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**The Actuarial Community:
A study investigating actuarial justice and its adoption
into strategies of community crime control**

Anna Bridget Stillman-Ashby
Department of Sociology and Social Policy
University of Durham

Submitted for the degree of Doctor of Philosophy
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Thesis Abstract

The Actuarial Community: A study investigating actuarial justice and its adoption into strategies of community crime control.

Anna Bridget Stillman-Ashby

Department of Sociology and Social Policy

University of Durham

This thesis is concerned with the theoretical debates regarding actuarial justice. The study will undertake an examination of crime prevention methods in order to find empirical evidence of actuarialism within community crime control. Central to this is the contention that techniques of actuarial justice have increased controls over the economically disadvantaged. Moreover, the study will attempt to establish the affect of actuarial justice on the communities it targets.

The study is divided into two parts. The first part of the thesis is theoretical, chapter one will consider the themes of actuarial justice for the purposes of setting out, in detail, the elements central to actuarial justice. The second chapter is concerned with a discussion of eroding privacy rights, which I suggest have risen with a growth of actuarial justice. Part two of the thesis is empirically based and has been conducted primarily through interviews and observations. Three chapters will investigate: policing; strategies of community safety and Closed Circuit Television (CCTV). These practices will aim to specifically outline the technologies, techniques and practices of crime control that can be attributed to actuarial justice.

I should like to acknowledge my gratitude to my supervisor, Professor Dick Hobbs, for his continued help and support. The empirical research for this thesis has required the co-operation of many professionals from police stations, CCTV monitoring units as well as a number of council departments. Thank you to all those who were willing to share their time with me. Finally, to my lovely family: mother, father, Ralph and Yvonne thank you for your never-ending patience and kindness.

Contents

Introduction		2
 Part I: Theories of Actuarial Justice, Privacy and Public Space		
Chapter One	Theories of Actuarial Justice: Theoretical understandings of a shift towards the actuarial community	9
Chapter Two	Actuarial Justice & Modern Erosions of Privacy	56
 Part II: Actuarial Justice in Strategies of Community Crime Control		
Chapter Three	Intelligence Policing in South Town: Identifying and classifying the actuarial community	89
Chapter Four	Population Control in East Town: Actuarial techniques in strategies of community safety	131
Chapter Five	North Town's Closed Circuit Television System: Targeting, managing and the minimisation of risk	183
 Part III: Final Remarks		
Conclusion	Actuarial Justice: Towards a new penology?	237
Appendix	Research Design and Methodology	254
	References	260

Introduction

Since the late 1980s, observers of criminological literature have witnessed a striking growth in the number of studies related to techniques of risk assessment. Academically based discussions regarding risk techniques have concentrated on the social effects these techniques have on mechanisms of crime control. In addition, practical applications of risk assessment and management have been popular with Home Office researchers (i.e., Ekblom 1987), security consultants (i.e., Hemming 1996), and authors endeavouring to publish informational style literature (i.e., Poyner 1997). Risk studies have also become familiar within sociological literature. From this perspective, debates have considered how risk changes our experience and understanding of society. Since risk is one of the fundamental techniques underpinning actuarial justice, its applications will aid the thesis in understanding actuarial justice within methods of crime control. Studies of actuarial justice are minimal in comparison to the number of discussions that have evolved around risk, moreover, those studies of actuarial justice that have developed are largely theoretical. Actuarial justice came to academic attention with the works of Simon (1987, 1988) and Feeley and Simon (1992, 1994). Their writings provide a basis for the academic arguments of this thesis.

There are a number of studies that largely avoid the subject area of actuarial justice but they still provide excellent examples of actuarial techniques and practices. A good example of this is Ericson and Haggerty's 1997 study of risk and modern policing methods. A number of studies have also helped to widen information regarding actuarial justice by expanding the knowledge of crime control practices, for instance, Norris and Armstrong's 1999 study of closed circuit television. In this study, the production of empirical evidence suggests that operators employ a number of discriminatory factors to decide upon targets, including race, dress and age. This research provides a comparison to the Norris and Armstrong study by suggesting that operators choose their targets dependent on information gained from actuarial techniques.

This thesis aims to do two things. First, to empirically test the theoretical suggestions of Feeley and Simon, by investigating the technologies, techniques and practices of actuarial justice and their employment in strategies of community crime control. The chapter will achieve this by studying police intelligence methods, practices of crime reduction employed by local authorities and the work of CCTV operators. Secondly,

the thesis aims to empirically prove that actuarial justice is a tool largely employed for the control of the economically deprived.

The study has two parts. In part one, the use of criminological and sociological literature helps review actuarial justice and issues of privacy. Chapter one is concerned primarily with actuarial justice. In the course of this chapter, an understanding of actuarial justice is established. First, by discussing the effects that actuarial justice has had on issues of individual identity and morality. The chapter suggests that actuarial justice endeavours to manage populations of risk. These populations calculate technologies of insurance; underlining these technologies are techniques of risk. The consequence of grouping individuals into manageable populations is two fold. First, individuals become aggregates of their group; this consequently creates problems about social identity and the way in which people understand themselves and their environment (Simon 1988). Secondly, Feeley and Simon (1992 1994) suggest that the adoption of risk techniques and an acceptance of crime as inevitable are reducing the use of morality as a form of crime prevention. This chapter disputes the point to suggest that morality is now utilised in greater proportions to substantiate the targeting of risk groups, moreover in a system that looks towards practices of crime reduction morality can be seen as a tool that is shifted from crime to crime in an aim to prevent its eventuality. It is also suggested that moves towards situational crime prevention, a practice that places greater responsibility upon the individual, has turned victimisation into issues that surround questions of moral responsibility. The chapter utilises a description of the technologies, techniques and practices of actuarial justice to identify the extent to which actuarial justice is a pre-requisite of economic rationalism. Feeley and Simon refute the idea that actuarial justice is purely a set of practices chosen for their cost effectiveness. However, the chapter suggests that in shifting responsibility for crime reduction into local government sectors a need has arisen to utilise budgets with caution. Risk techniques provide this opportunity since they aim to predict crime and target areas where crime is highest. Finally, the chapter suggests that contrary to Feeley and Simon's suggestion ideas aiming to change individual thought may be incorporated in practices of actuarial justice.

In chapter two, the thesis connects declining rights to privacy and the implementation of actuarial techniques and practices. The chapter has three parts. Firstly, privacy

literature helps to consider the foundations in which to understand diminishing rights of privacy. Secondly, the chapter connects the features of actuarial justice to the privacy literature. This provides an argument that claims actuarial justice is causing significant erosions of personal privacy and that the poorest members of society experience erosions of privacy in greater proportions. Finally, the chapter takes the actuarial tool of closed circuit television to illustrate the full extent of eroding rights to privacy.

In part two, the production of empirical evidence helps to develop understandings of actuarial justice. This study will provide evidence to suggest that actuarial justice has infiltrated strategies of community crime control. The research will be conducted by investigating the characteristics of actuarial justice including: identification and classification; prevention; crime reduction and management. Moreover, the empirical research aims to explore the extent to which an actuarial regime must implement practices that do not aim to change the individual. The research highlights the economically disadvantaged as being specifically targeted by practices of actuarial justice.

Chapter three first contrasts discussions of dangerousness with rising uses of risk assessment. Statistical evidence allows these groups to be a proven risk. The chapter looks to developing a better understanding of identification and classification techniques. Discussions based on interviews and observations with police officers and civilian staff at a police intelligence unit (known in this study as South Town) will form the basis of this chapter. The research illustrates the employment of a number of techniques to identify commonly committed crimes, high crime areas (hot spots) and risk groups. The use of these results allows the production of risk-based information. From the research a number of crime management techniques noted that the practices undertaken by the police look to minimising crime through practices of situational crime prevention.

Chapter four first considers the extent to which the Conservative and Labour Administrations have encouraged the development of actuarial justice. Through a number of literatures it is evident that a number of policies within both parties have encouraged the implementation of actuarial justice. It will be illustrated that both parties encourage the employment of techniques to identify and classify populations of

risk, manage these populations and rely on mechanisms of crime minimisation. The difference lay in the treatment of risk populations. Observations suggest that the Conservative government aimed to minimise the eventuality of crime through practices of situational prevention. Labour employs similar strategies but has also incorporated a number of social preventative schemes. The empirical research includes interviews with the local authority and local police (for the purposes of the study this town is referred to as East Town). The aim of the empirical research is to establish the extent to which techniques and practices of actuarial justice form strategies of community crime control. This includes a discussion to establish the extent to which populations of risk exist and to what extent they are 'managed'. The empirical research finds that management and minimisation of crimes in high crime areas (hot spots) is a priority. In addition, local authorities and the police place a great deal of emphasises on the reduction of crime to acceptable levels. The chapter concludes by acknowledging that local councils are presently employing a number of social crime prevention techniques. However, this does not infer a reduction of actuarial techniques - rather it changes the way in which we identify actuarial justice.

Chapter five aims to research the use of closed circuit television (CCTV) in one town, which for the purposes of this study is referred to as North Town. This is a typically actuarial tool, derived from strategies of situational crime prevention, because it enables the management of risk populations but does not aim to change the individual, only to monitor their behaviour. The chapter is concerned with proving the extent to which training of the CCTV operator encourages a focus on populations. The research found that CCTV operators monitor a number of suspicious behaviours and concentration on specific populations of risk occurs. The police identify these populations and in turn, instructions to CCTV operators asking them to observe their behaviour. One of the most notable observations was of people from certain estates. The study also found that particular groups of people such as those who use the night time economy in North Town were also treated as a risk group. The consequences of this are that individuals within risk categories are less likely to afford the protection of CCTV operators.

Finally, the concluding chapter draws upon the main points raised to analyse the theoretical and empirical evidence; demonstrating how each chapter contributes in its own way to an understanding of actuarial justice and its shift into strategies of community crime control. The final chapter concludes with a look into the future by

comparing strategies of actuarial justice with present government policies aiming to reduce unemployment and the effects this will have on the poorest members of society.

Part I

Theories of Actuarial Justice, Privacy and Public Space

Chapter One

Theories of Actuarial Justice: Theoretical understandings of a shift towards the actuarial community

Introduction

Within the area of mental health, understanding the individual in terms of risk required one to one assessments, personal opinions and expert knowledge of mental illness (Castel 1991: 277). This is risk assessment in its traditional role and although the expert¹ is still integral to assessing risks in mental health care, the methodology has changed. 'Questionnaire' style assessments allow specific indicators to quantify an individual as potentially dangerous, 'the site of diagnostic synthesis is no longer that of the concrete relationship with a sick person, but a relationship constituted among the different expert assessments which make up the patient's dossier' (Ibid: 276). These more 'convenient' techniques of 'foretelling' danger advanced into various criminal justice mechanisms, especially concerning sentencing (through the pre-sentence report) and probation. However, a shift towards methods of risk assessment also occurred in techniques of community crime control. This form of risk assessment differs from traditional diagnosis of the individual. Risk assessment has now replaced 'expert' knowledge with insurential technologies that rely upon a collection of information:

Information is central to effective crime risk management. To better predict offences and to interdict them before they can occur, social control must be 'front loaded'. Greater and greater amounts of personal data need to be collected and analysed on the behaviour of all individuals, not just those under suspicion
(Reichman 1986: 155).

In aiming to understand the incidence of crime rather than the reasoning for criminality, organisations² involved in crime control are turning their resources to predicting

¹ Johnston has recognised how modern society deals with risk by relying heavily upon expert knowledge including dieticians, ecologists, child protection teams, domestic violence units, counsellors, therapists, crime prevention units, commercial risk managers and vetting agencies (Johnston 1997: 187). Previously the expert assessed the potential danger of a character by individual assessment (i.e. patient, student, client). Now these experts are increasingly employing techniques of statistical measurements to assess risk. For example, within employment practices the interview process is no longer the mere 'getting to know you in sixty minutes' practice. Interviewers not only judge potential employees by their interview techniques but moreover with drug and health tests. In this way the interviewer can make an employment decision based not merely on their own judgment of character but also on risk assessed data regarding the lifestyle of the individual.

² This refers to the organisations specifically involved in the reduction of crime from a community stance including the police, the council and independent organisations such as Crime Concern.

behaviour and situating 'subjects according to the risk they pose' (Simon 1988: 772). This is more than the mere assessment of risk: a conglomeration of these techniques is what Feeley and Simon refer to as Actuarial Justice. They suggest that Actuarial Justice has established its roots firmly enough to have created a New Penology³. One that is, 'concerned with techniques for identifying, classifying and managing groups assorted by levels of dangerousness' (Feeley & Simon 1994:173). Techniques of actuarial justice create populations of risk; these populations do not choose to 'belong' and may not even be conscious that they do belong. Once formed risk populations can be of high or low risk; either categorisation will determine the levels of policing, surveillance and security that individuals within the group receive⁴. For Simon actuarial practices have been more successful and are now in greater numbers because they are more efficient than previous methods of control that looked to changing the individual (1988: 773).

In his discussions of risk Simon (1987, 1988) lays the preliminary foundations to the new penology thesis suggesting that a developing culture of risk management, especially the techniques of aggregation⁵ and security that constitute it, have become a form of social control that is concerned more with preventing crime than moral reasoning (Simon 1987). This development has meant that, in a similar vein to methodologies of insurance, individuals become aggregates of a statistical table rather than being treated as moral subjects. Under this regime, crime is minimised through methods of crime prevention (O'Malley 1992: 263). This chapter also exposes the

³ The new penology is described by Feeley and Simon as being concerned with 'techniques for identifying, classifying and managing groups assorted by levels of dangerousness. It takes crime for granted. It accepts deviance as normal' (Feeley and Simon 1994: 173). They compare this to the old penology that is 'preoccupied with such concepts as guilt, responsibility and obligation, as well as diagnosis, intervention and treatment of the individual offender' (Ibid).

⁴ A residential area not calculated as a risk will experience little policing or surveillance; primarily they will be targeted by crime prevention literature encouraging them to take responsibility for their person and property. A residential area housing a high-risk group may experience CCTV, council employed security staff and high volume policing.

⁵ Aggregation is the accumulation of information to understand the individual better, not in respect of their individual character, but as part of the population in which they belong. For example, in a residential area housing two hundred residents, a marketing company may gather information on the most popular takeaways consumed. This data is processed to produce an 'average' picture of each individual living in that area. When this exercise is undertaken as a marketing act the fact that we have several pizza menu-leaflets falling onto our doormats from local pizzerias is fairly easy to ignore. However, when aggregation affects the way we live, our treatment from the police and the suspicion that falls upon us, we might suggest that an increase in technologies of aggregation is determining the quality of life we experience. All the succeeding chapters consider in some way the effects of risk technologies upon residents. Chapter two and five also suggest that such technologies are reducing peoples' individual privacy.

ideological effects of actuarial practices inferring that these practices are too considerable to stop within a traditional legal rights discourse. The effects of this process have been a decrease in traditional sovereign relations made through family ties, religion or politics. In 1992 and 1994, Simon writing with Feeley, suggests that a new actuarial justice and a new penology have emerged. Their foundations for this argument lay in the changing discourses, objectives, techniques and practices employed within the criminal justice system.

The chapter, therefore, explores the following arguments:

Contrary to Feeley and Simon's arguments, risk techniques have not reduced the employment of moral reasoning but enabled questions of morality to manifest when and where required. Furthermore, risk techniques have increased moral questions regarding victimisation. The chapter also extends Feeley and Simon's argument to suggest that risk populations could be renamed the actuarial community. This would extend an understanding of actuarial justice by highlighting that the use of actuarial justice within the community affects only particular citizens i.e., those belonging to the poorest communities. Finally, the chapter advances present studies of actuarial justice to suggest that actuarial justice is connectable to not only the practices of situational crime prevention but also social crime prevention and strategies of community safety.

Actuarial justice

Actuarial justice is potently disinterested in theorizing the criminal character, simply viewing 'crime as natural and deviance as normal' (Feeley & Simon 1994:173-174). Actuarial justice advocates methods of treatment or punishment as pointless seeking instead, 'to predict behaviour and situate subjects according to the risks they pose' (Simon 1988: 772). Crime becomes something normal that requires management (Van Swaaningen 1995: 175). The achievement of this is down to the employment of risk techniques that sort individuals into groups classified by their risk potential.

Individuals remain the objects of attention but now with pre-conceived ideas regarding their character i.e., as aggregates to the population they belong. This is not the same as the establishment of pre-conceived notions of character or culture such as that found in the stereotyping of Rockers (Cohen 1994), or new age travellers: In comparison, these

categorisations use insurential and actuarial-based technologies⁶. The concentration of individuals in defined populations is interpretable as the prejudicing and scapegoating of powerless groups⁷ (Keith 1996: 272). Nevertheless, statistical evaluations identifying risk are now legitimising the targeting of such groups⁸.

These developments are encouraging a shift away from analysing the causes of crime so that 'the state's claims in respect of crime control have become more modest and more hesitant' (Garland 1996: 446). This has resulted in further shifts concerning accountability in the criminal justice system:

For most people, crime is no longer an aberration or an unexpected, abnormal event. Instead, the threat of crime has become a routine part of modern consciousness, an everyday risk to be assessed and managed in much the same way that we deal with road traffic – another modern danger which has been routinized and 'normalized' over time. High rates of crime have gradually become a standard, background feature of our lives – a taken for granted element of late modernity
(Garland 1996: 446).

Simon and Garland are not the only theorists to have observed an increasing interest in risk methodologies within modernity⁹. In his discussions of risk, Beck suggests that 'in

⁶ By technologies I refer to scientific methods. Most of what we do within society has an accompanying technology, from agricultural science to zoology. The research for chapter three found that the police intelligence unit in South Town had adopted and integrated, into policing methodologies, technologies to cope with the organisation of knowledge gathering, calculating, charting and predicting crime and criminality.

⁷ Critical criminologists argue that by making certain groups highly criminal (Working Class, Irish Catholics), powerful groups committing more serious crimes may be overlooked (Scranton & Chadwick 1996: 291). The justice system reproduces social inequality by focusing, for instance police time, on the lower class (Van Swaaningen 1997:3). Using techniques of actuarial justice it could be suggested that the lower class, whom feature highly in the criminal statistics, become *legitimized* targets for control. Critical criminology is hugely criticised for neglecting crimes experienced by the lower class; actuarial practices can be equally criticised for over emphasizing crimes in poor areas and implementing direct surveillance, which further intensifies images of the lower class as the criminal class.

⁸ Chapters two, three and five provide empirical examples of risk techniques being utilised as a precursor to the management of populations.

⁹ Giddens describes modernity as the 'modes of social life or organisation which emerged in Europe from about the seventeenth century onwards and which subsequently became more or less worldwide in their influence' (Giddens 1996: 1).

advanced modernity the social production of wealth is systematically accompanied by the social production of risks' (Beck: 1996: 23). Concentrating on the effects of risks upon society or a 'world risk society' (Ibid), Beck suggests that we are constantly looking for ways to minimise the harmful results that modern risks create. We monitor our fat intake, eat organic and buy private health insurance. However, the reality of being able to protect ourselves against the serious risks developed under modernity are doubtful¹⁰.

For Feeley and Simon actuarial justice has unobtrusively permeated a number of criminal justice practices because they are a more effective means of control than practices and techniques that aim to change the person. Furthermore, actuarial techniques and practices are less likely to generate resistance. O'Malley however, contests this point, suggesting that actuarial technologies have grown not because they are more efficient, but because of their 'uneven and negotiated implementation of a political programme and the consequent installation of the appropriate techniques' (1992: 258). The development of this idea takes place later in the chapter. Now, however, it may be useful to study some of the criminal justice practices that have utilised a discourse of actuarialism.

Prison: Actuarial Justice has changed the objectives of sentencing (Feeley and Simon 1994: 181). Practices such as selective incapacitation propose a sentencing scheme in which lengths of sentence depend not upon the nature of the criminal offence but upon risk profiles. Incapacitation promises that 'it can detain offenders for a time and thus delay their resumption of criminal activity in society' (Ibid: 174). This means that lengths of sentence depend not upon the nature of the assessment of the offender's character, but upon risk profiles. Selective incapacitation aims to 'identify high-risk offenders and to maintain long-term control over them while investing in shorter terms and less intrusive control and surveillance over lower risk offenders' (Ibid: 175). The basis of this is that calculating risk factors not seriousness of offence determines custody. The criminal justice system is less concerned with retribution or rehabilitation than with techniques that will manage the criminal populace:

¹⁰ Chapter two discusses Beck's thesis in greater depth to suggest that 'the boomerang effect' is just as likely in crime control as it is in wider society. For example, all citizens of the world suffer the consequences of crimes such as pollution and illegal arms trading.

