that offenders caught speeding are treated fairly.

Methods and Sample

A questionnaire was developed and piloted with student and non-student respondents in the area of Bangor. With the final questionnaire (Appendix 1) data were gathered from groups of inhabitants of North Wales in March and April 2009. Respondents were informed that their participation was voluntary and anonymity would be preserved. The largest respondent number were Bangor University students from a range of subject areas (second year law students, first year criminology students, second year sports students). Questionnaires were circulated to students in their lectures. To give a more balanced sample including older respondents, non-students were also questioned. Data were obtained from members of a football club in Wrexham, mostly parents, before and after training sessions. During their meeting, members of the North Wales Railway Circle were also given questionnaires. Similarly addressed were members of the University and College Union at Bangor University. Employees from a supermarket in Bangor were given questionnaires during their lunch break. The resulting sample is not representative for the population of North Wales⁵. However, it provides a cross-section of inhabitants, young and old, male and female, with and without direct personal experience with North Wales Police (Table 1).

Results

Sanctions for speeding

Of all respondents, 54 percent indicated having had “any personal experience with North Wales Police for example having reported an incident or being approached by them”. Three quarters of the sample were drivers (Table 1), of which 28 percent (21 percent of all respondents) had been caught speeding by NWP during the last decade. Half of those surveyed reported that they knew a close friend or family member who had been caught speeding within the same period.

The questionnaire had open-ended questions to enable respondents to indicate how the police responded when the respondents or their family and friends were caught speeding. Table 2 shows the outcomes that respondents reported as a result of being caught speeding. Fourteen percent of the respondents had received points on their license which constitutes the most frequent response by the police. Sometimes the respondents reported having got points and having to pay a fine. Yet, points can result in losing the driver’s license. Therefore they are usually seen as the main sanction even if accompanied by a fine. To have a measure of outcomes for speeding, answers were coded into a scale running from not being caught speeding to being banned from driving. In addition, 28

⁵ Notably, Mason (2009: 2) argues, that the British Crime Survey has a problem with small sample sizes for police force area levels. Additional surveys like the present one are thus needed to provide additional insights into the situation in North Wales.

percent of all respondents had a close friend or a family member who had received points on their license (Table 2). Sanctioning for speeding therefore affected a significant proportion of the respondents.

Table 1. The seven respondent groups

	Number	% of all respondents	Mean age	% under 25	% above 60	% female	Mean years in North Wales	% experience with NWP	% heard of Brunstrom	% NWP harsh with speeding*	% drivers	% caught for speeding	% relatives caught for speeding
Criminology students	58	17.9	21.7	86.1	0.0	65.5	10.2	37.9	46.6	43.1	65.5	12.1	43.1
Law students	61	18.8	23.2	79.0	1.6	68.9	15.6	63.9	82.0	59.0	72.1	18.0	68.9
Sports students	83	25.6	20.1	91.6	0.0	39.8	5.7	39.8	18.1	25.3	81.9	13.3	38.6
Supermkt workers	53	16.4	39.7	22.7	3.8	58.5	30.1	67.9	81.1	49.1	64.2	26.4	43.4
Unionists	22	6.8	46.3	0.0	4.5	27.3	22.2	68.2	81.8	44.4	95.5	36.4	45.5
Football club	30	9.3	38.8	26.6	9.9	43.3	26.5	66.7	56.7	60.0	76.7	33.3	50.0
Railway Circle	17	5.2	61.5	0.0	41.3	17.6	38.9	64.7	100	53.0	94.1	41.2	64.7
Total	324	100	29.5	61.3	4.5	51.2	17.0	54.3	57.7	44.8	75.3	21.0	48.8

* Comprises of answers “very” and “entirely” to question “How harshly does North Wales Police deal with speeding?”

Table 2. Outcome of speeding for self and family or friends, percentages

%	Cautioned/ got off	Fine only	Speed awareness course	Points or points and fine	Banned
Outcome for self	1.9	3.4	1.5	13.6	0.0
Outcome for family or friends	0.9	12.0	3.4	28.4	1.9
Coded as	1.0	2.0	3.0	4.0	5.0

N = 324, open-ended questions: “If yes, what was the outcome when you (they) were caught speeding?” No answer to the question was coded as “0”.