Among them are low frills, no-service custodial centres; various forms of electronic monitoring systems that impose a form of custody without walls; and new statistical techniques for assessing risk and predicting the dangerous. These new forms are not anchored in aspirations to rehabilitate, reintegrate, retrain, provide employment, or the like. They are justified in more blunt terms: variable detention depending upon risk assessment (Feeley and Simon 1995: 458).

The extent to which incapacitation is more or less efficient is debatable and this is briefly discussed later in the chapter. It is significant, however, that such a discourse is making it easier for state authorities to justify moves towards prison privatisation (Christie 1996)¹¹. This is not to say that actuarial justice is the cause of increasing privatisation within the prison system. Nevertheless should the state be looking for arguments to bolster the privatisation case, the technologies and techniques of actuarial justice have certainly incorporated a discussion of efficiency strong enough to support such a direction.

Recidivism: Feeley and Simon suggest that criminal statistics are less about the calculation of failure and more about calculations of criminal justice efficiency (Ibid: 455). Recidivism is still a popular term within criminology, but its function has changed from a practice that once measured success rates to one that is more likely to be used as a measurement of judgements about risk classification, incarceration and surveillance.

Probation: Feeley and Simon suggest that the aim of probation is no longer the reintegration of offenders into society. Rather, probation has become a form of monitoring and surveillance. Probation has become a cost-effective way of imposing long-term management on the dangerous. Probation has changed its emphasis: prison is not a place concerned with rehabilitation since under actuarial justice there is no interference with individual behaviour. Probation has also altered its methodology from

¹¹ Primarily because privatisation is concerned with economic rationality and issues of efficiency.

an organisation concerned with reintegration to 'alternatives to custody for lower-risk offenders' (Harris 1980, Mair 1997).

Preventive Detention: The growth of actuarial justice has been strong in the court system. Feeley and Simon argue this point by considering preventive detention employed to manage dangerous populations. To illustrate this point they use the example of *United States v. Salerno* (1987). In this case, the Supreme Court upheld preventive detention provisions of the Bail Reform Act of 1984, which permitted pre-trial detention to ensure community safety. The reason that Feeley and Simon use this as an example is because the criteria for deciding remand or bail were based on risk factors, including evidence, history and the nature of the threat posed. Admittance made in this case illustrated that pre-trial detention was to manage risks rather than punish. For Feeley and Simon this is a new and changing way of thinking about crime. However, the significant point for Feeley and Simon is that the court acknowledged a necessary management of populations. Although they provide an American case example, they note that a similar pattern has occurred in the UK.

Feeley and Simon (1992) suggest that the above practices can be applied to all those who enter the criminal justice system. This study is concerned with localised forms of crime prevention employed by the police and local authorities i.e. closed circuit television.

Feeley and Simon do not specifically connect policing methods and actuarial practices. They do however, note a number of practices established within policing agencies that illustrate the development of actuarial justice. For example, law enforcement agencies have utilised a variety of profiles to identify suspected criminals in specific situations. Such profiles employed by airport customs (it is believed) identify the 'typical' hijacker or 'behavioural factors which in combination differentiate individuals transporting illegal narcotics by air from other air travellers' (Feeley and Simon 1994: 177). These methods provide preventative mechanisms and all users of airports can expect to be exposed to them. A number of works have identified the policing of specific communities as having similar risk methodologies (Johnston 1997). In Ericson and Haggerty's study (1996), they empirically identify practices of risk management within modern policing practices. Their work illustrates that it is usual to hear a discourse of

statistics utilised to justify the use of a variety of techniques for the identification and classification of risk groups¹². The adoption of insurance techniques into policing methods has turned the police into knowledge brokers (Ericson and Haggerty 1996). By limiting their exposure to indicators that they can control, managers ensure that their problems will have solutions (Feeley and Simon 1994). Primarily they can aim techniques of actuarialism towards risk populations by managing individuals within these areas (Stenson 2001: 25).

Insurance, Risk and Morality

Simon uses the term 'actuarial' to refer to the 'techniques that use statistics to represent the distribution of variables in a population' (1988: 771). The various procedures, which use those actuarial techniques, he calls 'actuarial practices', and he argues that the individuals subjected to these practices (and that refers to all of us, from this perspective) are 'actuarial subjects'. Actuarial subjects find themselves defined by their subjection to the power of actuarial techniques:

The statistical processing of information allows the exercise of power to be targeted quite precisely. Experts in marketing products and managing populations constantly give rise to new categories of people such as BUPies (Black Urban Professionals), DINKS (double income no kids), high rate offenders, CHINS (children in need of service), and LDs (learning disabled children). Placing people in an actuarially defined category helps mark them as a new subpopulation that calls, in time, for new forms of testing, comparing and ranking (Simon 1988: 772).

Simon draws on the works of Foucault, especially the latter's notion of discipline. He finds that Foucault's analysis of the way that disciplinary power subjects a limited population, such as might be found in a school or mental institution, to a particular regime, must now be developed to take account of the way that actuarial power works. While disciplinary power attempts to shape individuals, to 'normalise' them, 'the actuarial regime alters the physical and social structures within which individuals

¹² Chapter three illustrates that the police intelligence unit at South Town employed criminal statistics to identify areas and individuals who were a potentially higher risk than others.

behave' (1988: 773). This is not, however, a very recent development in the workings of power. As Simon points out, actuarial techniques began to develop in the late nineteenth century with the advent of such institutions as national insurance, income tax and industrial injury compensation legislation. He explores the development of actuarial forms of power by examining the case of *The City of Los Angeles Department of Water and Power v. Manhart*, decided in 1978. This allowed him to explore 'the clash between actuarial practices and the value our culture has traditionally placed on the sovereign individual' (1988: 775).

The essence of the case was the Supreme Court's judgement that the City of Los Angeles was not entitled to use a particular statistical variable, that of female gender, as a neutral actuarial variable, which justified the differential treatment of various parts of the population merely because of its statistical properties. In this case, the defendants wanted to charge women higher pension contributions because they live longer. There were two broad responses to the decision, which Simon finds of particular interest. From the standpoint of well-established insurance practices, the decision is unacceptable: the careful calculation of risk, followed by rational decision-making based on that calculation, seemed to be threatened. On the other hand, the proponents of a rights-based system of justice saw the decision as a good one, since it challenged discrimination against women. The case highlights how one actuarial variable may prejudice half the population so they must pay higher premiums.

Simon argues that neither the insurance nor the legal rights response is adequate as a basis in which to understand what is at stake in the emergence of actuarialism. To generalise from the insurance position would be to embrace a model of rational calculation, which does not reflect the way that individuals make choices in the social world. In the rights-based approach, Simon also finds that the rights of the individual are emphasised in a way that detracts from the importance of groupings. As he says, 'We live in a society where aggregations are increasingly important for exercising power, therefore 'strategies of resistance must also be able to operate at the level of aggregates' (1988: 785). To elaborate on this, he draws on the work of Austin (1983) who argues that actuarial classifications create conflict and inequality. In order to resist these inequalities, rather than turning back to the liberal individual, it would be better to form new social groupings. In the case, for example, of those categories penalised by

actuarial decisions in the sphere of insurance, she argues for the emergence of groups that will take on activities relevant to the control of the risks concerned. Neighbourhood Watch groups in areas of high crime would be an example. Simon, however, thinks that Austin underestimates the power of actuarialism, and does not appreciate the extent to which it undermines the very possibility of the kinds of social formations which she would like to see emerge. This undermining takes place, according to Simon, because actuarialism tends to transform society into a collection of aggregates, and that these aggregates lack the normative and psychological resources to develop new and stable sub-groupings:

I want to argue that the representations produced by actuarial practices e.g., insurance cells, place us in a cultural space even more alienating and disempowering than the disciplinary bureaucratic practices we have occupied for most of the last century

(Simon 1988: 787).

Simon suggests that the growth of actuarial practices is making more and more difficult the formation of new social identities 'as the sense of politically and morally charged differences is diminished, we understand ourselves most strongly in the shifting and listless collectivities of lifestyle and consumption'¹³ (1988: 798).

For Simon the adoption of risk into a variety of social mechanisms is traceable back to the provisions of both public and private security:

The contemporary cultural concern with risk then is really composed of the confluence of two different historical processes. On the one hand is the growth of a set of techniques for aggregating people, representing them as locations in a population distribution and treating people on the basis of this distribution. On the other hand, a set of political and economic

¹³ Although the social consequences of this are yet to be fully observed, however, the empirical research was able to highlight how people living in actuarial communities are treated and react to this treatment (see chapter three).

strategies have made security a pervasive task for the state and other large organisations
(Simon 1987: 66).

These two practices first emerged as society attempted to manage the distribution of social harms. At the beginning of the nineteenth century, there was little precedent set in common law to allow workers compensation for harms received. As negligence laws developed, injured workers found that they had the right to sue those directly responsible for the act. The problem with this was that the person most responsible would more likely than not be a fellow co-worker. As this law developed the lower courts, which held more sympathy for the working classes, began to lay greater responsibility upon employers. Significantly, 'the new laws transformed the conception of an accident from one of anomaly to one of *normal and inevitable occurrence*' (Ibid: 68). By accepting accidents as socially inevitable private and state organisations were able to establish reparation schemes that ensured the minimisation of loss and harm.

In his 1987 paper, Simon first explains how technologies of insurance and practices of management have led to the treatment of moral subjects in a lesser way. He suggests the reason for this is that the employment of insurance techniques has led the way to understanding individuals as aggregates (Simon 1987). Aggregation is advantageous for two reasons: first, individuals can be 'known' before personal introductions are made; secondly, any stranger, with access to aggregated information, may obtain enough knowledge to make decisions regarding a person's credit, admission to university or choice of reading literature. The more knowledge gathered about a particular group, the more effective the aggregated information will be with regards to the individual (Ibid: 63). An example of this are the aggregation methods used by insurance companies. Premiums are not only calculated by considering an individual's driving skills or personal driving record. Since females have fewer accidents, as a sex, their classification falls as a lower risk than males and hence tend to pay lower premiums.¹⁴ This is because techniques of insurance that produce aggregated information do not presume to understand the character of the person, their hobbies or interests, their likes or dislikes. Rather, it is utilised to assess populations of risk. An accident affects the individual, but judgements of populations are made on their risk of having an accident,

¹⁴ Research for chapter four quotes an insurance training manual. This states that certain groups are considered a higher risk group; publicans, for example are associated with drinking too much.

'risk becomes calculable when it is spread over a population' (Ewald 1991: 207). The concept of risk within insurance techniques is to assume that individuals within the same population 'are on the same footing' (Ibid: 203). The consequences of this are that:

Many of us experience at some point the frustration of not being treated fairly as individuals when we come in contact with insurance, for example, we are all subjected to producing information about ourselves that seems to have nothing to do with how safe a driver we are: where we live, how far we have to go to get to work, our level of education, or our grades (Simon 1987: 64).

Aggregation and assessment of individual lifestyle is tolerable within a business transaction for the most part we accept invasions upon our privacy and a dehumanisation of our character for the advantage of insurance, credit cards or personal loans (Marx 1988 and Gotlieb 1996). Moreover, insurance techniques are greatly advantageous to the public because their very nature is to provide financial assistance should a negative event take place.

If particular populations find themselves expected to experience certain events, then in effect we begin a process of avoiding the issue of fault, blame and theorising social events. In its place practices of risk, look to minimising and preparing for the inevitable. For example, Simon suggests that accidents and bad events, which take place in cars, are becoming less moralised. Instead, importance on financially covering loss becomes paramount. The result of this has been the development of preventative schemes:

We are learning, if gradually, that external environmental controls, such as deliberately placed bumps in the road, traffic obstacles, and other similar devices, can be a more effective hedge against bad driving than those deterrent techniques that depend on the consciousness of the driver. (Simon 1987: 75).

Just as the moral actor¹⁵ diminishes, so has the rational actor, 'left steering the car, is a more or less great, more or less tolerable risk' (*Simon 1987: 75*). However, Simon makes the point that drink driving is still a moralised act (*Ibid*). Government, police and social attitudes to this crime can be found represented in the various and highly moralised advertising campaigns aimed at the prevention of drink driving. Not only is the driver moralised but so too are publicans for knowingly allowing their customers to drink and drive. As precautionary measures, publicans must provide soft drinks, a drivers' shelf (to hold car keys) and easy access to a telephone for a taxi. The severity of this responsibility highlighted by the fact that the Portman Group¹⁶ has launched a number of campaigns to help publicans tackle drink driving. Their most recent campaign is the 'talking poster'. Placed on the walls of pub lavatories and as people pass by, they verbally remind individuals not to drink and drive. The Portman Group's involvement in issues traditionally of concern to the police illustrates the heavy responsibility placed on publicans concerning this crime. Moreover, those who do knowingly allow customers to drink to excessive levels and drive are in danger of prosecution.

In a similar vein to Simon, Reichman suggests that the effects of risk on morality are two-fold. First, a decline of moral concerns is inevitable in an insurance model of crime control (*Reichman 1986: 164*). This is because the ultimate aim of the insurance model is to reduce the incidence of future crimes - crime becomes an accident, which requires management. 'In this sense crime becomes an act of God' rather than an act against him (*Ibid*). Crime becomes a technical rather than a moral phenomenon. However, her work concludes that moral reasoning remains because 'implicit moral choices and unintended consequences often occur hand in hand with social interventions despite appearances to the contrary' (*Ibid*). The notion of family and gender roles highlights this point: families are still the social frameworks in which the teachings of moral reasoning occur and our gender roles are still indicative of what is morally acceptable. For example, the debate regarding female violent crime and double deviance is still existent within criminological and legal debates.

¹⁵ The actor being the person we aim to understand.

¹⁶ The Portman Group is an organisation of licensees that aim to assist other licensees in their work.

Furthermore, our ideas of what is socially 'correct' are underpinned by a moral vision of order (Coleman and Sim 1996: 24). CCTV may be the epitome of an actuarial tool (Johnston 1997), but it is the town manager making decisions on what to observe and very often, these decisions are moral judgments concerning stereotypes of class, race, sex and culture. In Norris and Armstrong's empirical research of the CCTV control room, it became evident that moral judgements were made concerning race: black people were largely treated as suspicious and 'would almost automatically produce a targeted surveillance'¹⁷ (1999: 123).

In Reeve's research of the managed town centre he found that the aim of the town centre manager was to ensure the centre was commercially driven and attractive to investors; town centre managers aimed to improve the aesthetics of an area by making certain activities 'unwelcome' or illegal, such as unlicensed street vending, excess alcohol consumption or busking. Certain people were also unwelcome, such as those labelled as '*larger, crisps and videos: sociable, materialists, pleasure seekers, poorly paid with little education*' or '*survivors: very poor, little education or confidence*' (Reeve 1998: 47). For Reeves the effects of this concentration on cleansing and minimising risk destroys the character and soul of the town centre:

The essence of the argument is that to take away the element of unpredictability, insecurity and a sense of risk from the public realm is to remove one dimension of public life which encourages individuals to tolerate and accept the presence of others different to themselves. Morally, politically and psychologically, the aestheticisation and privatisation of public space through such devices as electronic surveillance represents a significant retreat from civitas to societas in public life – from collective and individual responsibility, to self-interest and a culture of fear¹⁸

¹⁷ See also chapter five in this thesis, which illustrates that CCTV operators base their decisions on who to observe on a number of moral attitudes and categories of people identified as 'risky'.

¹⁸ Reeve's research indicates that Oxford city centre was cleansed for the sake of risk minimization and commercial gain (1998). The research for chapter five illustrates that risk practices were used by CCTV operators in identifying potential troublemakers. However, these people were allowed to go about their daily activities (such as taking drugs behind the local library) so long as their activities remained in certain areas of the town and did not disrupt the shopping centre.

(Reeve 1998: 44).

In practices of policing, we see a similar pattern of events. While moral reasoning remains, there is a definite reduction in the planning and policy stages of crime control and questions of reduction rather than issues of fault or understanding become important. Ericson and Haggerty (1997) identify a move from a traditional police focus on deviance, control and order to one of risk, surveillance and security. Before the criminal act occurs, the authorities are today less interested in reasoning with the offender (as they may try to with the drink driver) but instead:

Risk communication systems turn the moral discourse of deviance into a utilitarian morality of probabilistic calculus. The systems make up people more according to the former's internally referential system of rationality than in terms of extrinsic moral questions of deviance. People are panoptically sorted according to utilitarian criteria – as more or less stable, bright, strong, efficient, useful, and so on – creating the 'transmission society' of risk career tracks. Gutted of moral wrongdoing, deviance is treated as a normal accident. That is, deviance is treated as a contingency for which there are risk technologies to spread the loss and prevent recurrence

(Ericson and Haggerty 1997: 448).

There seems little doubt that by introducing concepts of risk into policies and organisational mechanisms of crime control, issues of morality decline. As civil law, no fault and the compensation culture increases, there is less need for turning to moral reasons for understanding acts as wrong. On the other hand, risk techniques have strengthened moral judgements on those it statistically verifies as 'wrong'. As in Reeve's work, we see the town centre manager being able to openly discriminate against people not because they are criminal, but because they are poor non-consumers. Moreover, this prejudice has become reasonable because such people are a risk to the social order.

Finally, I would suggest that the increasing use of risk practices has further moralised the actions of victims. In aiming to prevent the recurrence of crime and its reduction, ideologies of crime prevention give partial responsibility for crime reduction to the individual (Bauman 1992). This makes an inference that the public must take responsibility for ensuring that their person and belongings cannot be the target of crime. If her skirt is too short and her heels too high or his locks too few and his life style less than conventional, then suddenly the victim becomes no longer just a victim, but partially the perpetrator of their own crime. Judgements on women who go out late at night or families who refuse to install a burglar alarm become acceptable. To be a true victim with optimum sympathy people must be beyond reproach in their own behaviour.¹⁹

In a recent Metropolitan police pamphlet,²⁰ guidance is included on how not to be a victim. For example, individuals are to 'wear comfortable clothes and shoes that let you move easily' (Metropolitan Police 2001: 7). In addition, people are told to 'wear your bag across your body so that it opens on the side facing you. In winter, wear your coat over your bag to hide it. You're an easy target if you leave your bag open or carry it over one shoulder' (Ibid: 7). As well as this advice, warnings to potential victims state that they must take responsibility for their safety this must be within reasonable boundaries. Potential victims must be careful not to deliberately carry offensive weapons:

You could protect yourself with something you might be carrying anyway such as a shriek alarm, torch, umbrella or keys. Do remember, it's against the law in this country to carry anything that is for use in self-defence such as pepper spray or mace (Ibid: 8).

¹⁹ My last research interview was with two crime prevention officers. While describing the mugging of an elderly lady one officer commented that it was inevitable that she would be mugged because she was dressed too well. He was annoyed with the woman because her friend had warned her to dress down. He believed that people had a duty not to bring attention to themselves. The main aim of the crime prevention unit was to visit individuals and groups and teach them how not to be victims of crime. As far as the unit was concerned those who do not heed their advice are asking for trouble.

²⁰ Your Guide to Personal Safety 'Stay Safe', Metropolitan Police Service (2001).

The above quote infers that when taking responsibility for personal safety the individual must be sure that forms of defence are 'reasonable'. The responsibility of personal safety is therefore not simply a matter of good planning and preparation but also ensuring that the perpetrator's injuries, when inflicted by a victim, fall within reasonable limits. The main point is that victims are not merely the 'unfortunates'. Those who do not undertake this task seriously become a risk to social order and are therefore morally culpable. Finally, the rising stigma attached to victimisation infers that morality remains as a form of control and a precursor of bad behaviour.

Rather than suggesting that morality is decreasing, it may be more useful to view issues of morality as moving from crime to crime. A good example of this is drinking and driving; a more recent example would be domestic violence. In the 1990s, the government aimed to reduce this crime through techniques of crime prevention and risk assessment (Walby and Mayhew 2000). Since 2002, advertising campaigns have aimed to highlight this crime, raise public awareness and shame the perpetrator within their community.

Sovereignty and risk

Simon views sovereignty as a significant power in uniting and controlling the population. The concept of sovereignty was founded upon laws to which subjects were meant to be universally accountable and backed up by the coercive powers of the police and the military (Johnston 1997: 189).

Broadly speaking, one might say that, in monarchical law, punishment is a ceremonial of sovereignty; it uses the ritual marks of the vengeance that it applies to the body of the condemned man; and it deploys before the eyes of the spectators an effect of terror as intense as it is discontinuous, irregular and always above its own laws, the physical presence of the sovereign and of his power
(Foucault 1977: 130).

For example, during the French revolution (1789) 'Never did the people feel more threatened, like them, by a legal violence exercised without moderation or restraint'

(Ibid: 63). Moreover, the level of resentment of the French peasantry, the injustice of state power and the fight against public authorities equated to a strength that began to concern the British state who became deeply worried that the French revolution would spill onto British soil.

When as individuals we speak publicly to condemn certain practices as wrong and demand change, we are taking up cultural forms of moral and political character that depend upon a certain kind of community as an audience, and upon a certain kind of self-understanding I call sovereign
(Simon 1987: 62).

Simon is suggesting that sovereignty was once the sole rationality for keeping the nation morally united, loyal, and controlled. Through war, politics and fights for workers rights, sovereignty brings people together with common goals. However, according to Simon, these forms of social control are lessening and, at this point in history, statistical tables in an actuarial chart dictate our given groups.

The sovereign community is one bound together by a sense of community, religion, family ties and political beliefs, while the risk population is one created through aggregation and segregation. Techniques of aggregation and separation are the same as those found in insurance techniques. Insurance represents individuals 'actuarially' as instances of a population. This makes it more difficult to conceive of individuals as 'sovereign subjects with moral and political dimensions' (1987: 63). When unions strike and groups revolt in order to obtain political and legal changes, they do so with common political or moral forms. The actuarially formulated population however, loses such cohesion because creation is via statistical notions. With this, the 'new' populations lose the capability of social cohesion - they have little in common and therefore have little to fight about. Where sovereign groups find themselves sometimes thrust together by a social factor the actuarially defined community may not even be aware that another gang member exists:

Social relations that are constituted by risk practices bring people together on the basis of objective markers. Think about how we belong to our insurance companies, our credit

card companies, and increasingly our jobs as well. Relationships of sovereignty involve moral bonds that pass through the subjective self-understanding of individuals. In sovereign relationships people show up as subjects who are capable of praise and blame, rather than simply costs and benefit

(Simon 1987: 78).

According to Simon the twentieth century was 'haunted' with problems of sovereignty, when soldiers went to war they did so under a banner that they were providing security and welfare - two risk ideologies. However, under ideologies of risk, wars that may lead to national destruction are irrational. To make war acceptable governments rely upon sovereignty 'the glory of the body politic', and a belief in nationalism. Without this belief-system, representing war to the public would be very difficult.²¹ Sovereignty also remains significant in terms of punishment because although risk is a significant factor in deciphering sentencing, punishment remains a political 'duty':

The state's effort to punish members of the underclass who commit crimes is one of the last traces of a commitment to share a community with them

(Ibid: 82).

O'Malley suggests that in this argument the force of sovereignty 'appears as a technologically irrational anomaly, primarily explained by the resistance of moral reactions to more efficient instrumental methods of control' (O' Malley 1992: 256). On the contrary, the rise of risk technologies is less to do with issues of efficiency, 'as the rationales for imprisonment increasingly tend toward the punitive and away from the correctional' (Ibid), it becomes unsatisfactory to see certain forms of power as efficiently managing the population, and other forms as 'surviving'. For example, prison and theories of retribution are in fact, more than merely surviving. O' Malley also considers the changes that have occurred in public benefits, while Simon argues that

²¹ The 2003 Iraqi war demonstrates the problems created by public dissatisfaction. Even after the event, the finding of mass graves, torture cells and crimes against humanity the public still demands evidence that weapons of mass destruction existed. It has yet to be seen whether the Prime Minister is able to survive the public dissatisfaction that remains.

actuarial power 'refers largely to techniques developed in relation to state-centred means' for supplying an increasing hegemony of welfare. O' Malley argues that public benefits have:

witnessed a partial transformation of socialized actuarialism into privatised actuarialism (or prudentialism) as an effect of political interventions promoting the increased play of market forces. More specifically this has involved three integrally related changes: the retraction of socialised risk-based techniques (public benefit) from managing the risks confronting the poor; their progressive replacement by disciplinary or sovereign remedies; and the privatisation of public benefits as an aspect of the extension of privatised risk-based technique.

(O'Malley 1992: 257).

O'Malley makes the point that an increase in actuarial techniques is the product of political motivations.²² In support of this argument, O'Malley uses Rose and Miller's (1992) 'government at a distance' proposal. They consider that sovereign relations are declining and admit that government power is no longer purely the sole property of the state. However, their perspective concentrates less on modern crime control practices as efficient or not as the case may be, suggesting instead that practices are with political motivations (O'Malley 1992: 260).

As risk techniques become more dominant, a 'marriage' of risk and sovereignty becomes less likely (Simon 1987: 87). 'The practices we have called sovereignty, whether religious or political, have disintegrated and are too incoherent to replace risk' (Ibid). The power of the risk society means that when common linkages bring people together:

Without punishing, moralizing, or redeeming, it provides for the security and harmony of the social body by coordinating

²² This idea will be explored in chapter three by considering the implementation of actuarial justice in both Conservative and Labour policies in their aim to reduce crime in the community.

risk and access, so that people are channelled through an environment designed to minimise their harm to each other (Simon 1987: 87).

One of the problems with this philosophy is that while certain people are channelled into the comfortable surroundings of suburban living, shopper-friendly town centres and the privileges of the gold card, others are channelled into high crime areas, run down shopping centres and loan sharks.

In total, Simon is suggesting that risk technologies are significantly changing the way in which we organise and experience life. However, the extent to which this is true is debatable. Techniques of risk have affected issues of morality but that has not necessarily equated to their demise. One point that is clear from this study is that membership to a community united by sovereign goals is being transferred to categories that we try to gain access to. Our worth is less to do with our commitment to common goals and more to do with our credit score and risk potentials.

The economically rationalist technologies, techniques and practices of actuarial justice

The identification of actuarial justice is through a number of *technologies, techniques and practices*. Taking domestic violence as an example we can see that the Home Office are adopting *techniques* of risk minimisation to reduce the likelihood and seriousness of offending. For example, crime reducing *technologies, techniques and practices* are present in Walby and Mayhew's study: 'Assessing and Managing the Risk of Domestic Violence'.²³ *Technologies* of quantitative research to calculate who is at greatest risk of experiencing domestic violence are used and these statistics help to tabulate the British Crime Survey. There is an ethical issue to be addressed here, because the employment of technologies whether mathematical, actuarial or insuriential means that:

Hazards are reduced until they can be easily predicted. Once their probability of occurrence can be estimated; it is assumed

²³ Published for the Crime Reduction Unit (2000).

that these events can be efficiently allocated among the community of risk sharers
(Reichman 1986: 154).

As individuals are 'increasingly understood like locations in actuarial tables' (Simon 1988: 772) we see that domestic violence is reduced or contained for targeted categories, while for others it continues as a natural human occurrence, beyond the interest of the state, whose underlying philosophy becomes one of minimisation rather than eradication.

Continuing with Walby and Mayhew, *techniques*²⁴ of classification and identification suggest that poverty is an identifiable risk, and that domestic violence, although found in a variety of social groups, is statistically worse for women living in poor households.²⁵ There is a danger to such classification because, measurement is often imprecise and risk categories can never be an exact science (Ericson and Haggerty 1997: 91). For example, we see that Walby and Mayhew's risk calculations may be incorrect: more thorough research (Borkowski 1983) that concentrates on violence against both men and women, illustrates that domestic violence occurs within a variety of groups, and moreover, that there is no simple association with poverty or social status (Morris 1991: 180).

Finally, women pertaining to one or more risk categories find themselves subsequently grouped as a population of 'high risk victims' and accordingly targeted for the application of crime reducing *practices* such as the pendant alarm.²⁶ This allegedly prevents assaults, alerts the police to remove the perpetrator, and provides a deterrent effect²⁷ against attacks (Hanmer & Griffiths 2000: 1).

²⁴ When referring to techniques I refer to processes underpinned with actuarial and insurerial practices of risk, as used by Simon (1988).

²⁶ A pendant alarm is a necklace style alarm, that when pressed activates a response from the police. The idea of a pendant alarm preventing serious acts of violence is quite ludicrous: any surprise hit would lead the victim incapable of pushing buttons. This practice emphasises that the aim of actuarial justice is not to eradicate crime but to provide solutions that may minimise the number of occurring acts i.e. if the pendant alarm reduces violence in one targeted road from 10 to 8 a week, the practice is effectively successful, because recorded crime is reduced.

²⁷ It is ironic that original legal debates surrounded issues of how much violence was acceptable in relation to the act itself, so it was believed that a stick no bigger than a thumb was an acceptable tool of chastisement upon women (Morris 1991: 182). Now policy focuses on providing tools that will not eradicate domestic violence but reduce it to acceptable levels in relation to criminal statistics and police

This chapter does not plan to produce a full critique of managing the risk to domestic violence, nor does it suggest that actuarial justice has forced a move from the 'old penology' to a 'new penology' (Feeley and Simon 1994). Rather it suggests that actuarial justice²⁸ exists within a significant number of crime policies, intermingled with methods of traditional criminal justice goals including rehabilitation, mediation and punishment. However, the use of actuarial justice to manage a crime such as domestic violence, regardless of some serious insufficiencies, begs the question as to why these techniques and practices have grown to the extent they have? According to Feeley and Simon, the answer lies in the fact that actuarial *technologies* are already very familiar to us, it utilises resources efficiently, and it holds subtle and unobtrusive practices that generate less public resistance than sanctions that work directly upon the individual (Simon 1994).

Drawing on the works of Foucault, Simon describes actuarial justice as a movement away from the disciplines, concerned with concepts such as guilt, responsibility and punishment (Feeley and Simon 1994:173), and towards *techniques* of governmentality, concerned with aggregate populations. Since *techniques* of governmentality are already so familiar to us in rationales of welfare and private insurance (Simon 1988:772), their infiltration into policies of crime control is hardly noticeable.

O'Malley argues that governmentality is indeed a dominant mode of rule but suggests that the disciplines still have a key role to play in the control and philosophies of crime. This is evident in *practices* which, running against the grain of actuarial justice, retain emphasis on the individual, including Right Wing discourses of punitive or just deserts sentencing (1992: 265). For Simon 'actuarial practices are gradually forming a surface over institutions and social policy arrangements that make them conducive of political and moral charge' (Simon 1988: 798). This is because the management of populations is more efficient in its use of resources as:

effectiveness. Still we witness little shaming of the perpetrator but policy which continues to place responsibility upon the victim to plead, not with the abuser, but with professional bodies in the hope of protection.

²⁸ Van Swannigen (1995), and Coleman & Sim (1996) argue that there is no evidence of a move away from disciplinary regimes: rather we see a merging of actuarial techniques with techniques from the old penology.

The movement from normalisation (closing the gap between distribution and norm) to accommodation (responding to varieties of distribution) increases the efficiency of power because changing people is difficult and expensive.

(Simon 1988: 774).

Perhaps actuarial justice has not unobtrusively permeated crime policy and, in fact, what influences the spread of *technologies* is most likely to be their appropriateness to particular ends, 'and this in large measure will be related to political struggles which establish programs on the social agenda' (O'Malley 1992: 258). These political struggles largely inspired by neo-conservatism's economic rationalist philosophies. In this scenario, the aim of actuarial justice as 'stripping away socialised risk management and replacing it with a pragmatic combination of privatised prudentialism' (Ibid: 257) is evident.

To explain these concepts we can return to the example of domestic violence. O'Malley suggests that socialised risk management would alleviate this crime by funding and targeting:

The involvement of the community to change male behaviour and attitudes, empower women in unsafe situations and change community perceptions and understandings about violence towards women

(O'Malley 1992: 267).

Privatised prudentialism, which can be seen as more in line with Walby & Mayhill's paper (2000), utilises ideas of economic rationalism in an aim to encourage individuals, councils or businesses to take responsibility for their own safety through, for instance, situational crime control (personal alarms, cameras, barbed wire). A rise in actuarial practices can, therefore, be partially attributed to government aims of dispersing the cost of crime towards the community²⁹ (O'Malley 1992: 257) and away from government under a banner of economic rationalism, a differing claim altogether to Simon's 'automatic' power through efficiency.

²⁹ As previously mentioned this is another example of moralising the acts of the victim, by making them responsible for their own protection.

On the other hand, Hudson argues that *practices* of actuarial justice are becoming dominant for reasons that go beyond cheapness and effectiveness (Hudson 1995: 8). In his view, 'the change from the disciplinary to the actuarial regime matches the change in aspirational context from providing security to protecting against risk' (Hudson 1995: 8). Nevertheless, Walby and Mayhill note:

The extent and distribution of risk is needed as an essential first step in the process of assessing the costs and benefits of different domestic violence reduction programmes
(Walby and Mayhill 2000: 3).

Considering the abundance of papers published by the Home Office seeking the most cost effective, crime reducing programmes for robbery (Ekblom 1987), burglary (Tilley, Pease, Hough & Brown 1999) or even as we have seen in domestic violence (Hanmer & Griffiths 2000), it could be argued that actuarial justice is in fact a deliberate adoption of cost effective policy.

Garland also considers this point when he suggests that an increasing use of the analytical language of risks and rewards (rationality, choice, probability, targeting and supply and demand) of opportunities is the product of economically rationalist philosophies introduced in practices of crime control. These philosophies emphasise the importance of objectives such as compensation, cost-control and harm reduction. He suggests that: *practices* and *techniques* now utilised in the community have largely derived from the private sector, especially from private insurance companies and businesses. A good example of this would be the retail sector which has driven forward economic rationalist *techniques* that reduce the loss of profits by introducing cost effective forms of prevention through *practices* such as closed circuit television and electronic article surveillance (Beck and Willis 1994).

To strengthen his argument Garland suggests that high crime rates have resulted in justice agencies working towards methods that will 'define deviance down' (1996: 456). 'It includes the use of community and monetary penalties for crimes that would once have attracted custodial sentences, and the decriminalisation of behaviours that were once prosecuted' (Ibid):

The impact of 'defining down' is, in effect, the opposite of the 'net-widening' tendency that is frequently attributed to contemporary crime control practices. Its concern is to let minor offences and offenders fall below the threshold of official notice – to allow them to slip a 'net' that is in danger of bursting at the seams. In this development the radical force at work is not the critical criminology of writers like Stan Cohen and Nils Christie, who argue that criminalization is often an evil in itself, but instead the Audit Commission and the government's Financial Management initiatives, whose concern is to find ways of reducing public expenditure and improving government performance

(Garland 1996: 456).

Although a straightforward connection between actuarial practices and economic rationality is difficult to establish, economic analysis and actuarial justice share several important features. They both support a utilitarian approach to punishment over moral considerations. Both actuarial justice and economic analysis utilise quantitative rather than qualitative research, and are both concerned with the performance of the criminal justice process as a system (Feeley and Simon 1994). However, as Feeley and Simon note, economic analysis and actuarial justice are not fully compatible. By contrasting the deterrent (economic) and incapacitative (actuarial) approaches to punishment, these differences become evident (Ibid: 189).

Deterrence is economic analysis in its purest sense. It allows for a concentration on the behaviour of individuals as 'rational actors responding to socially broadcast pricing signals' (Feeley and Simon 1994: 189). Within philosophies of deterrence, the offender becomes a rational actor whose behaviour is influenced by a system of punishments. Incapacitation on the other hand does not attempt to change the thought process of the individual; rather, it has the aim 'not to influence the decisions of individual would-be criminals, but simply to identify and incapacitate a designated high-risk population' (Ibid). If the goal of actuarialism was simply one of economics, we may assume that it would automatically adopt practices of deterrence.

To return to O'Malley, actuarial justice can perhaps be better understood as a collection of political motivations that cannot be 'reduced to any simple or direct formula' (O'Malley 1992: 257). It is important, therefore, to note that although actuarial justice and economic rationalism are distinguishable, the influence that economics has on the adoption of actuarial practices is significant. Commercial and insurance-based thinking about crime control focuses upon reducing or displacing the costs of crime, upon prevention rather than punishment and upon minimising risk rather than ensuring justice. Commercial attempts to control crime weigh the costs of crime against the cost to the enterprise. These philosophies have entered into community crime reduction practices. Local authorities, with specific budgets from central government, must aim to minimise crime in their locality and this calls for economic rationality.³⁰

The very poor are the actuarial community

Actuarial justice has a class channelling effect,³¹ for example, it provides the risk techniques that decide a person's level of credit. (Simon 1987: 76). In turn, this dictates the access an individual will have to credit. 'Sometimes this is done by processing individual applications, in other cases, whole populations are assumed as good credit risks, such as college students, people who live in certain neighbourhoods, or who belong to certain organisations' (Ibid: 76). A miniature solar system in which 'people are placed in various orbits around the shining sun of consumption depending upon their risk profile' is the metaphor that Simon employs to describe this system (Ibid 77).

Within the community, the channelling of classes has led to differing methods of control and security. While the middle classes once sought security through property ownership, they now seek security through insurance (Ibid). Burglaries, theft and personal injury can all lead to claims for compensation. However, the poor who live outside the feasible limits of obtaining insurance find themselves without the protection of old-fashioned security management. 'The poor, locked out of the access and security channels of insurance and credit, remain a constant reminder that capitalism cannot achieve the rationality of risk in its fullest sense' (Simon 1987: 78). Moreover, we

³⁰ The following research illustrates that local authorities choose their crime reduction practices according to cost.

³¹ Beck (1996) has suggested that risk strengthens a class society, the very fact that the poor will have less access to a credit card; information on toxic waste and nutritional information disadvantages them in a society where choices and an understanding of risk taking can shorten or prolong a life.

witness an increasing reduction of freedom for those whose security is reliant upon greater policing and surveillance³² (Davis 1988: 228).

‘One of the major policy issues that emerges from a survey of the debates on risk is the fear that those who are already disadvantaged will suffer more’ (Douglas 1994: 34). Within studies of actuarial justice it is quite evident that population management is not directed towards white-collar criminals or the policing of managing directors. The actuarial community is the poor community and actuarial justice is a way of legitimately recognising this group of people as a risk to order and safety.³³ Throughout the research, it was evident that actuarial communities largely share both poverty and post codes. In this respect, the actuarial community becomes any other poor residential area treated as ‘police property’ (Lea 1981). However, there is a difference because in the past poor areas and their residents were known to be ‘bad’ through word of mouth and reputation. This meant that there was scope to recognise that not all people in these areas were the same. They were all poor but not all potentially criminal. The actuarial community demonstrated through crime maps and criminal statistics. Moreover, modern forms of surveillance and security target all members of the community and not a select group. When CCTV becomes part of the landscape the aim is to survey all residents, even the most law abiding. All members of society experience actuarial practices and many may become members of actuarial populations (through insurance, work undertaken or places where they choose to shop) but do not necessarily become part of the actuarial community.

By employing rationally based technologies of logic, through classification and prediction, the need for human discretion becomes obsolete and this in turn offers a new kind of scientific expertise that is far more efficient (Pratt 1998: 21). Striving for ultimate efficiency and population divide resonates strongly with Hitler’s Germany, where the obsession to create one pure Arian race and divide the rest into inferior populations found justification on discourses of efficiency. Those criminalized by the Nazi ideology quickly became the subject of medical surveillance and control. In the

³² Davis’s work (1988) is used in chapter four to highlight that a move towards the actuarial community is diminishing public freedoms.

³³ The empirical research in chapters two, three and five all point towards the actuarial community being a poor community.

minds of their wardens, the camps were a way of making use of those who could be a drag on the nation. SS doctors were arbiters, and by inserting 'unfit to work' on an information sheet they created a category with which to organise the sick and injured in files that were easily-accessible and easy to compile. In turn no Jewish person was 'killed' - they were 'unfit for work', and in the process the eugenic presumption that productivity was a function of biology found expression in statistical terms (Allen 2000: 185).