Personal experience with North Wales Police

Respondents indicating prior experience with NWP were asked about aspects of their treatment by the police officers. Table 3 shows the responses and the correlation with how fairly respondents felt treated. Only about a third of the respondents were satisfied with the service by the police officers. Service satisfaction and fair treatment were highly correlated. Half of the respondents were pleased that officers listened to them. Officers listening had a high correlation of .75 with being treated fairly, showing that it is a deciding factor when individuals make their mind up on fairness. Being treated with respect and the opportunity to discuss views had similarly high levels of correlation, .80 and .75 respectively, with being treated fairly. Four out of ten respondents thought officers were 'not at all' biased and 13 percent believed them to be 'less' biased. Again, perceived fair treatment and absence of bias are related. All measures for personal experiences with NWP were combined to form an index variable (Cronbach's alpha = .905, n = 159).

Table 3. Personal experiences with North Wales Police, percentages

%	Very much	Much	Some what	Less	Not at all	Don't know	Missing	Correlation with treated fairly
Treated fairly	20.5	29.0	23.9	10.2	11.4	1.1	1.1	-
Service satisfaction	14.2	22.7	26.1	13.6	19.3	1.7	2.3	.79
Officers biased‡	11.9	11.4	11.4	13.1	43.2	4.5	0.6	.44
Officers listened	21.6	27.3	23.3	10.2	11.4	1.7	0.6	.75
Treated with respect	26.1	25.0	25.0	5.1	11.4	2.3	1.1	.80
Opportunity to discuss views	18.2	24.4	22.7	11.4	18.8	2.3	0.6	.75

N = 187. All correlations Spearman's Rho, significant at $p < .01$, two-tailed

‡ Inversely coded, positive precursor indicates a negative correlation.

Perception of the Chief of North Wales Police

Of all respondents, 58 percent had heard about the then Chief of NWP, Richard Brunstrom (Table 1). Of these, 44 percent had heard about him via television and radio, 38 percent through newspapers, 7 percent from websites and 21 percent from friends and family. Some had met him personally on other occasions, for example, through work, or heard him give a speech at university.

Participants were asked a number of questions pertaining to Chief Constable of NWP Richard Brunstrom (Table 4). About a third of the respondents were inclined to take the view that Richard Brunstrom does not perform a good job, compared to 17 percent, who took the opposing

view. The majority believed Richard Brunstrom influences the policies of NWP. There was, however, little support for the notion that Richard Brunstrom shares the values of the community. Only 8.6 percent tended to say that Brunstrom takes all relevant arguments into account when forming a decision. Perceptions of Brunstrom's performance were highly correlated with whether he shared community values and took all relevant arguments into account when forming a decision. The measures for quality of job, community values shared and taking arguments into account were combined to an index variable for the evaluation of Chief Constable Richard Brunstrom (Cronbach's alpha = .921, n = 120).

Table 4. Evaluations of Chief Constable Richard Brunstrom, percentages

%	Very much	Much	Some what	Less	Not at all	Don't know	Missing	Correlation with does a good job
Does a good job	4.8	11.8	26.2	16.6	18.2	18.7	0.5	-
Influences NWP policies	27.8	25.7	20.9	2.7	2.7	18.2	2.1	.15
Shares community values	3.2	11.2	19.3	22.5	21.9	17.6	0.5	.80*
Takes all relevant arguments into account	1.6	7.0	20.3	20.3	20.9	25.7	0.5	.79*

N = 187, correlations are Spearman's Rho *p < .01, two-tailed.

Speeding policy support

Table 5 shows the opinions on the traffic policing policy of the North Wales Police. Many respondents saw the policy as effective (37% chose "entirely" and "very") and a substantial number (nearly half the sample) believed the policy was harsh. Only one in five stated that "people who get caught speeding" are treated "entirely" or "very" fairly by North Wales Police while around a quarter of the respondents either answered "somewhat" or answered negatively ("less" and "not at all"). As a consequence, only a third of the respondents supported "the emphasis North Wales Police places on tackling speeding". There is a strong correlation between perceived fairness and support for the speeding policy and another, albeit lower, correlation between supposed effectiveness and support (Table 5). Also, the more harsh people perceived the policy the less they tended to support the emphasis on speeding.

Table 5. Opinions on North Wales traffic policing policy, percentages

%	Entire- ly	Very	Some what	Less	Not at All	Don't Know	Miss- ing	Correl- ation with support for emphasis
Support for emphasis on speeding	12.3	22.2	21.6	12.0	17.6	12.7	1.5	-
Effectiveness	11.7	25.3	29.6	7.4	5.2	18.5	2.1	.26**
Fairness	4.6	15.1	25.6	11.7	13.3	28.1	1.5	.63**
Harshness	17.0	27.8	22.2	4.6	0.6	25.3	2.5	-.15*

225 < N < 251, correlations are Spearman's Rho, *p < .05, **p < .001, two-tailed.

For further analysis, an index variable "speeding policy support" (Cronbach's alpha = .700, n = 220) was created from the variables shown in Table 5: effectiveness, fair treatment and emphasis on speeding. The Chief Constable was largely identified with the force's traffic policing strategy as the evaluation index for Brunstrom is significantly correlated with this support index for traffic policing ($r = .52$, $p < .001$).

A multivariate linear regression was used to identify factors related to speeding policy support (Table 6). Contrary to expectations, there was no significant influence on support from the outcomes received when caught speeding. Women were significantly more in support of the force's speeding policy as were those who have had positive personal experiences with the NWP.

Table 6. Linear regression for index variable speeding policy support

	Beta	Sig.
Gender	-.194	.021
Personal experience	.467	.001
Outcome for self	.096	.247
Outcome for family	-.060	.458
Sports student	.011	.917
Law student	.215	.094
Criminology student	.086	.433
Supermarket worker	.134	.248
Unionist	.176	.066
Railway Circle	.164	.090

R-Square = .28, $p < .001$, N = 129.

Trust in North Wales Police

Evaluations of NWP were not very positive, as indicated in Table 7. Just half of the respondents felt very much/much "comfortable reporting an incident to North Wales Police". Less than 30 percent answered that NWP is very

much/much “effective in their role”. Answers to questions whether NWP “sincerely tries to help people with their problems”, “accurately understand and apply the law”, and “treat citizens fairly” showed a similarly sceptical pattern. The statement “Some of the things that North Wales Police do, embarrasses our area” was typically answered with “somewhat” and “don’t know” and about a quarter clearly agrees to the statement. – With the exemption of the embarrassment variable, evaluations of NWP as reported in Table 7 were combined to form a single measure for the support of North Wales Police⁶.

Table 7. Evaluations of North Wales Police, percentages

%	Very much	Much	Some-what	Less	Not at all	Don’t know	Missing
Comfortable reporting an incident	19.1	33.0	27.2	4.9	9.3	5.6	0.9
Effective in their role	4.6	23.1	39.2	8.3	6.8	16.4	1.5
Sincerely try to help	4.6	22.8	30.6	10.2	8.0	22.8	0.9
Understand and apply the law	6.8	23.1	27.2	11.1	4.9	26.2	0.6
Treat citizens fairly	4.9	25.6	28.4	10.2	8.0	19.4	0.9
Embarrass our area†	15.4	10.8	22.8	12.3	11.1	25.3	0.6

N = 324.

Finally, the factors explaining trust in the North Wales Police can be addressed (Table 8). It was expected that evaluations of the performance of the Chief Police Officer might have an influence. This could not be confirmed in a linear regression analysis. Also, the gender of the respondents has been unrelated to support of the police force. Instead, there were some significant differences between respondent groups. Trust in the NWP was found to be highly significantly related to support of its speeding policy and to experiencing unfair treatment by police officers.

⁶ N = 197, Cronbach’s alpha = .905. Including the embarrassment variable would have resulted in a lower n (= 178) and alpha (= .874).