As the Nazi regime was a way of dealing with those who were a drain upon society (Jews, disabled, homosexuals, criminals) the actuarial regime looks to identifying populations of risk (the poor) and incorporating practices to reduce their harm potential. In the Nazi camp, the ultimate method of efficiency was the discovery of gas chambers, which eliminated large numbers of individuals in a short space of time (Ibid 2000:194). In the actuarial regime, an ethos of efficiency ensures the management of populations by utilising practices that will reduce harms to society. Secondly, while the SS utilised science to separate those who were fit and unfit to work, the actuarial regime uses technologies to calculate those who are members of the actuarial community. This chapter does not plan to make a full comparison of modern crime control and the Nazi regime, however, on first appearances there are some significant similarities.

One of the greatest similarities between the Nazi regime and the actuarial regime is the use of 'ghettos'. Nazi policy forced the Jews to live in these 'state-made' communities, in order to control their existence and transportation to concentration camps. The creation of the ghetto is one that, in a much more diluted form, remains for the organisation of the underclass. Davis (1990) provides an excellent example of ghetto life in Los Angeles, where residents of one particular ghetto find themselves treated in a way that removes a significant amount of their civil liberties:

One of the most disturbing instances of such police 'targeting' has been the LAPD Rampart Division's relentless campaign against Salvadorean youth in the MacArthur Park district just West of Downtown. Community workers in this poor and overcrowded neighbourhood, the home of tens of thousands of refugees from US-financed state terrorism in Central America,

tell bitter tales of police brutality.... When the Joffrey Ballet in 1988 offered some free seats to Salvadorean youngsters studying dance at a local church centre, Ramparts division warned the Ballet that the kids were the most 'ruthlessly violent in the city' and that the church was basically a gang hangout. The terrified Ballet withdrew the tickets.

(Davis 1990: 286).

The 'bad' treatment of the poor has always been to a certain extent 'acceptable': crowds of people come out on the streets for a common cause, such as foreign visitors (George Bush) or political policy (child support, poll tax) but rarely to protest against poverty and inequality.

The term underclass equates to a population of individuals guided by a different morality to the common citizen (Murray 1990). According to Murray not only do the underclass choose to be unemployed but the females of this class lack the moral conviction to marry before they give birth and the males prove their masculinity through violence. It is hardly surprising, therefore, that techniques of actuarialism identify the underclass as a risk population requiring practices that will reduce the incidence of crime they commit. Moreover, the statistical evidence gathered by actuarial techniques legitimises the targeting of this group because:

In contrast to others who may be poor and unemployed, the underclass is a permanently dysfunctional population, without literacy, without skills and without hope; a self-perpetuating and pathological segment of society that is not integratable into the larger whole, and whose culture fosters violence. Actuarial justice invites it to be treated as a high-risk group that must be managed for the protection of the larger society
(Feeley and Simon 1994: 192).

The concept of an underclass, with its connotation of a permanent marginality for entire portions of the population, has rendered incoherent, the traditional goal of reintegration of offenders, and laid the groundwork for a strategy that emphasises efficient

management of dangerous populations. To emphasise this point Feeley and Simon discuss the strategies adopted by the Israelis in trying to contain and suppress the intifada in the occupied territories of Gaza and the West Bank. In Israel, as in America, a discourse of rights is being replaced with a discourse of danger management:

Preventive detention, aggressive surveillance, mass arrests, collective punishments, curfews, censorship, mass deportation, identification papers and passes, decisions based upon profiles and symbols are all justified in terms of the management of danger. The techniques to pursue these aims include decision making based upon profiles, constructs pieced together from partial bits of information and designed to provide assessment as to a person's – and a group's – risk (Feeley and Simon 1994: 194).

Young unemployed men are labelled as a higher risk to disorder, so their freedom may be even more restricted through an identity card system. Since the intifada is not officially a 'war' serious invasions on the population's freedoms have had to be introduced alongside a rights discourse. For Feeley and Simon the management of danger on the Gaza is comparable to a 'war on crime' in Los Angeles. Both populations threaten social order and furthermore confront the authorities with a seemingly intractable problem. In both areas, the management of Palestinians and a largely black population is essential in the fight for 'peace'.

In his inaugural professorial lecture, Lea (1997) suggests that the concept of the dangerous classes is returning because their power is not required by society. Previously:

The bourgeoisie realised they had to employ the workers in their cities as their labour force ... the reformers were working with the grain of social and economic development rather than against it. Capitalism was developing the productive forces of society, it was building cities rather than destroying them, drawing workers into stable jobs rather than expelling them,

and laying the conditions for stable communities rather than undermining them

(Lea 1997: 6).

To keep the workforce strong social improvements in housing, welfare, health and education developed. The 19th century factory owner realised that to a certain extent, the health and well being of the population was essential for business and eventually financial success. The worker is now disadvantaged because the financial executives of today may remain geographically close to the modern underclass but their eyes are able to avoid this population and focus on a new workforce, namely:

The bank of computer terminals which link him to Frankfurt, to Tokyo, to New York – places which are much nearer than the slums half a mile away and which have much more effect on his salary and the future of his business activities

(Ibid: 10).

According to Lea, the lower working classes are becoming redundant and thus creating an underclass of individuals unable to enter the job market i.e., recreating the dangerous class. For Murray those who belong to the underclass are themselves to blame for their predicament:

I am not talking here about an unemployment problem that can be solved by more jobs, nor about a poverty problem that can be solved by higher benefits. Britain has a growing population of work-aged, healthy people who live in a different world from other Britons, who are raising their children to live in it, and whose values are now contaminating the life of entire communities

(Murray 1990:78).

The extent to which whole populations of people choose to be unemployed is debatable. Crime within these areas is more violent as individuals experience the frustration of unemployment and a lack of self-respect; members of the underclass are also at high

risk of experiencing robbery and burglary (Lea 1997: 16). However, the ghetto housing the underclass is closer to the financial trading floors of city businesses than one may suspect. The financial sectors' move to a globalised, computerised system has done more than create a new dangerous class, disregarded by industry. The city is no longer merely the old school tie deals of city 'gentlemen' and the city gentlemen are no longer merely the swindler who 'runs off' with investors' money. Crime in the city is ever more significant, with insider trading, dud pension schemes and serious fraud (Ibid: 8). While the immorally classified underclass remain risk analysed and surveyed, the rich find themselves protected and justified. Regardless of this, it is evident:

From where the criminologist is standing, the wild young men of finance capital begin to look remarkably like some of the wild young men on the inner city housing estates
(Ibid: 9).

There is little that can be done with the very poor when social policy, the most powerful of lobbyists and the financiers of social welfare may include the corrupted. To solve the problem of the underclass we must be willing to tackle the corruption of the most powerful classes within society (Ibid). Now, actuarial justice provides the most powerful with an excellent tool with which to argue that the underclass:

Is also a dangerous class, not only for what any particular member may or may not do, but more generally for collective potential misbehaviour. It is treated as a high-risk group that must be managed for the protection of the rest of society
(Feeley and Simon 1992: 469)

It is thus clear that under a regime of actuarial justice the underclass becomes a key target. So far, this suggestion exists only in theoretical works. One of the aims of this thesis is to prove that it is primarily the very poor who create the actuarial community.

The result of this is that the actuarial community is targeted with different crime control practices to other members of society, for example, the actuarial community experiences heavier policing (Johnston 1997) and greater surveillance (CCTV). This

should not be a problem because, as Simon notes, actuarial justice has generated less public resistance. To be anonymously observed at a distance, as a population through data accumulation (Lyon 1994), situational crime prevention (Clarke 1997) or CCTV (Brown 1997), regardless of privacy invasions, is far subtler compared to methods of punishment or treatment (imprisonment, community service) found in the disciplines. For Simon, the primary role of the disciplines, within a regime of actuarial justice, is historical rather than present, because by replacing punishments upon the body with moral training and religious guidance, the disciplines helped to produce 'a population more docile and manageable' (Simon 1988: 774).

This docile population becomes even easier to manage because the practices used under actuarial justice are, 'less dangerous in the political resistances they generate' (Simon 1988: 773). However, this assumes that practices of data accumulation, situational crime prevention and CCTV are passive forms of control in comparison to the disciplines. This misses quite a significant point; the modern person may well be 'born of regulations' (Foucault 1977) but perhaps the existence of a 'docile' population is not as 'real' as Simon proposes. We continue to witness significant social disorders related to race riots, war and political protests. Moreover, the New Right's concentration on aiming to create an 'efficient economy' has created a need for a *strong state* to deal with the public problems of unemployment and inadequate welfare. 'These large numbers of people dislocated and dispossessed by the impact of advancing market relations is very similar indeed to that under which the disciplines first emerged' (O'Malley 1992: 261).

Therefore, actuarial justice provides more than a passive form of control, because under actuarial practices (such as CCTV) and with the help of the disciplines (with its threat of punishment), all citizens find themselves increasingly managed. We are shifted, manipulated and contained through various strategies that make striking, protesting or various forms of social disorder more and more difficult; it may be suggested that the 'states power to punish has become more authoritarian, its application more draconian and its targeting more sophisticated' (Coleman 1996: 25). For example, The Criminal Justice and Public Order Act (1994) has created restrictions so that the police have total control over the management of protests (Ibid: 25) and CCTV supports these measures by enabling the dispersal of any surprise association before it begins. Furthermore, as Davies notes 'CCTV is a technology of control that when interfaced with other

technologies such as the Internet, facial recognition software and law enforcement databases increases its power substantially' (Davies 1998:243). It might be more appropriate to note that while actuarial techniques of classification and identification work quietly and behind the backs of the public, the practices derived from these techniques physically intrude upon everyone to the extent that even the most docile of bodies may in the future react.

Actuarial justice and strategies of community crime control

The aim of actuarial justice is not to solve crime but to reduce its incidence. A number of commentators have correlated techniques of actuarial justice and their implementation through certain practices of crime prevention (e.g., O'Malley 1992). However, a study of actuarial justice highlights more than the application of crime prevention. The research for this thesis has shown that there are a number of strategies employed within community crime control that are more in line with a rhetoric of community safety. Primarily, by considering crime prevention and community safety a wider spectrum of ideas can be considered. The term 'community safety' is especially important in this thesis because it considers the participation of 'all sections of the community against crime' (Crawford 1998: 10). Furthermore, it allows for a comparison between actuarial justice under a Conservative and Labour Administration.³⁴

Crime prevention

The main objective of crime prevention is to prepare for events that have not yet taken place. In a similar vein to actuarialism, it accepts that crime is inevitable and therefore plans for strategies of minimisation. However, the definition of crime prevention is wide, 'crime prevention is a concept of almost unending elasticity' (Crawford 1998: 6). This section does not plan to discuss the full plethora of crime prevention theories, but to illustrate how certain facets of crime prevention are comparable with actuarial justice. To achieve this Brantingham and Faust's public health analogy (1976) is considered along side the classification of crime prevention as situational and social.

³⁴ This point is discussed in chapter two.

Brantingham and Faust (1976) grouped the varying types of crime prevention into primary, secondary and tertiary categories. Primary crime prevention aims at a general population or environment, with no prejudgements as to whether they are criminal or not. A good example of primary crime prevention can be seen in the retail sector where security managers minimise loss by utilising practices that target all users of their premises (both customers and staff). Primary crime prevention is also evident throughout the educational system where staff teach their students how to be 'good' citizens. This has increased under the Labour Administration where curriculum changes for school aged pupils include citizenship studies. The aim of these studies is to teach young people how they can best contribute to their local community, from this young people are expected to feel a greater sense of worth. In contrast, secondary crime prevention targets populations considered to be at risk of committing crime. Such groups may include the unemployed, those cared for within social services or those identified as living in a high-risk community. Their high-risk label legitimates authorities, including the police, council and educational organisations to concentrate greater efforts into ensuring they do not turn to crime. Such schemes may include the implementation of a youth club, a police station or private security in areas where the police and local councils believe crime to be high. Finally, tertiary crime prevention focuses on reducing or limiting the criminality of those already labelled as criminal. This category includes individuals who have committed a criminal act and will therefore have to enter the criminal justice system or a voluntary organisation (Crawford 1998:14).

Brantingham and Faust's description of crime prevention is useful as it provides a definite classification of those targeted. However, it neglects to establish the many different types of prevention that are to be utilised on each category of potential offender (Crawford 1998: 15). 'It lacks clarity as to the different types of potential targets and it lacks sufficient understanding of the different philosophical, ideological and political assumptions about crime on which different crime prevention initiatives are premised' (Ibid). Crawford suggests that by overlapping primary, secondary and tertiary crime prevention with situational and social crime prevention we can establish an understanding of crime prevention that provides some specific categorisation of the types of prevention to be utilised. By doing this, he produces a 'target two-dimensional

typology of crime prevention'. This typology is extremely useful in identifying actuarial techniques adopted into the community.

Social Crime Prevention

Social crime prevention considers the root causes of crime and therefore considers prevention to be a matter concerned with practices such as 'improving social conditions, strengthening community institutions and enhancing recreational, educational and employment opportunities' (Bright 1991: 62). The works of Hirschi (1969) provides us with one example where the solutions to social crime prevention originate. Hirschi's empirical research asked the question 'why do people not commit crime?' rather than the opposite. From this hypothesis he established four elements of social control that if strong enough would prevent an individual from committing crime namely: attachment, commitment, involvement and belief. Should one of these elements be missing from an individual's life this would free that person to commit crime. In other words, the greatest forms of crime prevention are the bonds that an individual holds to society, their family and moral convictions. Hirschi's empirical research for this study was interesting because although it came from a right wing perspective it highlighted some significant points. For example, unlike the Major government of the 1990s and Murray's assessments of the underclass in the Times (1990), Hirschi discovered that single parenting was inconsequential to levels of delinquency; what was significant was that young people required one important person with whom they were able to bond. In translating this into policy we may assume that if parents are unwilling or unable to undertake this task with their children the state, in aiming to reduce the risk of crime, may wish to replace the parent with well-funded schooling that can provide not only decent educational attainments but supportive pastoral care (this has been possible in private schools for centuries), youth clubs with trusted youth workers or social support systems. Such a theory transcends class because any young person from any background may fail to form adequate bonds with one family member: the increase of 'latch key kids' in both working and middle class families is a good example of this.

Hirschi's research has also been utilised by Box, who considers the elements of control theory with the effects of recession (Box 1981). By adding this proponent, he creates a control theory that establishes the need for employment. Lack of employment, according to Box, leads to a weakening of social bonds because families become

stressed, schools are funded less and unemployment creates discontent. This point is also emphasised by Currie (1991). While acknowledging the importance of the market society, Currie links the proponents of market society with crime. He suggests that:

- *Market society promotes crime by increasing inequality and concentrated economic deprivation*
- *Market society promotes crime by weakening the capacity of local communities for 'informal' support, mutual provision and socialisation and supervision of the young*
- *Market society promotes crime by stressing and fragmenting the family*
- *Market society promotes crime by withdrawing public provision of basic services for those it has already stripped of livelihoods, economic security and 'informal' communal support*
- *Market society promotes crime by magnifying a culture of Darwinian competition for status and dwindling resources and by urging a level of consumption that it cannot fulfil for everyone through legitimate channels.*

For Currie, the developments of the market economy provide direction as to where social crime prevention needs targeting:

We need to insist that it is society's first responsibility, not its last and most expendable, to ensure equal access to those institutions which allow for competent, healthy and respected citizenship: and that means an unshakeable national-level commitment to public health care for all, quality public education and the guarantee of dignified shelter as well as adequate and non-demeaning income benefits for those out of the paid labour force
(Currie 1991: 16).

Clarke (1997) does not refute the idea of social crime prevention but suggests that explaining crime has been confused with the problem of explaining the criminal. For Clarke a crime is committed for more reasons than those found in the debates of sociology or psychology. More importantly, a crime is committed when an opportunity arises. By focusing on an individual's behaviour, the crime is ignored making it

difficult to reduce. However, most social crime prevention programmes in the UK are under resourced (Bright 1991: 64). Those policies that have aimed to tackle the root cause of crime have inadequate evaluations. As Bright also notes, governments have always considered social crime prevention as an expensive form of crime prevention (Bright 1991: 56).

None of this would appear necessarily to have an actuarial nature because social crime prevention is largely concentrated on deterring the individual from crime. However, modern social crime prevention methods are utilised with various risk technologies that identify variables that lead to crime. These include individual personality and behavioural factors, family influences, living conditions, school influences, peer group pressure and employment opportunities (Crawford 1998: 111). One of the problems with this kind of approach, however, is that there are always a number of reasons why a person commits crime and dealing with all these issues or choosing the right problem is a difficult choice (Clarke 1997).

Some commentators have sought to emphasise the differences within the broad umbrella of social crime prevention by identifying two subcategories, 'developmental' and 'community' crime prevention. Developmental prevention refers to interventions designed to prevent the development of criminal potential in individuals, particularly targeting risk factors identified by human development and criminal career studies. Criminological literature refers to this as criminality prevention, as it seeks to address individualised problems. There is little about this aspect of social crime prevention that is actuarial. However, as the research in chapter four illustrates, social crime prevention may be implemented in a number of community initiatives but this does not necessarily mean that actuarial justice is non-existent. Much social crime prevention that is in use now is largely focused upon specific 'risk' populations. Work with those who are at risk of offending (Crawford 1998: 19) is a good example of this. Similarly, there are educational and socialisation programmes targeted towards specific communities rather than placement within an overall curriculum.

Social crime prevention in this context is more in line with community safety strategies. This is concerned with alterations to the social conditions that influence the levels of offending in the community. This is connectable to actuarialism in a far easier way

since it is specifically concerned with communities 'of risk'. It is also connected to an actuarial stance because much that passes for community crime prevention has very little to do with communities as collective entities, but rather is concerned with aggregates of individuals or households. This type of community strategy is really a form of collective individualism, often involving interventions or initiatives aimed at individuals but given a community 'rhetoric' (Crawford 1998: 125). In reality, community often means little more than the sum total of individuals living within a given locality. The point is discussed further under community safety. What is important is that social crime prevention and efforts to change the individual do not invalidate an understanding of community crime control as actuarial.

Situational Crime Prevention

During the 1970s, a period of 'free-loving' pastimes and flower powered Volkswagens it is hardly surprising that academic corridors quietly resounded to the harmonious notions of 'make love not war', or perhaps rather 'rehabilitation not retribution'. Moreover, academia was dominated by radical theorists seeking to expose and understand the inequalities within crime control, law and policing, who argued that crime was defined by the powerful and as such it was the crimes of the poor and vulnerable that were most labelled:

Crime is ever and always that behaviour seen to be problematic within the framework of those social arrangements: for crime to be abolished, then, those social arrangements themselves must also be subject to fundamental social change
(Taylor, Walton & Young 1973: 282).

In the 1980s, there was a move in Western Europe to scale down criminal justice remedies that aimed to 'cure' the criminal and towards a stance that was 'tough' on criminals (Van Swaaningen 1995: 171). The respect for critical criminology was wavering and ideas were forming that were not just 'new' but highly critical of socialist criminology and its 'soft' view of the offender:

Of course critical criminologists were not simply pushed off the edge by unscrupulous competitors in their market, nor were they

mere victims of the new right who chased them out of the political arena and the universities – by new ways of funding research, the resentment of an old conservative clique who wanted to get even for the injustice done to them in the 1970s, and the emergence of a Yuppie-generation of university product who barely understood the principle of academic freedom (Van Swaaningen 1997: 194).

Situational crime prevention consists of opportunity-reducing measures that are directed at specific crimes; this involves the management, design or manipulation of the immediate environment in an aim to make crime more difficult and risky (Clarke 1997: 6). Situational crime prevention could be considered to be the epitome of actuarial justice because it provides practices that can be risk assessed, does not in any way attempt to alter the personality of the character, and enables the management of a large population.

Situational crime prevention grew with the influence of administrative criminology. Administrative criminology also introduced the British Crime Survey (Young 1994). It was hoped that the public's fear of crime would be reduced by publishing 'true' victimisation figures; moreover, the survey provided information on where resources could be utilised most efficiently. Administrative criminology is comparable to actuarialism and includes practices of management, situational crime prevention, information gathering and the assessment of specific targets. There is an argument here that this type of criminological work clearly lent support to a government committed to cuts in public expenditure via the mechanisms of demanding 'value for money' and 'efficiency' (Walklate 1998: 45). This ties in with Simon's suggestion that actuarial justice has grown because of its greater efficiency:

While the disciplinary regime attempts to alter individual behaviour and motivation, the actuarial regime alters the physical and social structures within which individuals behave. The movement from normalisation (closing the gap between distribution and norm) to accommodation (responding to variations in distributions) increases the

efficiency of power because changing people is difficult and expensive
(Simon 1988: 773).

Feeley and Simon make it clear that strategies such as administrative criminology or situational crime prevention are less to do with political strategies and more because of the continual shift towards actuarialism that 'represents deeper 'pre-political' thought' (Feeley and Simon 1994:190).

For O'Malley there is much about situational crime prevention that is actuarial. For instance, it ignores the individual and relies upon mechanisms of risk (1992: 262). However, O'Malley suggests that the rise of situational crime is not due to its 'superiority over correctionalism and causal/social criminologies' (Ibid). O'Malley highlights the lack of efficiency within practices of situational crime prevention and considers three of its most serious problems. First, advocates of situational crime prevention suggest that there is no other alternative since social criminologies have failed. Yet, the social criminologists recognised the problems in collating criminal statistics. The meaning and validity of crime rates 'is part of the politics of failure rather than a neutral gauge for the measurement of efficiency' (Ibid: 262). Second, O'Malley suggests when so few policies have been adequately implemented as Home Office policy, it is difficult to judge their effectiveness (Ibid: 263). Finally, the claim that situational crime prevention is more successful than social criminologies ignores the incidence of deferment (Ibid).

Right Wing criminologists support situational crime prevention because it provides a way of reducing crime and ignoring the causal factors of criminology. The policies of the New Right, such as those observed in the Thatcher era, understood the individual as a free acting agent, capable of weighing up the cost of crime (Crawford 1998, O'Malley 1992). Understanding the criminal in this way provides a political stance that suggests those who 'choose' to commit crime must take responsibility for their actions. The individual has to accept the possibility of punishment since they have consciously chosen to commit crime. Furthermore, prison provides a form of prevention in that it keeps those in danger of committing crime off the streets:

Thus the logical corollary of situational crime prevention from the point of view of the New Right discourse is a policy of punitive or just deserts sentencing, rather than a program of sentencing for reform. Compatibility of crime prevention thinking with these models is furthered by the argument that salutary punishments in the form of imprisonment incapacitates offenders and thus acts directly as a means of behavioural crime prevention

(O'Malley 1992: 265).

Situational crime prevention can have primary, secondary and tertiary attributes. Primary situational prevention focuses on any particular person in a given location and includes practices such as target hardening, surveillance, opportunity reduction and environmental design. The most obvious example of this would be the security features put in place by manufacturers to reduce the incidence of car crime. Owners whose cars have built-in immobilisers, steering locks or garages pay lower insurance premiums because the risk of a loss is less. Primary situational prevention does not require a specific risk assessed population, although very often situational measures will be utilised in specific ways depending on the target group. Middle class areas whether urban, suburban or rural will not experience the same situational mechanisms as those living in 'high-risk' areas. Taking CCTV as an example, there is little doubt that in these areas the cameras' aim is to film impostors that threaten order. Alternatively, on the poor estate monitoring will take place through CCTV for observing residents' actions to each other and to other more 'respectable' areas³⁵ (Davies 1990).

Secondary situational prevention looks to specifically identifying those who are at risk of committing crime. Such techniques provide the technologies for the police or local authorities to identify the actuarial community. Risk assessments prove the immanent danger that a whole population can hold. Risk assessment legitimises the use of target hardening, surveillance and draconian methods of policing. Returning to arguments regarding the underclass it is significant that in the research for this thesis and in research such as that conducted by Davis (1990), risk populations are usually poor

³⁵ In North Town, the CCTV was used in poor residential areas to watch individuals leave their homes and follow their actions around the town, see chapter five.

populations. To groups of people who have been traditionally discriminated against e.g., gypsies, eco warriors, single parents, Irish people, Black people and now Eastern Europeans, such a message is hardly news. What may be news is that their position within society, as a risk to the social order, finds legitimate grounds through risk techniques.³⁶ Tertiary situational prevention includes practices such as individual deterrence, incapacitation and risk assessment (Crawford 1998: 19). These are the types of practices that Feeley and Simon (1994) have observed in the criminal justice system, they do not dominate the criminal justice system but they are still employed.

Community Safety

On completing the empirical research for this thesis, it became clear that understanding practices of crime control simply through ideologies of crime prevention was insufficient.³⁷ Community safety provides a broader explanation of the practices occurring within the community. As Gilling notes, in the last decade there has been a significant international movement towards policies of community safety. Community safety emphasises a preventionist discourse, but not solely that of situational crime prevention. While situational crime prevention does a lot to deter the physical event, it does little to tackle the underlying risk factors. While it may deter opportunities for crime, this comes at a heavy price of creating a fortress mentality (1997: 381). Community safety does not reject situationalism but it also includes measures that address risk factors. There is little doubt that community safety is a vision that is more left wing than right and it undermines the notion that crime is solely the responsibility of the individual (Crawford 1998: 21). The relation to crime is with social issues and local authorities are allowed a certain amount of 'imagination' in the practices they invest. Risk aversion remains as a situational approach but it is intermingled with other techniques such as New Deal, youth clubs, sports clubs, beauty clubs, drug rehabilitation and greater funding for charities to work with disillusioned youths.

Furthermore, the argument here is that the control of crime should reflect the nature of the phenomena itself. Since a considerable degree of crime, particularly that which has

³⁶ Hudson (1995) has suggested that actuarial justice and methods of risk assessments have further penalised black people within the criminal justice system.

³⁷ Chapter two discusses the effect of a Labour victory in 1997. It is pointed out that under a Labour Administration crime control practices are far more complex than can be understood under a banner of crime prevention.

a direct impact on people's everyday lives is local in nature, it follows that crime prevention should reflect this through a 'community' or a neighbourhood focus (Crawford 1998: 9).

Community safety is interesting to a study of actuarial justice because although it seeks to consider individual needs it also focuses on a collective understanding of the community it is serving. In effect, individuals are targeted as aggregates of the community they serve. We may suggest that technologies used are the same, in that they aim to identify populations of people who are a risk to the social order. The important point, and one that requires further investigation within the empirical research, is whether these individuals experience crime control as aggregates of the community they belong to - or according to their individual needs?

Conclusion

According to the works of Feeley and Simon (1992),³⁸ actuarial justice has slowly permeated criminal justice and community crime controls. There is a discussion between Feeley and Simon and O'Malley as to why this has occurred. While Feeley and Simon suggest that actuarial techniques are more efficient and less likely to create a rebellion amongst those it targets, O'Malley maintains that techniques and practices of actuarial justice are popular because they are chosen specifically by political parties to achieve specific political programmes. Theoretically, actuarial justice is well established, but little empirical work exists to establish the reality of actuarial methods and their employment within strategies of community crime control (Coleman and Sim 1996).

The following empirical chapters aim to establish the extent to which actuarial justice has permeated local crime controls. This chapter, therefore, has outlined some of the issues that will be discussed later in the thesis. First, the chapter considers the broad meaning of actuarial justice and illustrates, through examples, that discourses of actuarialism are within the criminal justice system. It also outlined how techniques of actuarial justice are not only reducing issues of sovereignty but also shifting questions and understandings of morality. A reliance on insurance and risk techniques would appear to have reduced issues of morality. This is a reasonable assumption since the

³⁸ As well as Gordon 1991, Castel 1991 and Ewald 1986.

control of crime becomes less to do with moral judgements and more concerned with statistical evaluations of risk. On the other hand, risk techniques could be said to have increased the emphasis on moral judgements, because it seems that very often decisions based on risk are moral judgements, a point made in both Reeve's and Lea's work. Secondly, a move to the actuarial community has developed alongside an ethos that the public must take responsibility for their own safety, those who do not are criticised on moral grounds. This chapter also suggested that moral reasoning has not decreased within the criminal justice system - rather it has become transient. The police and authorities create moral issues when there are specific crimes that need reducing.

The chapter also identified the technologies, techniques and practices of actuarial justice. For this domestic violence provided an example. The suggestion is that actuarial justice is efficient primarily because it provides a cost effective form of crime control. Perhaps it is for this reason that actuarial justice has become so popular with the state, local authorities and the police. It provides a way of calculating risks and practices required, with the support of statistical evidence. However, O'Malley makes a significant point in highlighting that efficiency is not the reason why so many actuarial practices have evolved. Rather, risk techniques are popular because they fulfil political goals. I would suggest, however, that this should not detract from the fact that many risk practices are chosen by crime control agencies for their cost benefits. This is especially so in modern forms of crime control that give local authorities a budget and partial responsibility for reducing crime. Since actuarial justice is about the reduction of risks rather than solving the crime problem, it allows local councils to plan their budgets accordingly. One of the major points discussed in this chapter, and one that requires clarification throughout this thesis, is that actuarial communities are poor communities. They become actuarial because poor residential areas have high numbers of known criminals residing in the area or because the area is particularly troublesome. From the literature, the effects of this are that poorer communities are targeted with greater surveillance and policing. Since the election of Labour in 1997, however, there has been a change in the approach of community crime control from situational crime control to ideas of community safety. This does not infer the end of the actuarial community but rather a varied use of practices in aiming to control their behaviour and reduce crime.

Chapter Two

Actuarial Justice and Modern Erosions of Privacy and Public Space

Introduction

Never before have the state, powerful organisation or our neighbours been able to 'pry' so effectively into our most personal and intimate of situations. Furthermore, in this era of technological surveillance, state surveillance, record linkage, the Internet and tabloids it is interesting to note that our concerns surrounding privacy are only *slowly* increasing. For a number of writers the control of crime through surveillance technologies is merely an easy option that may inevitably have far greater consequences than the reduction of crime

Following on from chapter one, this chapter will develop the discussion of actuarial justice and argue that actuarial techniques and practices are leading to an erosion of a large number of privacies. This is because classification, identification and management techniques result in the employment of practices such as data accumulation (Lyon 1994); technological surveillance (Marx 1988); closed circuit television (CCTV) (Davies 1998); and even genetic databases (Bogard 1996), all of which, by their very nature, intrude upon the most intimate of situations.

Arguments concerning privacy and invasions of our privacy, for some writers, are quite wasteful (Gotlieb 1996). Rather, we should be discussing the enforcement of adequate laws to fight the realms of private space (Lyon 1996) and greater use of contract law to ensure confidentiality of private data (Gotlieb 1996). However, under actuarial justice many of these intrusions have taken place under the guise of crime prevention initiatives, introduced into the community as a form of 'protection' (Gilling 1997). This chapter will utilise CCTV as an exemplar practice of actuarial justice to suggest that countering privacy rights requires the establishment of why these rights are being 'legitimately' lost, and furthermore that the answer lies in the growing acceptance of actuarial techniques in forms of community crime control.

This chapter, therefore, explores the following themes:

That modern loss of privacies has disappeared with little public concern. Secondly, the chapter will compare theoretical assumptions regarding erosions of privacy with the actuarial techniques of classification, identification and management. These techniques encourage the employment of practices such as technological surveillance, and aim to manage risk populations without the need to interfere directly into people's lives.

Modern Losses of Privacy

Privacy is a relatively modern concept: in pre-Victorian eras the king or queen was expected to trade his or her personal privacy for a number of privileges, having to live with the observation by others of every bodily action (eating, sleeping) and function (urinating). The Victorian's notion of modesty and heightened sense of morality encouraged personal privacy for the 'family life' of royalty. In turn, the concept of privacy took hold especially amongst the middle classes, whose increasing urbanisation, away from the communal living of rural life, had already meant that they were now shut up with their facilities behind their lace curtains in their little houses and rooms. Moreover, the concept of privacy for the upper class was a haven to conduct maximum misdemeanours, which the middle class would eagerly disapproved of – if only they had of known.

Privacy has been defined by a variety of writers within politics, academia and law as an almost impossible task (Squires 1994, Hixon 1987, Rosen 2000). For instance, in 1972 the Younger Committee, on publishing their report on privacy, concluded that its meaning cannot be satisfactorily defined (The Younger Committee 1972: 244) and commented that, 'an unqualified right of this kind would in any event be an unrealistic concept, incompatible with the concept of society' (Ibid). Finally, they briefly clarified privacy as incorporating two elements:

One, freedom from intrusion upon oneself, one's home, family and relationship, the other, privacy of information, the right to determine for oneself how and to what extent information about oneself is communicated to others
(Ibid: 301).

Squires agrees with the Younger Committee's reluctance to define privacy, suggesting that the concept, 'is not an aspiration towards one final all-encompassing definition, rather a desire to gain a clearer understanding of the normative forces at play in the construction of the competing conceptions' (1994: 389). However, while omitting the need for one all encompassing definition, to suggest eroding privacies as a consequence of actuarialism requires a theoretical base by which to measure where these eroding rights are occurring.

Etymology's formulation of privacy does not purport privacy as a right or a privilege, rather it is the 'absence of publicness' (Squires 1994). Etymologists are critics of modernity, suggesting that the achievement of privacy rights will only occur with a move back to the 'good life'. In this context, defining modern privacy in a format that omits the use of modern technologies, rights and duties provides little formulation in which to argue for the controls of modern surveillance and electronic technologies.

Attempting to seriously endorse the importance of privacy under conditions of modernity may be easier within a liberal rights-based perspective (Squires 1994: 190), because this formulation defines privacy as the 'right to be left alone'. The right to be alone includes choice about, and control over, when one is alone, and as rights imply corresponding duties, privacy is largely seen as a socially created and respected right to control when and where one appears to others. Furthermore, this provides for others (individuals, government, institutions) a line of decency not to be crossed. When considering privacy under practices of actuarial justices, that have encouraged and promoted the use of surveillance and electronic technologies, this liberal-based formulation may provide a mechanism to argue and address eroding rights to privacy.

Under a liberal rights-based study of privacy Westin (1979) notes three basic states of individual privacy: solitude, intimacy and anonymity. Solitude represents the separation of the individual from a group i.e., to be freed from the observation of other persons. A variety of other writers have also considered the importance of solitude from a liberal-based stance (Brandeis 1890, Fried 1970, Raz 1986), the most recent of which is Rosen. He argues that:

Spying on people covertly is an indignity, much like the indignity of harassment itself. It fails to treat its objects as fully deserving of respect, and instead treats them like animals in a zoo, deceiving them about the nature of their own surroundings
(Rosen 2000: 214).

Personal space away from 'others' is necessary for a healthy environment in which individuals can be free to work without constant observation. Moreover, personal space

is imperative to maintain individuality, to develop their creative potential; individuals need refuge from all persons and from social conformity (Rosen 2000: 217).

In Westin's 'intimate state', the individual acts as part of a small unit that claims and is permitted to exercise 'corporate seclusion' in order to achieve 'a close, relaxed and frank relationship between two or more individuals' (Westin 1979: 31). Typically, such units include husband and wife, the family, a circle of friends, or certain work-place relationships. Whereas solitude is a natural and solitary experience, the state of intimacy is at risk without the unquestioning trust of others who also have a stake in the relationship. Common law already protects the confidentiality of many such arrangements, for example, between lawyer and client, doctor and patient. This element of privacy emphasises the importance of individuals being able to form intimate relationships without outside interference (Rosen 2000: 216). Formulating space in which closeness is possible without the embarrassment of intrusion (in emails, letters and private space) is important because:

Friendship and romantic love can't be achieved without intimacy, and intimacy, in turn, depends upon the selective and voluntary disclosure of personal information that we don't share with everyone else. Behind the protective shield of privacy, two individuals can relax the boundaries of self and lose themselves in each other
(Rosen 2000: 215).

Without these relations, 'jokes, rough drafts and confidences' are open to public ridicule (Ibid). One of Rosen's arguments is that new technologies and surveillance will not stop friendship, because people will look to alternative sanctuaries away from emails and unsafe modes of communication to places where relationships could still flourish.

In a state of anonymity, Westin's third category, the individual may appear in public places or perform public acts but still seek, and find, freedom from identification and surveillance. Such a person:

may be riding a subway, attending a ball game or walking the streets; he is among people and knows that he is being observed; but unless he is a well known celebrity, he does not expect to be personally identified and held to the full rules of behaviour and role that would operate if he were known to those observing him (Westin 1979: 45).

The individual thus merges into the 'situational landscape'. However, the sense of relaxation and freedom that one may seek in open spaces and public places is inevitably cut short in the knowledge or fear that one is under systematic observation or surveillance. Many writings on CCTV note that the camera watches us from the moment we leave our homes to the moment we arrive back in our living rooms. CCTV along with algorithmic surveillance (Norris & Moran & Armstrong 1996) reflects the diminishing image of the anonymous. As Virilio notes, we are all becoming stars of the great stage but our stage is now public space under the eye of the CCTV camera (Virilio 1994).

The United Kingdom provides few rights under statute law for citizens to control their private space, relying instead on the civil law of Tort to remedy the 'wronged'. For instance, the erosion of personal privacy through a loss of reputation may be protected by the law of defamation but to benefit from this law one has to be able to afford litigation, since legal aid is unavailable for this area of law, even on a no win no fee basis. The existence of libel law may serve as a deterrent, but 'there is still too much defamation, and too little protection for the ordinary man'. Furthermore, if the defender views the loss of privacy as being 'in the public's interest' this may provide them with a right to publish the most intimate of details. So we see newspaper editors arguing that we have a right to know about Naomi Campbell's rehabilitation, Jason Donovan's sexuality, and publishing these details on the premise that this is in the public's interest.

Perhaps what is most absurd about the protection of privacy through tort law is that it requires the plaintiff to go to court and divulge their greatest and most embarrassing secret all over again (Hogg 1994):

There is a positively Alice in Wonderland quality about the thought of using public law courts to protect privacy. Of course, a man may get damages; but money does nothing to restore privacy. A libel can to some extent be 'undone' by a public reaction and a public apology: nothing can undo an intrusion into privacy. At best the damages can only serve to punish the intruder, and deter other potential intruders
(Hogg 1994: 9).

A person may also call for the courts to regain or maintain a privacy breached according to an institution's code of conduct (Police, medical profession). For instance, in the case of *Press Complaints Committee v Ford [1998]*, Anna Ford, a BBC newsreader, complained that her privacy had been invaded when pictures were taken of her with a telephoto lens, in a bikini with her children on a private beach. The purpose of the case was to challenge the Press Complaints Commission's decision to reject her claims that the paparazzi had invaded her holiday privacy. However, the High Court ruled that the PCC had not broken any rules or laws and, therefore, had the right to allow the publication of the photographs (BBC News 2001). Robertson (1991) criticises the PCC, referring to it as a 'confidence trick, which has failed to inspire confidence' (Ibid: 112). He argues that the public's interests would be fulfilled if privacy were protected by law rather than 'systems which depend either on self-restraint or on extra legal and unappealable powers wielded by Government-appointed quangos' (Ibid).

In desperation we may turn to Human Rights Law. In Article 8 of the European Convention of Human Rights, it states that all citizens have the right to respect for his private and family life, his home and his correspondence (Robertson 1991:104). Nevertheless, the European Convention does not guarantee privacy 'rights' in domestic law; it is still the case that there are few 'rights' to privacy that we may depend upon to protect our dignity. For instance, taking the example of video and photographic pictures, I am quite within my rights to hold a camera to my neighbour's front window and photograph him or her watching television; television reporters have uncovered shops such as British Home Stores lawfully video recording customers in changing rooms (to detect shop lifting); employers are still within their legal rights to videotape their employees in the staff locker room (to detect staff theft); and my own research and

that of Norris and Armstrong (1999) has found that the camera is capable of intruding into the most intimate of situations in spaces that the public may consider to be private (living room, car). All the above are actionable under Article 8, should the person have the incentive and access to a large amount of funds.