Table 8. Linear regression for trust in North Wales Police

	Beta	Sig.
Gender	.036	.563
Sports student	.136	.049
Law student	.188	.008
Railway Circle	.131	.039
Speeding policy support	.383	.001
Brunstrom bad job‡	.079	.232
Unfair experience‡	.386	.001
Criminology student	.088	.197

R-Square = .45, $p < .001$, $N = 162$

‡ Dummy variable: “1” combines “less” and “not at all” fair or good job.

Conclusion

North Wales teaches an interesting lesson for students of policing and public policy. It has seen an attempt to crack down on the speeding habit of its population thereby straining the relation between drivers and their sympathizers on the one hand and the police force on the other. The Chief of North Wales Police, Richard Brunstrom, has been outspoken in his views on several controversial topics but above all, is seen as the propagator of the speeding policy. North Wales therefore provides an opportunity to study the consequences of actions unpopular to many for public support of the police.

The sample used for this study does not allow conclusions on, for example, the exact amount of support for NWP, its former chief officer or its speeding policy. This would require a representative sample which was beyond the available resources for this MA seminar project. However, a sample was achieved that includes people with varying characteristics and varying degrees of experience with police. Correlations are less affected by unrepresentative samples than percentages. Indeed, only extremely skewed or very small samples would fail to confirm robust relations between variables. Therefore, the present sample sufficiently serves as a basis for establishing correlations of factors related to trust in police.

On many levels, the current study replicates findings of prior research in that procedural fairness is closely related to evaluations of authorities (see e.g. Tyler, 1990; Röhl and Machura, 1997; Tyler and Huo, 2002). Personal experience with NWP was measured mainly by aspects of fairness: absence of bias, officers listened to respondents, treated them with respect and provided opportunity to discuss their views. Fairness was found to be the most important predictor for support of the NWP speeding policy, while outcomes like fines or points received were not significantly related. Also, whether the Chief Constable does a good job was found to be

related to whether respondents assume that he takes all relevant arguments into account, which is a common fairness criteria mentioned already by Leventhal (1980).

Respondents who experienced an unfair treatment by police officers were less likely to support NWP as an institution. The effect is about as strong as disapproval with NWP speeding policy. Similar as in this study, Myhill and Beak's (2008: 6, 14) analysis of British Crime Survey data showed that confidence in the "local police" was significantly related to whether the police seemed to deal with pressing matters and whether police "treat everyone fairly and with respect". Both studies show the importance of the approval of policies and of fair treatment when people make up their mind on the police. The findings support the theory of Tyler and Lind (1992) that individual officers in daily encounters represent the authority. If treated unfairly, people will take their experience as a strong clue for major defects in an institution and that the authorities do not share their values. The present study underlines that negative experiences in citizen-police encounters may have a particularly strong impact on attitudes towards the police (Skogan, 2006: 100).

In addition to perceived unfair treatment in personal dealings with police officers, the approval or disapproval of the NWP speeding policy was identified as a cause for support of the NWP as an institution. Therefore, unpopular policies detract from the cushion of support institutions have. Respondents' support for the emphasis NWP puts on speeding was related to how fairly drivers caught speeding are treated, how harshly speeding is dealt with and how effective NWP is combating speeding. The Chief Constable is very much identified with the speeding policy. Perhaps as a consequence, this study revealed no independent contribution of opinion on the quality of Brunstrom's job to support for NWP when support for speeding policy was also entered.

It might be taken as good news that trust in the police does not depend much on the personae of the Chief Police Officer. Rather, personal experiences with police officers on a daily basis are of prime importance. The consequences for the recruitment and training of police are quite obvious. However, given that police officers often have to act in stressful circumstances the display of fair treatment will be a never-ending challenge. Certainly, police and political leaders can influence the working conditions of officers on the beat by determining staff levels and available resources.

When police – or public agencies generally – enforce policies that meet resistance by large parts of the public it costs them sympathy. Measures taken by NWP to combat speeding are perceived as too harsh by many. In addition, the police dispense penalties in a way that is also seen by many as unfair. There might be better examples for an accepted and at the same time successful policy on speeding.