The effects of living with a lack of privacy are quite severe. In Tranter's (1997) research of residing in a highly populated area, the design of the town houses provided little freedom to pursue individual wishes without local gossip and due to this lack of freedom the residents felt an overwhelming sense of constant surveillance. For the purposes of his research project he refers to privacy as 'the condition of being secluded or isolated from other people in a person's own residential environment'. By this he means that people must have minimal outputs to other people and minimal inputs from other people. To live a private life an individual or family unit must be able to live with only minor intrusions from their neighbours concerning visits, friendship and noise. Secondly, they must be able to live with minimal outputs in that they should be free to laugh and talk without fear that the neighbours will hear. The design of the town houses in Tranter's report highlighted that there was little privacy because thin walls and high-rise housing meant that 'outsiders' could see and hear a lot. The lack of privacy made residents feel depressed and unable to pursue their own private pass-times for fear of mockery from their neighbours. The stress of not being able to shout, argue, cry or laugh without the neighbours knowing, created pressures that were difficult to live with (Tranter 1997). Tranter's research is a useful comparison with what life would be like should we replace the nosey neighbour with a voice recognition system that can identify key words and raised voices, or replace a twitching curtain for a CCTV lens and acknowledging if those living under the eye of the camera experience similar feelings.

Regardless of these effects, looking at the privacy literature it would appear that there is an on going debate as to whether we should be concerned about privacy at all. Some writers suggest that in an era of technological capabilities and never ending data banks, concerning ourselves with issues of privacy is rather like closing the stable door after the horse has bolted. Rather than discussing privacy we should be enforcing laws of confidentiality (Gotlieb 1996), advancing notions of personhood and dignity (Lyon 1994) or relying on social norms to deter the intruder (Rosen 2000). As many writers have noted we are even quite grateful for intrusions (Goldsmith 1997). As the kings or

queens of pre-Victorian eras traded their privacy for privileges, we too 'trade' the privacy of personal details for credit cards (for credit scoring), the privacy of our thoughts for free coupons (for marketing) and the privacy of our front rooms and back gardens for a feeling of safety (through CCTV).

For Goldsmith the reason for this is that 'the mass of people have nothing, they own nothing, they create nothing, they spend everything they receive, and accumulate little'. This view dismisses the real fears and lack of opportunities that the poor live with, namely living in fear of burglary, or aiming to ease the burden of Christmas with a credit card. Therefore, for those who wish to make privacy a valid issue, they first need to address the everyday contracts and social situations that people have become involved. Removing eroding privacies is impractical if it results in removing facilities of consumerism and technology. For instance, it is unlikely that the public would choose to get rid of CCTV under its present banner of the 'friendly eye' (Graham & Brooks 1996). Who really cares when the advantages to losing small amounts of our privacy are so small and the disadvantages appear so great? As Marx acknowledges with regards to America:

Americans seem increasingly willing, even eager, to live with intrusive technologies because of their benefits, the ease of obtaining consumer goods with a credit card, the saving of taxpayer dollars because of computer-matching programs, and the comfort of security systems based on video surveillance (Marx 1988: 220).

Following this line of argument Gotlieb comments, 'I now believe that most of the populace really does not care all that much about privacy, although, when prompted, many voice privacy concerns' (Gotlieb 1996: 161). Since privacy is such a non-starter with the public, he suggests that we are much better considering the role of confidentiality. Rather than expecting credit card companies to honour our privacy or us refusing to hold a credit card to save our privacy, we need to look at contracts that guarantee confidentiality. This allows us to benefit from the convenience of a credit card but ensures that our personal information is not misused.

It would seem that there is a significant amount of public apathy surrounding issues of privacy. However, a lack of public concern about privacy has occurred not purely for reasons of convenience but because much privacy related to the control of crime has occurred with actuarial techniques and practices that appear invisible to the public. Simon argues that actuarial justice has generated less public resistance because to be anonymously observed at a distance, as a population, through data accumulation (Lyon 1994), situational crime prevention (Clark 1997) or CCTV (Brown 1997) - regardless of privacy invasions - is far subtler in comparison to methods of punishment or treatment (imprisonment, community service) found in the disciplines. For Simon, the primary role of the disciplines, within a regime of actuarial justice, is historical rather than present, because by replacing punishments upon the body with moral training and religious guidance, the disciplines helped to produce 'a population more docile and manageable' (Simon 1988: 774).

This docile population becomes even easier to manage because the practices used under actuarial justice are, 'less dangerous in the political resistances they generate' (Simon 1988: 773). However, this assumes that practices of data accumulation, situational crime prevention and CCTV are passive forms of control in comparison to the disciplines. This misses quite a significant point, namely that the modern person may well be 'born of regulations' (Foucault 1977) but perhaps the existence of a 'docile' population is not as 'real' as Simon proposes, as demonstrated by social disorders related to race riots, war and political protests.

Actuarial Techniques & Erosions of Privacy

Feeley and Simon suggest that there has been a shift from an old to a new penology (1994: 173). The old penology represents an accumulation of criminological ideas, which aim to reduce crime by dealing with the individual. For instance, Hirsch in advocating 'just deserts' implies that the criminal, in acting wrong, should take full blame for his actions and the state should punish accordingly (1976: 317). Alternatively, Cullen and Gilbert in a rehabilitative tradition suggest that 'caring rather than hurting be the guiding principle of the correctional process' (1982: 327). They call for 'humane' rather than 'tough' justice, suggesting that the true solution to the crime problem is reform of the individual (Ibid). With tendencies leaning towards practices of the new penology, Clarke suggests that the individual is a rational and economically

minded person (Clarke 1997). Turning to ideas of situational crime prevention he suggests that practices such as CCTV (Brown 1996) remove the opportunities to commit crime and therefore reduce its incidence (Clarke 1997). These ideas are similar to the new penology since Clarke's concern with the individual is merely recognition that profit motivates the criminal (Walker 1999: 39). This omits the need to deal directly with the 'causes of crime' and instead allows for the concentration on the times and places in which crime is committed (Ibid: 40), so that techniques such as target hardening and access control (Clarke 1997: 16) may be appropriately implemented.

Simon and Feeley's reference to a new penology does not infer that our fascination with the individual has depleted. Rather, that there has been a gradual shift within the criminal justice system towards a new penology, which has little interest in diagnosis, intervention and treatment (1994: 173). Instead, techniques of the new penology look to identifying and managing; it is concerned with the rationality not of individual behaviour or even community organisation, but of managerial processes. The individual is re-placed by 'probabilistic calculations and statistical distributions' (1992: 452), turning the individual from a cause to be dealt with into a characterless statistic. In this section, three eroding liberal-based privacies will be considered including: the right to be left alone; the right to intimacy without interference from others; and the right to confidentiality. These privacies will be utilised to discuss the possibility that de-humanising the individual through actuarial classifications makes eroding privacies easier for institutions to instigate and more difficult for the public to recognise.

Privacy and the right to be left alone

Ardent suggests that privacy is the absence of others (Squires 1994), or the idea of 'outsiders' leaving each other alone (Bogard 1996). In this respect, privacy is important as a means of providing the barriers necessary to enable individuality (Squires 1994: 393). In this description of privacy the right to be alone exists with the 'power over the space, which surrounds one' (Ibid: 390). I would suggest that actuarial techniques of classification diminish the importance of the individual and reduce the power to control personal space. This is a move towards the new penology, which has little interest in personal characteristics and looks instead towards the classification of 'homogeneous subgroups' (Pratt 1998: 319).

Actuarial techniques of classification are similar to those employed within the insurance industry (Simon 1988). One method of classification within insurance and actuarial techniques is to define social groups in terms of their risk factors (Austin 1983). Within actuarial justice a similar method of classification has occurred. One of the most obvious risk groups has become probationers since their criminal status makes them an obvious risk category. Probation now holds new functions, 'Once conceived of as half-way stages' whose aim was to reintegrate offenders back into their communities, it now 'consists of monitoring levels of risk as determined by several indicators, most prominently drug testing and surveillance' (Feeley & Simon 1994:180). Since the targets for this treatment are categorised as a risk it is difficult to argue for libertarian rights. Within an insurance tradition Austin considers property and car insurance, making the point that premiums are classified according to social stratification including categories such as occupation, age and territory. For example, under the heading of occupation underwriters consider that:

Bartenders tend to have drinking problems, while entertainers, musicians, and race track employees occupy jobs linked with looseness, dishonesty, and instability. Vigorous physical occupations like mining, law enforcement, and military service are presumed to attract persons with violent personalities, aggressive drinking habits, and a minimum of self-restraint (Austin 1983: 537).

In a real case scenario a leading insurance company includes the following comments in their staff training manual:

We apply a group rating to every occupation, the grouping applied will reflect the nature of the occupation:

Lifestyle – e.g., publicans are often associated with heavy drinking

Long working hours – e.g., doctors

Volatile environments – e.g., bailiffs

After taking the above factors and our claims experience into account, we apply loading to some occupations, discounts to others and decline to insure a small number of professions
(*Anonymous Insurance, Training Manual, 2002*)

Austin makes the point that the categorisation of social groups is based on social stratification, this results in the poor receiving differential treatment from underwriters. Living in a high crime area, for example, may result in redlining, so that properties become insurance 'black spots'. Moreover, community safety officers employ similar techniques to the insurance underwriter. They accumulate crime figures to decipher high-risk roads (Hudson 1995). In turn, residents living at these risk addresses find themselves treated as populations of risk. To minimise crime in these areas the community safety officer looks towards practices that will reduce the opportunities to commit crime, such as surveillance and situational crime prevention.

'The constitution of individuality is fundamental to social life' (Fiske 1993: 68) but the domination of corporations over our identities has meant that blue suits, white shirts and an appropriate body weight have become the expected corporate image. Individuality (side burns, beards and tattoos) has become synonymous with deviance and perhaps with those involved in fringe professions (pop stars, artists, academics). Furthermore, docile bodies and eroding individuality decreases because individuals lose their identity through processes of classification. This means that individuals are transformed into a population of faceless statistics. Loss of identity is not necessarily a modern form of control: as Gandy points out, the control of populations through surveillance techniques could be compared to the 'panoptic sort', which leaves little space for privacy. Any person can be watched at any time, often without their knowledge. Moreover, the panoptic sort classifies people into manageable populations and hence removes individuality. With practices such as video scanners, computer matches, and light amplifying devices (Reichman 1986:156), Gandy argues that the prison is no longer required. Instead, classification and the techniques of the panopticon may take place through techniques of surveillance. Finally, in a very similar scheme to the panoptic the implementation of constant surveillance requires little justification concerning any moral boundaries because no one person finds their privacy invaded. In fact, actuarial practices have direction towards high-risk populations, whose loss of privacy is

necessary to maintain control or reduce crime. Furthermore, a loss of identity in this manner is hardly unreasonable since its loss is justifiable as a 'bad risk'.

Taking the workplace as an example we see problems concerning privacy with emails, covert CCTV, electronic devices and a number of other devices to monitor spaces, to the extent that there is little space for the person to think and to breathe. The Institute of Employment Rights has suggested that the surveillance techniques used by employers have become hugely intrusive and suggested that interceptions of emails, the use of computers to monitor calls per hour, and companies using infra-red transmitters to record the exact movements of workers can all lead to insecurity and severe stress (BBC News: 1999). It would seem that some companies are willing to try any number of devices to monitor their staff. For example, the oil company BP has to date installed microphones around the till areas of 148 petrol stations across the UK. This occurred without the knowledge of staff until building work in one station uncovered the listening device. Employees of BP quite naturally felt an invasion of their privacy, but the excuse from BP was that the devices were 'purely for the purposes of robbers who sometimes call each other names during a robbery' (Ibid). Regardless of staff concerns BP stand by their need for the microphones and plan to install up to 1600 more devices (Ibid). The stress of having no private space or being unaware of what is public and private is a cause of stress. As cashiers, lawyers, teachers and builders we can all, to a certain extent, perform in front of strangers but according to Rosen there must be both openness and privacy. In a workplace where there is no freedom to indulge in backstage behaviour, the stress on workers is obvious:

The flexible interplay between openness and privacy, between the backstage and the front region, is preserved in successful workplaces, from department stores and restaurants to law firms: in order to function properly, all of us need a place to blow off steam and collect our thoughts
(Rosen 2000: 207).

As well as a tool to knowledge gathering, the growth of CCTV is a product of increasing business victimisation (McCahill & Norris 1999: 209). In 1996 1.6 billion pounds was lost through retail crime, representing 1.3% of retailing turnover in that

year, one third of this loss being attributable to staff theft (Ibid: 209). The use of the camera in this context may be regarded as more than the control of workplace crime, but also as an overlapping feature of JIT management and TQC where we see the use of the camera as a method for:

Honing-in on the minutiae of shop floor workers' presentation of self. In the name of 'customer service' employees' gestures, facial expression and body language all become subject to the disciplinary gaze
(McCahill & Norris 1999: 228).

The result for CCTV is its labelling as a disciplinary tool used upon employees for the purposes of managerial control. McCahill and Norris note that this may cause resentment amongst employees (1999: 228); alternatively it could be suggested that, as we have seen in the community, the observation of management upon employees will be accepted under the banner of 'safety' and 'protection' with little idea of the possible invasions of privacy taking place (Honest & Charman 1992: 19).

Hixon notes that individuals need 'autonomy and periodic anonymity' away from manipulation or domination (Hixon 1987: 58). Individuals must be able to free themselves from physical and emotional stress and have private time for self-evaluation. In private a person is able to evaluate information that bombards them and anticipate problems, but constant observation equates to minimal freedom and a brain blurred by the constant need to 'play' the role. Furthermore, formalised technological forms of control in the work place are leading to a loss of trust between employers and employees. 'Conventional computerised workplace surveillance depersonalises relationships of power and authority, redefining them in managerial technologies' (Perrolle 1996: 58).

In certain circumstances we are quite willing to accept the principle of formal institutional surveillance and control over us – because this is implicit in our acceptance of life in a modern capitalist nation (Perrolle 1996: 50). We accept that there is no such thing as the very private individual in the workplace, or in any other formal or informal social organisation. We are also happy to accept a certain amount of intrusion for our

own safety and protection. To be a member of a group we also accept that managers may depend on information about their member's behaviour in order to define group membership, create solidarity and commitment, develop and enforce standards of conduct, and perform group tasks. In exerting social control over their members, informal social groups develop unwritten agreements about how much and what kinds of freedom members will have, and Perrolle suggests that workers must be able to negotiate an *element* of privacy. Within the actuarial community, however, forms of negotiation are difficult to justify because the communities existence as a risk takes its formation through statistical tabulations that are often difficult to argue. Such a formulation justifies the 'rights' of those who are members of this community. Davis touched on a similar argument in 'City of Quartz' (1990) where residents were treated poorly by state police officials because they were labelled 'dangerous'.

The erosion of intimate space

Privacy formulations usually surround arguments about being left alone and having distance from others, but interestingly when a civil case of privacy arises it is usually regarding the privacy of family life or intimacy, as we saw in the case of *PCC v Ford*. For Westin, within intimate relations:

the individual is acting as part of a small unit that claims and is allowed to exercise corporate seclusion so that it may achieve a close, relaxed and frank relationship between two or more individuals. This justification for privacy may resonate with many of us. For, when one hears complaints about infringement of privacy, it is rarely because the person concerned wanted to be on their own; much more common is the desire to be intimate with someone else, and not to have to share this with the rest of the world

(Westin 1979: 23).

The types of intrusions that are making intimacy more difficult are highlighted by Van Swanningen who suggests that certain features of actuarial justice include 'the increased surveillance of public space and widened monitoring operations of the private sphere (1997). The problem with advancing actuarial practices of this kind is that there are few

privacy laws to countermand growing state power. As Robertson notes, 'The absence of any modern statute incriminating prurient or malicious invasion of privacy makes Britain something of a haven for peeping or listening Toms' (Robertson 1991: 106).

The problem with privacy, even in terms of the most intimate of situations, is that technological surveillance is not viewed as 'snooping', partly because many surveillance tools have been introduced to us as crime prevention initiatives, ways of cutting crime, or necessary incentives to combat terrorism. For example, advancements in satellite technology has meant that the United States can direct space collection systems to intercept mobile communications signals that direct city-to-city traffic anywhere on the planet (Campbell 2000). In cities overburdened with traffic problems this may seem a practical and useful way of using advancing technologies. Nevertheless, growing technology is capable of more than simply preventing crime. For example, the advent of Echelon (a kind of black box) means that deep space satellites are able to capture all satellite, microwave, cellular and fibre-optic communications (telephones, email, mobile telephones). The captured signals are processed through a series of supercomputers, known as dictionaries, that are programmed to search each communication for targeted addresses or even individual voices (Goodspeed 2000). The National Security Agency has the technology to monitor and isolate all calls to or from a particular line, or to listen for key words that activate a tape recording (Lotz 2000). For 'serious snoopers' sensitive sound receivers can listen into conversations from outside a building, by deciphering the vibrations on a windowpane in a room in which people are speaking, and such devices are available for sale on the open market. On the one hand these technologies may be useful for monitoring high risk dangerous criminals (terrorists, drug traffickers), on the other it allows the monitoring of any person the state feels is a threat to civil order (anti-capitalist activists, IRA activists, anti-royalists).

So significant are technological forms of surveillance that Goldsmith (1997) argues that the idea of privacy is *gone*; furthermore, every privacy we have lost has always been under the premise of the protection of children, to combat terrorism or detect crime. For instance, he argues that our post is constantly intercepted for the purposes of combating terrorism. On entering the postal system a parcel or letter seen as 'high risk' could be intercepted, opened, and if containing risky (Combat 18 membership literature) or

dangerous items (self assembly bomb equipment) will be removed and the arrest of the sender and receiver undertaken. Alternatively legal but 'risky' items may result in the opening of a file in order to monitor names and addresses. Goldsmith suggests that invasions of privacy should not be the way forward to combat crime, unless the police have very strong evidence that the suspect is definitely involved in a crime. He concludes that the state's interest is less to do with crime prevention and public protection and more to do with the state's need to maintain power both domestically and globally. Since knowledge is power he infers that state control over the masses and other countries is maintained through the control and access of knowledge (Goldsmith 1997), regardless of whether or not intimate relations are intruded upon.

Intrusions within intimate relations also occur because actuarial justice, in classifying categories of risk, negotiates the need to interfere in the lifestyles of people. For instance, Greenwood (1999) suggests that single parenting and the severity of a juvenile record are two of the best predictors of adult criminality; he advocates that by calculating the 'high-risk' family, the reduction of violent crime is possible. His theory relies on criminal statistics and their illustration that violent offenders come largely from single parent families. His analysis leads him to suggest that education is urgently required for 'high-risk' young women on how to avoid unwanted pregnancies. If 'high-risk' women (poor, uneducated) do become pregnant, he further advises, then the risk of their children becoming delinquent could be prevented by ordering their attendance on a variety of programmes including one of the following: sensory and developmental screening for children at ages twelve and twenty-four months; free transportation to regular pre-natal and well child visits; home visitation during pregnancy during child's first two years. Each of these provisions leads to intrusions within the home, and yet these intrusions find acceptance because they focus upon the poorest of groups, 'confining people for what they might do as well as for what they have actually done' (Floud 1982: 44).

As well as interference in the family home, we have seen the rise of schemes such as Neighbourhood Watch, private security, and concierge schemes on some of the worst estates, to monitor the comings and goings of residents. All of these have consequences upon the intimacy of private space as the comings and goings of residents are 'clocked' and observed by those employed to 'watch'.

The erosion of confidentiality

Squires suggests that we may be able to understand one concept of privacy as the notion of confidentiality. Here privacy is seen not as a protection of private space or a concern with well being but rather 'with information concerning the person, with the limiting of knowledge about ourselves accessible to others' (Squires 1994: 390).

Within a regime of actuarial justice confidentiality is an essential issue, because the creation of populations is made with the formation of data and technological capabilities of linking databases e.g., taxation records can be linked to records of divorced parents who have failed to maintain court specified child support payments. Once collected, the information becomes the basis for making decisions. 'The truth is that insurance, employment, credit, benefit eligibility, even admission to a university, are transacted almost exclusively on the basis of information, not person to person encounters' (Hixon 1987: 183). Furthermore, the increasing storage of personal data on powerful computer systems allows minor bits of personal information to be connected, in turn producing an infinite wealth of information (Marx 1988). According to Marx the effects of this are in the power of large organisations to obtain vast amounts of information to monitor and assess individuals and smaller organisations. Lyon also considers the increasing power of surveillance and data storage and suggests that microelectronics have enabled data storage:

referring to matters such as financial standing, health records, consumer preferences, telephone transactions, welfare eligibility, residence, nationality and ethnic background, educational experience and criminal activities are readily available in ways that go far beyond what was possible using manual – that is, non-computerised systems of surveillance. In other words, surveillance capacity is augmented by the use of new technologies
(Lyon 1994: 83).