Basic findings of this study apply to other social settings, too. When authorities wish to change behaviour the relevant public needs to be convinced of the measures taken. The wider the gap between the initial

situation and the patterns aimed for, the more difficult this will become. In encounters with the public individual representatives will stand for the institution. It is important that they treat the public according to social standards of fairness. Perceived unfair treatment will cause a lack of trust in the authority. Policies which have merits from an administrative and technical point of view can still fail to win over the public when they ignore this.

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Appendix: Questionnaire

SURVEY OF OPINIONS ABOUT POLICE COMMUNITY SUPPORT OFFICERS WITHIN THE BANGOR AREA						
This survey is voluntary and anonymous. Your answers will be combined with others and not individually identified. You can decline to answer any question or all of the questions. Please tick the appropriate response. Thank you very much for answering!						
A.1 What is your age?	<div></div>					
A.2 Are you?	<div>Female <input type="checkbox"/> Male <input type="checkbox"/></div>					
A.3 How long have you been living in North Wales?	<div></div>					
<u>What do you think about North Wales Police?</u>						
	Very Much	Much	Some- what	Less	Not at all	Don't know
B.1 Are North Wales Police effective in their role?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.2 Would you feel comfortable reporting an incident to North Wales Police?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.3 Do North Wales Police sincerely try to help people with their problems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.4 Do North Wales Police accurately understand and apply the law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.5 Do North Wales Police treat citizens fairly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.6 Some of the things that North Wales Police do embarrasses our area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Personal experiences with North Wales Police

C.1 Have you ever had any personal experience[s] with North Wales Police? For example having reported an incident, or being approached by them? (Circle a or b as appropriate)

- a- Yes – please answer questions C 2 to C 7.
b- No – please skip questions C 2 to C 7.

	Very Much	Much	Some- what	Less	Not at all	Don't know
C.2 Did the police provide a satisfactory service whilst dealing with the problem?	—	—	—	—	—	—
C.3 Apart from the outcome, how fairly were you treated by the Police?	—	—	—	—	—	—
C.4 Did the officers appear biased?	—	—	—	—	—	—
C.5 Did they listen to what you said?	—	—	—	—	—	—
C.6 Did they treat you with respect?	—	—	—	—	—	—
C.7 Did you have enough opportunity to discuss your views?	—	—	—	—	—	—

Richard Brunstrom

D.1 Have you heard of Chief Constable Richard Brunstrom? (circle a or b as appropriate)

- a. Yes – please answer questions D 2 to D 6.
b. No – please skip questions D 2 to D 6.

D.2 How did you hear about him? (tick as appropriate)	Television/radio Newspaper Website Friends and Family Other (please state) _____					
	Very Much	Much	Some- what	Less	Not at all	Don't know
D.3 How much does Brunstrom influence the the policies of North Wales Police?	—	—	—	—	—	—
D.4 Does Brunstrom do a good job?	—	—	—	—	—	—
D.5 Does Brunstrom share the values of the community?	—	—	—	—	—	—
D.6 Does Brunstrom take all relevant arguments into account when forming a decision?	—	—	—	—	—	—

Traffic Policing

	Entirely	Very	Some- what	Less	Not at all	Don't know
E.1 How effective is North Wales Police in tackling speeding?	—	—	—	—	—	—
E.2 Are people who get caught speeding treated fairly by North Wales Police?	—	—	—	—	—	—
E.3 Do you support the emphasis North Wales Police places on tackling speeding?	—	—	—	—	—	—
E.4 How harshly does North Wales Police deal with speeding?	—	—	—	—	—	—
E.5 Do you drive?	Yes ___ No___					
E.6 If yes, how long have you held a driving license?	_____					
E.7 In the last 10 years have you ever been caught speeding by North Wales Police?	Yes___ No__					
E.8 If yes, what was the outcome when you were caught speeding?	_____					
E.9 In the last 10 years have close friends or family been caught speeding by North Wales Police?	Yes ___ No ___					
E.10 If yes what was the outcome when they were caught speeding?	_____(2 lines)_____					

Comments

F How would you like police work to change in the future? _____(2 lines)_____

Please check again for having answered all questions. And: Thank you very much!