He also argues that the home, once safe from 'public life', is now observed to such an extent that it has become difficult to separate the public from the private. The modern state has vast capabilities on keeping 'tabs' on its citizens and does so with 'an

astonishing array of highly sophisticated surveillance systems' (1994: 99). The process of data gathering and processing is impersonal and hardly noticeable but 'the data-image nevertheless has definite consequences for the experience and life chances of the person to whom it refers' (Ibid). By this Lyon infers that decisions and images of the individual emerge through their 'data image' rather than their 'real' image. Within computer software packages we are classified as good citizens, bad citizens, high spending customers, low spending customers, high risk bankers or low risk bankers.

The 'data image' and the assessment of risk through actuarial methods are further highlighted in Bogard's description of our virtual image. We are all 'plugged' into the system, we are all part of the system, at which point we become virtual beings. With technology advancing in the areas of DNA and genetics, we are increasing coded what we are or more importantly what we will grow into, our propensity to be alcoholics, commit suicide or be mad. 'But what is private when the most intimate and revealing biological informations is translatable according to the conventions of some universal code available to all with that code?' (Bogard 1996: 146). Insurance firms are particularly interested in such data because it provides actuarial information on risk categories. Individuals can be categorised as members of populations for the purposes of calculating services and those considered as having a potential risk factor, perhaps suicidal tendencies, might aid in deciding access to accident insurance. The result of such private information being utilised to decipher risk is that privacy becomes an inconsequential subject:

It is senseless to call genetic records private information: any code that so positively individualises you and outlines your medical history in advance is no longer private, no matter who has access to it
(Bogard 1996: 147).

Bogard makes a valid point, since the techniques of actuarial justice require the accumulation of increasingly more data to allow the classification of risk classifications and as Reichman noticed some time ago:

By transforming the meaningless into the meaningful, by joining that was heretofore hidden (body chemicals) apparent, these new techniques have increased the intensity and scope of what can be exposed
(Reichman 1986: 156).

Personal information floating in the market system is becoming a force of social control (Gandy 1989). Electronic technologies have increased bureaucratic advantages in the workplace, market place and government, since bureaucracy has become reliant on the gathering of knowledge. He suggests that bureaucratic surveillance has become concerned with predictive models of surveillance to assess the potential of a person to commit a criminal act. The models generate types or classes of person in the same vein as actuarial justice. 'Thus, males of a certain age, skin colour and point of origin have an increased likelihood of being searched, or at least questioned, by customs and security agents at international airports' (Reichman 1986: 160). Similarly, in the Southeastern part of the United States, certain models of automobile have a greater probability of being stopped by the police if the drivers are black or Latino. Moreover, as the capacity to predict provides the opportunity to control, state and private bureaucracies will seek to control the environment in which they function by targeting the individual as their focus. Each isolated bit of information on the citizen/consumer has such a seemingly small privacy cost and because monitoring the bureaucracy's use of that information has a high cost, individuals are incapable of acting in their own interests. The privacy legislation has done little to preserve or to extend the rights and freedoms of individuals.

Personal information has three distinct, but related, functions within the panoptic sort: identification, classification and assessment. First, Gandy considers identification, which he defines as the need for reliable evidence of the identities of individuals with whom one does business. This need to obtain information is motivated by the desire to establish or to enhance a consumer record, and this information contributes to classification. He refers to Foucault's work that established classification as the exercise of power. Personal information facilitates the assignment of individuals to groups seen as particular types based on shared characteristics. Foucault refers to the school, prison and factory as the providers of personal information. Now information

on an individual is taken within the market place, where commercial firms seek to improve profit. Gandy argues that consumers have become a product, the ultimate goal is information gathering and the market will employ any number of techniques to gather the information they require. 'As I have suggested, the panoptic sort operates by transforming transaction information into intelligence' (Gandy 1996: 64). This huge collection of data undermines individual privacy mainly because these powerful organisations are ensuring the de-promotion of privacy limits. The main problem he argues is that even if a blanket ban were placed on using personal data for telemarketing, fraudulent and deceptive practices are so common that tiny pieces of personal information would still float around without our knowledge until that inevitable marketing telephone call, or a letter drop through our door (Ibid).

Marx places the acceptance of surveillance and data accumulation within a discussion of popular culture, suggesting that since 'surveillance technology is not simply applied it is experienced by users, subjects and audiences. Cultural analysis can tell us something about the experience of being watched, or of being a watcher' (Marx 1988: 98). His discussion does not trivialise the effects of surveillance but recognises that if 'liberty is indeed at risk from these tools, we need to know how the public perceives them and what sense it makes of media depictions. Moreover, the use of visual art aids our understanding of electronic data, microscopic DNA and artistic impressions have invaded the persons view of themselves. 'The meaning of personhood is changing, an image that shows a human form that is nothing more than credit card transactions and identifying numbers gives you the sense that there is another you out there, largely beyond your knowledge and control, that others have access to and even own' (Marx 1988). In a context such as this, addressing privacy rights becomes a task of understanding one's identity before we can argue the experience of eroding rights to privacy. In bringing similar techniques as used by actuaries in insurance and loan companies into the community, we see the occurrence of similar infringements of privacy. The control of crime becomes less to do with rights and more to do with functionality.

Closed circuit television & the erosion of privacy

CCTV equipment includes numerous technological advances that allow computer-assisted operations, motion detection facilities, and zoom capabilities. The smallest

colour video camera measures a third of an inch in lens (all in all measuring 16mm square x 11mm deep) making it perfect for those 'baby brother' covert surveillance needs. We have seen over the past couple of years the developments of camera software capable of recognising and distinguishing facial characteristics. Funded research by the Home Office, the Police Foundation, and Marks and Spencer's, has attempted to improve facial image matching (Norris 1996), illustrating the obvious enthusiasm by the state and private authorities for such technology. Sentinel is the first commercial image system capable of facial recognition. Its software incorporates a neural network that can distinguish between objects of different sizes and particular patterns of movement (Geake 1993: 22).

There have been a number of surveys suggesting that the public are keen to accept CCTV as a positive tool in the reduction of crime and the protection of their safety (Beck 1994, Honess & Charman 1992). However, Davies argues two major processes have encouraged public acceptance. First, the media were keen to pursue the line that CCTV was 'a good thing', and with endless articles emphasising the positive effects of CCTV it is difficult not to be 'brainwashed'. Secondly, the Jamie Bulger case gave further support to the argument that CCTV was a good thing and that it would indeed reduce crime. However, as Davies further notes, surveys published at that time illustrate that 72% of people agreed that camera abuse was possible and 37% felt that in the future cameras might lead to the extremist control of people. Governments have, overall, ignored claims that privacy issues should be considered, and even Liberty who admits possible abuses of the camera concluded in their 1989 report that there are situations where CCTV is beneficial (Liberty 1989).

Beck and Willis suggest that the public are strongly in favour of CCTV, especially within commercial realms since the fear of terrorism seems to have persuaded the public that CCTV may protect their safety and counter the threat of terrorism (Beck and Willis 1994: 48). Of course, the reality of protecting the public against terrorism through CCTV is a debatable point: as one police sergeant commented, 'no number of cameras or officers on the ground can prevent the powers of terrorism' (Interview with Police Sergeant, South Town Police Station, 2001). Davies (1996) points out that the public never had a clear opportunity to evaluate the numerous threats created by the technology, since propaganda bombarded them with arguments advocating the

advantages of the tool. As Graham and Brooks (1996) note, CCTV is automatically treated as 'a good thing', but they too warn that statistics illustrating public awareness should be considered because they are likely to mask a complex picture of public reaction e.g., young men are much more suspicious of the system because they feel more at risk from its potential negative effects.

Perhaps a majority acceptance of CCTV exists with little idea of where and when the camera is watching and the extent to which CCTV invades our privacy and removes our dignity. While we work? While we shop? While we walk in the park? While we try on clothes in changing rooms? While we use a public toilet? While we sit and watch television in our homes? The camera is and does invade all of these spaces. To establish if CCTV is indeed an invasion of privacy, we will utilise Robertson's three definitions of privacy rights: freedom from outside busybodies; freedom to be treated with decency and dignity; and the freedom to indulge in harmless activities (Robertson 1991).

Freedom from outside busybodies

There was a period during the 1980s when criticisms of CCTV were almost unheard of. Those who did dare to speak out against the stare of the camera were told that, 'if people have done nothing wrong they have nothing to fear' (Crossthwaite cited in Graham 1996: 3). David Crossthwaite of Northumbria police argued that:

it is a much greater infringement on civil liberties being beaten up, or mugged, than being filmed walking down the street
(Ibid).

As people have become more knowledgeable about the existence of CCTV, the mood surrounding its employment has gradually changed. This was highlighted when Davies considered the 1992 Honess and Charman data, which was said to show widespread public support for CCTV. However, as Davies points out, the data also illustrates that 72% of people were very concerned about abuses of camera use, while 39% felt that the people who are in control of these systems could not be trusted (Davies 1996: 329). The concerns of civil libertarians have branched out to include issues of privacy. Studies have highlighted that cameras reduce the freedom to roam where one wishes.

People lose rights as citizens because they are not wealthy enough to be consumers (Graham 1996: 3). The camera gives people the power to decide who is suspicious and, as we have discussed, such suspicion normally falls on the 'stereotypical criminal'. The technology has become a way of singling out those who do not belong in a particular environment, and because of their dangerous exterior, will have pre-emptive action taken against them. The camera increases the opportunity for an individual to experience 'busy bodying' beyond the normal interaction of family, friends and neighbours¹. During the research for chapter five it was noted that:

The camera operators in North Town knew a lot about the town, they were locals who also knew a lot of other locals; for example, there was a call on the police radio stating that a lady had taken an overdose in an attempt to commit suicide. Not only did the staff personally know the lady but they were aware of her every suicide attempt, the women's personal business was the business of the unit. Her personal details were better known to the unit than they were to the doctors attempting to save her life

(Observation notes, North Town CCTV unit December 2000).

For those who live with the camera overlooking their homes which, as we mentioned, includes only areas of high local authority housing, they must accept the possibility of being constantly observed in their own gardens and coming in and out of their homes. At one point as the operator scanned a street, he commented to me 'look there're watching Neighbours, now they've finished their afternoon activities' (i.e., drug taking or selling, neither of which was proven, that this house, on this road, would contain people who partake in these activities in the afternoon). I was shown on several occasions how the cameras could zoom right into back gardens, where I saw children playing and a woman hang out her washing in her slippers and dressing gown. The observation of such everyday activities is perhaps only a small invasion of a person's privacy and we saw perhaps only what her neighbours could see nevertheless, there must be a discussion of whether such kinds of observation of a neighbour by another neighbour is the same kind of 'busy-bodying' as that of a camera operator. I would

¹ In fact during the research for chapter five the CCTV unit manager noted that a good CCTV operator is 'indeed a very nose person' (CCTV interview 2000).

suggest that it could not be the same, as the camera is not merely the observation of one neighbour upon another for reasons of boredom, trivia or interest. The observation of the camera allows more than neighbourly 'busy bodying' under practices of actuarial justice it is a tool used to observe risk populations who 'may' pose a threat to crime figures. Therefore, the job of being a camera operator may well be the job of a professional busy body, but the underlying rationale is one of pre-emptive control.

There were times when the camera's use became 'personal crime control'. On one occasion the operator told me how great it was to be able to watch people she knows, and to see what they were doing. She repeated one incident:

Once I followed my husband all around the town, in and out of pubs. I got a picture because I knew the hard evidence would come in handy. Then I saw him go to the cash point and get more cash, then going into more pubs. When I got home that night I asked him if he had been out, he replied no he had just had a drink at home. I then produced the picture as evidence to show what a liar he is. He never did it again - now he only goes out when I agree
(Interview with CCTV Operator, 2000).

The husband now drinks outside of the town, away from the loving eye of his wife and the spying eye of the camera. This kind of invasion highlights, however, the power of the operator. Other operators also commented how much they enjoyed seeing people they know, especially when they have had 'one too many'. There was of course the odd bit of 'eying the girls'. When one operator saw a girl he liked, which was quite frequent, his favourite saying was 'hello girlyies'. Norris and Armstrong found similar behaviour among operators who relished a Saturday night in which to watch females in the town dressed in their best (Norris and Armstrong 1999). You could argue that this is the kind of invasion that we experience every day from individuals around us. Indeed as we walk along the street we are vulnerable to numerous gazes from the public, the private security guard and our bosses. However, there is a difference in being watched by the camera. Cameras have the capability to zoom in close to anything or anybody. They can follow your every movement, including the smallest of detail, such as the pin

number you enter into the cash machine, or the phone number you input into your mobile. In reality we do not, and would not, tolerate other members of the public having access to such confidential information.

The camera erodes the right to being free from outside busy bodies, and allows the busy body to intrude within space without the victim being aware of any form of intrusion. In stealth like fashion, the camera sits high upon its perch hardly visible to the public but with the capability of 'nosing' into a variety of private areas. During the research conducted for chapter five cameras that were set in residential areas seemed to provide more 'tittle tattle' than information to help prevent crime. The CCTV operator is trained to 'nose' at certain populations considered high risk and their high-risk status provides the operator with an excuse to be the ultimate busy body under the disguise of crime prevention.

Freedom to be treated by the state with decency and dignity

CCTV decreases the right to be treated with decency and dignity because the very nature of the CCTV camera is an operation by operatives. Although perfectly respectable employees, who are security checked, the very nature of the job is watching people through the lens of the cameras, which created an ambiance where the public become actors for the entertainment of the operators. The males in the unit would often mock the parking manoeuvres of a female driver, or comment on people's dress, weight, lack of a jacket in the cold weather, choice of a partner for their evening out, or even the way they walked. Perhaps more importantly, Norris and Armstrong noted that ideas of criminality were gained by observing people with particular dress codes (1996) and the research in this chapter found that specific articles of clothing especially the 'scrunchie' and 'dut', were seen as obvious signs of possible criminality.

In Davis's *Fortress Los Angeles* the employment of CCTV has occurred amongst a multitude of schemes that have turned Los Angeles into a finally tuned, military style city, where the poor are spatially controlled, with little opportunity for them to enter affluent Los Angeles:

By criminalizing every attempt by the poor - whether the Skid Row homeless or MacArthur Park Vendors - to use public space

for survival purposes, law enforcement agencies have abolished the last informal safety-net separating misery from catastrophe (Davis 1992: 166).

The poor are controlled in Los Angeles through the management of space, certain areas are made unobtainable to non-residents, and some parks and leisure facilities are made available only to those who reside close by, leaving the poor few leisure facilities. 'As part of the city's policy of subsidising the white-collar residential colonization of Downtown, tens of millions of dollars of tax revenue have been invested in the creation of attractive, 'soft' environments in favoured areas. Planners envision a succession of opulent piazzas, fountains, public art, exotic shrubbery, and comfortable street furniture' (Davis 1992).

A few blocks away in not so favoured areas, the streets are being made as un-livable as possible for the homeless and the poor. City officials have on several occasions examined the question of moving the homeless to 'a poor farm on the edge of the desert, confining them in camps in the mountains, or interning them on derelict ferries in the harbour' but for now they have been pushed into the area of Skid Row, which according to Davis has become the most dangerous ten square blocks in the world. The homeless try to escape, for their own protection but the plan of the city provides no other places for them to go. Furthermore, public toilets throughout the city have been removed so that 'homeless men - many of them young refugees from El Salvador-washing, swimming, even drinking from the sewer effluent that flows down the concrete channel of the Los Angeles River on the eastern edge of Downtown. The city's public health department has made no effort to erect warning signs in Spanish (Davis 1992: 163). In amongst these 'mean streets' and fortress seclusions the camera plays the role of further degrading the poor by ensuring that they never cross the path of the professional, and should this occur that security personnel are sent to protect the 'innocent'.

Reeve studied the example of Oxford city centre, which is considered by urbanists as 'a space for everyone' (Reeve 1996: 74) but over time the town centre has become a place primarily for consumption and organisations. CCTV has led to managing 'inappropriate behaviour' such as drinking alcohol on the streets and removing the homeless (Reeve 1996: 74). Dignity in both Los Angeles and Oxford as well as

numerous other towns and cities is a concept bought by the rich and lost by the poor. As Coleman and Sim note, 'the feel-good factor' focuses on a particular conception of danger and order within a city centre public space, thus marginalizing other areas of crime and anxiety, particularly domestic environments and the experiences of women (1996).

Dignity and decency is also lost by the fact that bored operatives view the public as entertainment. Secondly, CCTV has aided this loss of dignity because its job has become one of helping to banish certain populations from 'respectable' areas of various cities, forcing them into dangerous areas where their treatment is as a criminal underclass.

Freedom to be free to indulge in harmless activities

CCTV makes it easy to intrude on those partaking in harmless non-criminal activities. In the Norris and Armstrong found that certain activities such as groups of youngsters 'hanging out' together, although non criminal, were treated as suspicious and targeted for close surveillance. In other words youths whose pass times were on the streets were automatically treated as a risk population and thus, whose activities required monitoring. The research for chapter five found that the camera was capable of intruding into the most intimate of places including offices, lounges and bedrooms. Moreover, the residents who experienced greatest invasions of privacy were those residing in local authority areas - no cameras were placed in private residential areas.

As far back as 1972 the Younger Committee expressed its concern about the growth of technology and its possible incursion into the freedom of the individual:

To some extent the new public concern on privacy is the direct result of new technological developments. Numerous sophisticated electronic devices have been invented and marketed which greatly increase the possibilities of surreptitious supervision of people's private activities

(The Younger Committee 1972: 4)

Concerns for privacy are shrouded by the fact that there is little privacy in public anyway, we monitor and check our behaviour according to what we consider appropriate for being under the gaze of those around us, and as Brown notes for women, being seen, is a condition of everyday life, their feelings of extreme visibility in public are created by masculine regulation of the public domain (Brown 1996: 218). Although they may be used to the gaze of men around them, the camera only intensifies this problem. The camera can reach areas where one believes oneself to be alone, the camera can zoom close enough to a face to see every blemish, the camera can see a number dialled on a mobile phone, the camera can, in other words, invade a persons' space in a way that people passing each other on the street are unable to do. Perhaps for the public, ignorance is bliss. However:

its most sinister effect in the long run will be to curtail our privacy. There will be fewer private spaces in urban society. The blessed anonymity which city life bestows on citizens will be much reduced. And those who fled the twitching net curtains of village life will find themselves being observed by an altogether beadier eye than that of the local postmistress
(Naughton 2000: 19).

At the North Town unit a very stringent code of conduct is in place to prevent abuse of the camera and any operator caught misusing the camera (peeping in windows) would face disciplinary action of at least a written warning. Although in such work places rules may prevent misuse of the camera, it would be impossible to guarantee that misuse would never take place because of the very nature of the operator's job, they cannot be watched at every moment. It is hoped that all operators are decent citizens who would not abuse their position, but as Norris and Armstrong's research also highlighted, severe misuse of the camera is, in fact, a common occurrence. As observed operators would often observe particular areas of the town renowned for places where prostitutes could take their clients, and often these pictures were requested by the local police station to watch on their own monitors:

The 'appreciation' of such public display was a regular feature of the night shift in one of our sites and not confined to those

with access to the monitors. Many such encounters could be found on the 'shaggers alley greatest hits tape', which was compiled and replayed for the benefit of those who missed the 'entertainment'

(Norris & Armstrong 1999: 130)

Even if legislation was able to control any misuse of the camera, the operator's job is still to 'nose' at the public. The very nature of CCTV is to pry into the business of others. Such technology, to be effective, has to be intrusive. If we must accept the cameras existence as part of the community, it is morally just that the public is made fully aware of the power that the operator holds, and that such power is an obtrusive device capable of serious invasions of privacy. Moreover, these invasions of privacy, although pertinent to all who use the town centre and local shopping units, is of greater significance to those whose homes and gardens are overlooked by the camera.

Conclusion

The discussion here could be advanced beyond privacy and towards civil liberties, since actuarialism prevents the movement of certain populations, as illustrated in Davis's work. The following chapters aim to establish that these theoretical pieces of work are quite accurate and that actuarial justice is being employed in a variety of crime preventative areas. What this chapter has attempted to do is to define a variety of eroding privacies and to suggest that their erosion is heightened through actuarial justice - this is shown through a discussion of the actuarial tool CCTV in chapter five.

Writing about modern forms of surveillance Lyon suggests that privacy is an inadequate concept with which to establish injustices occurring under modern surveillance techniques. Instead, Lyon looks to a concept of personhood, asking the question 'can the idea of personhood relating to self-communication within a community of trust be retained in an era when the distinctive languages of the database are becoming dominant?' (Lyon 1994: 197). His debate is pushed further by considering not just personhood, but the 'good society'. Modern analysis, centred on privacy, ends with a world of privilege: there are those who may obtain it and those who may not. The liberal-rights based version of privacy includes the treatment of human beings with dignity and this fits well into Lyon's theory, but does not undermine the concept of

privacy. Instead it allows us to look at actuarial techniques and practices and to develop an understanding of how far they reduce the dignity of the individual. With CCTV the prying into private space is neither dignified for those prying, who have been labelled 'Peeping Toms', and provides no dignity for those being spied upon. By studying privacy as a need for space that *cannot* be intruded upon, the powers and intruding methods of actuarial justice may be far easier to stipulate. At present actuarial justice is free to impinge on any person whose social position has led to their categorisation as a risk, which in turn makes intrusion easier because the monitoring of populations is merely the observation of statistically defined risks.

Part II

Actuarial Justice in Strategies of Community Crime Control

Chapter Three

Intelligence Policing In South Town: Identifying and classifying the actuarial community

Introduction

In 1992, focusing on selected issues of penology, Feeley and Simon suggested that a new type of criminal process was emerging and, referred to it as actuarial justice. This new penology was shifting away from concern for individual punishment and towards managing aggregates (1992: 449). In 1994, they continued their study, highlighting the expanding use of actuarialism in the criminal justice practices of sentencing, imprisonment and probation. This chapter aims to advance upon their study by empirically examining the infiltration of actuarial justice into public policing.

In particular the chapter:

- i. Identifies how nineteenth century attitudes towards the poor established a label of dangerousness and thus created a solid basis for the adoption of actuarial policing*
- ii. Discusses actuarial justice and its relationship in risk and insurance techniques*
- iii. Empirically illustrates that modern policing is partially consumed with techniques for the management of populations, prevention and risk minimisation*

Employing the works of Manning (1977), nineteenth century methods of policing the 'dangerous' will be compared to twenty-first century methods of actuarial policing (Johnston 1997). While nineteenth century policing was moralistic and immersed in ideas pertaining to deterrence and punishment (Emsley 1996), modern policing has shifted towards actuarial and technological practices. These no longer require notions of morality to view the poor as dangerous, instead 'high risk' populations are identified, classified and managed (Feeley and Simon 1994) in an effort to minimise harms.

Sociological understandings of risk and modernity (Beck 1996) will be contrasted with crimes of the powerful and invisible crimes to suggest that they may 'boomerang' upon all members of society in the same vein as a global risk. Risk, as an insurance concept will also be discussed to illustrate police practices for identifying populations of 'risk people', 'high risk' offenders and 'hotspots'. Finally, Simon's 1988 paper will introduce the characteristics of actuarialism as it may be found in a policing context, especially with regard to knowledge gathering and the use of insurance techniques. Feeley and Simon's 1992 paper will provide an examination of the types of discourses we may expect to find in the empirical research including: a move from dealing with

the individual to populations; a shift away from fault to no fault policies; and a move to employing statistical methods to define the crime 'problem'.

Finally, empirical research will be examined to illustrate the extent to which actuarial justice has become a predominant method in policing practices. We will argue that observed policing practices create an actuarial focus by treating individuals as aggregates of a risk population. In turn, it will be suggested that policing in South Town (so named for the purposes of this study) creates an actuarial community in two ways. First, particular individuals are aggregated as one group and policed accordingly. Secondly, the storage of data allows for addresses to create high-risk areas. The empirical research also illustrates that the intelligence unit utilises methods of prevention and encourages an ethos of minimisation.

The chapter, therefore, explores the following arguments:

That policing practices in South Town are being shaped by the risk techniques of identification and classification. Furthermore, the classification into 'risk categories' through intelligence practices is merely a technological extension of earlier forms of controlling the 'dangerous'. Today notions of high-risk populations and crime reduction have replaced a categorisation of individualised danger.

Research methods

Findings from this analysis are drawn principally from four interviews, a two-day observation in the Intelligence Unit at South Town police station and the observation of two police briefings. Information for this chapter was also taken from interviews with police officers from North Town police station (see chapter five).

The purpose of this chapter is to identify the use of actuarial techniques in modern policing practices and to illustrate the extent to which these actuarial techniques are contributing to the development of the actuarial community. South Town's proximity to a major city has enabled it to benefit from a significant increase in house prices. While certain residential zones in South Town have thrived, others have not. There is much poverty in the town and this is reflected in the depressed town centre that is full of discount stores.

The police station where the observation took place houses a large intelligence unit that covers several local towns. Fifteen, non-uniformed police and civilian employees staff the intelligence unit. At the time of the research, gaining entry to a police station as a researcher was very difficult. New York had recently been attacked (9/11) and the police were on a state of high alert. I had originally tried to pursue this research with another police force but they cancelled the observation because of the threat of attacks.

Interviews

The aim of these interviews was to gain an understanding of the methods in which unit staff gather information. Semi-structured questions were employed in an attempt to create a more conversational style of interview where interviewees felt free to express their thoughts. Interviewees were civilian and police employees of the intelligence unit and included:

- A Sergeant who has been employed in the unit for three years, as the manager of the unit, he provided a good overview of the objectives the unit undertakes. He had been in the police force for eighteen years and therefore has a valuable amount of knowledge in which to compare policing before the introduction of computerised files. He is also one of the main officers in the station who decides on a suitable course of action on how intelligence information should be used. His work and the decision making processes he undertakes are, therefore, of particular interest to this study.
- A Police Constable, who has been employed in the unit for three years, he is particularly experienced in utilising the information gathered and translating this to policing methods required on the streets. One of his jobs includes the preparation of briefings given to constables before they start their beat duty.
- Crime Analyst (1) who has been employed in the unit for one year, his duties include the input of reported information regarding individuals and places on a computerised database referred to as CRIMIT. Once information is recorded, he collates a report to identify suspects that require observation. This report is passed to the unit sergeant who decides whether to act on it. His knowledge is therefore invaluable to this study.

- Crime Analyst (2) who has been employed in the unit for two years, his duties involve the collation of data for the purposes of crime analysis and crime mapping. This position is central to the workings of the unit as it specifically involves the calculations required to identify populations of risk.

Observation

Although notions of risk were detected in the interviews, to legitimately prove the presence of actuarial practices it was necessary to identify in practical terms the use of risk techniques. Notes were constantly kept during the observation, without taking notes, it would have been difficult to remember the technical language used by intelligence staff. When conducting the observation in the North Town CCTV room (for chapter 5) I was able to act as a member of staff, using the cameras and helping staff with small duties. In the intelligence unit the atmosphere was very different, not in anyway conducive to a stranger being able to 'mingle in'. Unlike the CCTV monitoring room that was staffed by community carers, the staff in the intelligence unit were not happy to speak to a researcher and were uncomfortable about my observation. This was regardless of the fact that at the time of the research the staff were preparing for a Christmas party, which was a themed fancy dress, so they were all wearing fancy dress, costumes and walking around in false bow ties and matching mouse noses!

The unit consists of one large room with a variety of desks for differing tasks. The importance of certain types of crimes is highlighted by the fact that one large desk with a staff of five is specifically dedicated to analysing and reducing vehicle crimes. Other one-man desks are employed for the statistical analysis of other crimes such as burglary. Overall, the crimes that the unit and the division concentrate mostly on are 'burglary, robbery and vehicle crime' (Research interview South Town Police Station, civilian staff).

The aim of the observation was to discover the way in which intelligence staff employ techniques that define risk categories and to discover if there is such a thing as an actuarial community. The first day of the observation was spent with a civilian member of staff who enters data into a computer system (CRIMIT). This system stores 'intelligence' on an individual's personal details, family friends, driving licence and any

other interesting pieces of information. The second day of the observation was used to observe the work of staff that calculate crime maps and risk statistics.

Briefings

The observation of briefings was used to analyse the way that collated intelligence was fed back to the beat officers. It was also a way of identifying the types of information being transferred from intelligence to the street. The information from the intelligence unit had been a part of briefings for the past two and half years. Previously briefings were utilised to direct police officers to a particular beat and the same officer would be used for the same beat. Now these briefings could direct officers to specific locations. Briefings were organised so that a member of the intelligence team would make his presentation, then the beat Sergeant would give his own instructions. For example, while the intelligence unit provided information on items to target, the beat Sergeant provided specific jobs that required completing or investigating. For example, certain officers were specifically ordered to take statements from burglary victims or to visit the local CCTV monitoring room to collect taped evidence.

Policing danger policing risk

Certain writers have suggested that there is nothing new in the 'new penology' Van Swaaningen, for instance, suggests that Feeley and Simon's 'new penology' is actually a century old. His argument is based upon the fact that actuarial techniques for identifying, classifying and managing groups assorted by dangerousness have always existed, 'studies of the spatial and social segregation in the nineteenth century city, demonstrates this in terms of the construction and policing of class boundaries' (Jones cited in Coleman & Sim 1996: 21). Concerning policing and the new practices of risk management, Sheptycki follows a similar line of argument, suggesting that:

Policing has been about achieving the segregation of human populations, based on notions of guilt and innocence, bad and good, risky and at risk, for far longer than is suggested by the theoretical notion of the 'new modernity' (Sheptycki 1997: 307).

Nevertheless, as Swaaningen argues, 'the focus on social defence has, however, got a tremendous new impulse in the 1980s' (1995: 175). While previous policing discretions and segregations were based upon moral and lifestyle presumptions of what constituted dangerousness, actuarial justice has provided a legitimised form of segregation by statistically calculating the poor as a risk.

There is no plan in this chapter to fully account for the move from private 'entrepreneurial' policing to state policing, nor is it suggested that policing was originally based upon principles of actuarial justice. However, there are characteristics found in the discourses surrounding the creation of a state police force and in early policing methods that we may draw upon to understand traditional dangers as modern 'risks'.

Manning (1977) considers three social changes which occurred in the early nineteenth century that contributed to the formation of state policing: changes in the population; occupational changes; and changes in the economic structure of Britain during this period. Between 1801 and 1831 England grew from 8.9 to 13.9 million persons (Ibid: 58). In 1831, the population of London was 1,654,994,¹ London was growing to such an extent that by the mid nineteenth century, it was not merely the biggest city in the world, but the biggest the world had ever known².

With an increase in industrial employment, families and individuals moved from rural areas (decreasing opportunities in agriculture) to seek work in the city (Manning 1977: 60). With a growth in industry came developments in professions such as law, finance and medicine, which in turn advanced the middle classes who, like the working class, were attracted to the big cities to advance their opportunities and professional skills. While the middle class settled in quiet residential areas around the outskirts of central London³, the unskilled working class were largely forced to accept temporary work and slum housing in the centre of London. Conditions were so appalling that a national journal 'The Builder', in the hope of encouraging reform, published a report after one inspection of a slum dwelling:

¹ Reference: <http://www.spartacus.schoolnet.co.uk/Prcriukshank.htm>

² Reference: <http://www.spartacus.schoolnet.co.uk/Prcriukshank.htm>

³ Reference: <http://www.spartacus.schoolnet.co.uk/Prcriukshank.htm>



Original sketch and article taken from 'The Builder' 1863, made in the hope of enlightening the more affluent classes.

There was no efficient drainage to take off the wastewater, so that the basements were saturated by it, and pools of stagnant water collected in the yards, which were unpaved, and contained a quantity of putrid vegetables, that had not been removed for a long time! ⁴

Unemployment within these areas was attributable, in part, to the frequent fluctuations in the economic markets, which were made worse in 1815 when the Napoleonic wars ended (Manning 1977: 62). Soldiers glutted the labour market and since jobs were already scarce, they engaged in fraud and petty crime to support themselves. In 1812, the cost of maintaining the poor by means of the Poor Laws had risen from four to six million pounds per year and by 1815 the costs of maintaining unemployed soldiers and sailors created what was viewed as an even greater burden upon the government. Poverty was so serious that changes in the economic structure were required to enable the government to solve the spiralling costs of the poor, hence heavy taxes were levied on basic goods such as sugar, tea, coffee and corn (The Corn Laws 1815), as well as alcohol and tobacco (Manning 1975: 62).

The terrible social conditions experienced by the poor caused considerable alarm to the more affluent members of society – and not simply from a charitable concern. The warren street posed a threat to public order, as well as to public health (Dauton 1995). Attitudes surrounding the poor soon cultivated the label of a ‘professional criminal class’ utilising opportunities available in the city to advance their ‘professional’ status. Soon the poor became known as the ‘dangerous class’, inherently vicious and criminal. This social creation of a ‘dangerous class’⁵ followed calls for protection from the affluent and gave Prime Minister Robert Peel more coverage in his call for the creation of a state employed police force.

⁴ Reference: <http://www.spartacus.schoolnet.co.uk/Prcriukshank.htm>

⁵ The concept of a dangerous class is problematic; first, there are no official records to prove the existence of greater crime in any one city, area or class. Furthermore, many of the ‘criminal’ activities the poor were accused of were found to be the result of political unrest rather than deviant acts (Manning 1977).

The social problems of the nineteenth century are by no means the only reason why a British police force was created. For instance it suggested that the government was looking for greater state control and hence more political power in an era that was not far removed from sovereign rule (Lea 1997). Moreover, the French Revolution was recent enough to provide an awful example of what might happen if the upper classes lost control. In this case the creation of a state police force could, in part, be viewed as a means of calming the fears of a British aristocracy who trembled at the thought of French riots spreading to Britain. Therefore, any account acknowledging the creation of the police as a 'protective' force against the 'ravaging' of the growing poor must also include an admission that other factors were involved. In fact, exactly why the state took control of policing remains a matter of considerable debate as Manning emphasises:

It is possible, in short that the inability to locate a clear set of interests and factors accounting succinctly for the rise of the police is a reflection of the social reality of the time, of the historical context we are able to reconstruct retrospectively from our present vantage point
(Manning 1975: 80).

Regardless of why a state force was finally established, the fact remains that with severe prejudices against the working class and increasing fears that disorder was becoming intolerable, the Metropolitan Police Act (1829) gave birth to a new and modern police force that removed the role of crime fighting from the 'entrepreneurial thief-takers and amateur volunteers' to full-time professional police officers (Reiner 1985: 52). Obviously the majority of the middle and upper classes welcomed beat officers as guardians of their person and property, but the working class saw little guardianship in the new force, suspecting instead that the government had created a political, not a protective force that would use undercover methods to survey and control citizens (Manning 1977: 48).



The working class also found they were facing police interference in strikes, political demonstrations and, 'the development of street cultures and their irregular economies' (Radzinowicz 1981: 116). Moreover, police attention was not:

just the law's attack on what they regarded as legitimate means of livelihood or secondary income – these were in any case being increasingly eroded by wider and purely economic forces – but the criminalisation of traditional street pass times which were solely recreational

(Radzinowicz 1981: 118).

The blatant concentration of police in working class communities made residents sorely aware that the police force was aiming to specifically monitor working class people, pass times, and moralities, as this Preston cheese merchant reformer, and ardent teetotaler⁶ advocated:

My most anxious wish is to see this country peaceful, prosperous and happy. Whatever other changes take place, we shall never realise this till all the people are morally reformed. Whilst trade and commerce, arts and sciences are rapidly advancing, I think it will be conceded on all hands that the morals of the great bulk of the people have not made equal progress

(Joseph Livesey 1838, cited in Storch 1975: 87).

It was viewed by the morally engaged that the working class, as they exited the factory gate, were heading homeward towards a community of 'open' immorality. In fact, prostitution, drug use, violence and abuse were plentiful behind the 'closed' doors of all classes. Moreover, the increasing prosperity of the wealthy was built upon the sweat and toil of the working class, who were forced to live in increasing large 'slum' areas.

⁶ Joseph Livesey and seven Preston Working men signed a pledge that they would never again drink, believing that alcohol had become the root of many social problems and ills.

Nevertheless, the social experience of the poor created a wealth of theorising as well as moralising by the middle and upper classes.

In *Juvenile Delinquents*, for instance, the philanthropist Mary Carpenter, although moved by the plight of the poor, advocated that society could be divided into ‘two great classes’ – those who lived by human and divine law, and those who did not. ‘These are grand moral divisions’, she explained, ‘which are irrespective of physical conditions in society’ (cited in Pearson 1983: 173). For Carpenter crime was an act based upon the choice of the actor irrespective of social circumstances.

A more humanitarian view was cited by Charles Dickens, whose move to London in 1822 allowed him to witness, first hand, the atrocities surrounding the poor who lived amongst ‘the cold, wet, shelter less midnight streets of London; the foul and frowsy dens, where vice is closely packed and lacks the room to turn; the haunts of hunger and disease; the shabby rags that scarcely hold together’ (Dickens 1867: 14). His message highlighted the abuse and hypocrisy surrounding the most vulnerable, whose social status may inescapably *trap* them into a life of crime. Moreover, Dickens attempted to highlight the ‘frame of mind’ that surrounded the poor: the essence of his message is portrayed through the sermons of Mr. Bumble, a workhouse manager who, in *Oliver Twist*, explains to Mrs. Sowberry that Oliver is guilty of the misdemeanours (he has been falsely accused of) due to her mistake in feeding him with:

“Meat, ma’am, meat”. You’ve over fed him, ma’am. You’ve raised a artificial soul and spirit in him, ma’am, unbecoming a person of his condition: as the boards, Mrs. Sowberry, who are practical philosophers, will tell you. What have paupers to do with soul or spirit? It’s quite enough that we let them have live bodies. If you had kept the boy on gruel, ma’am, this would never have happened”

(Dickens 1867: 55).

The slow starvation regime of the workhouse was of no concern to the members of the workhouse board who being deep, philosophical and highly religious men assumed that the ‘ordinary folk’ liked the feeling of near starvation (Ibid: 25). Such an insight sheds

considerable light on the treatment and attitudes towards the early nineteenth century poor. Evidently, they were seen as 'sub-human', intolerable, even incapable of 'normal' human emotion. Generally, there was little connection made between urban living, squalid conditions, poverty and crime. Professionals such as Colquhoun simply saw 'bad' behaviour attributable to the 'easy temptation of the idle criminal classes and their willingness to accept the easiest mode of survival' (Manning 1977: 71).

The social circumstances that the poor were experiencing, their social position as a distinct and separate race of humans awaiting a different and more gruesome destiny than the higher born: meant that implementing policing methods of direct force and harassment was not difficult. Their status neglected the need for any form of 'risk assessment': to be poor was to be dangerous, and due to the growth in the 'criminal population' the creation of a state police was seen as providing a protective layer for respectable society.

Therefore, along with the creation of the Metropolitan Police, and with opposition from only a number of working class rioters, various Acts of Parliament were established to give the police greater laws to manage beggars, the poor and homeless. Since the police force was created with a targeted population in mind, policies were aimed at targeting specific areas, particularly known places of 'immorality'. Moreover, as the following examples show, it could be suggested that nineteenth century methods of policing the 'dangerous' are heavily reflected in twenty-first century policing of 'risks'.

Fielding advocated that policing Britain's population would best be achieved by the adoption of a scientific, rational, prevention-oriented police, 'this would best serve the English tradition of non-intervention and surveillance yet would provide maximal protection' (Manning 1977:73). His suggestion was that the collection and circulation of information be introduced, allowing the documentation of key categories including known offenders with a history, and their friends. His ideas came to fruition in 1858 when the police published official figures of thieves, depredators, receivers of stolen goods, prostitutes, suspected persons and vagrants. These records were used to provide a resource for the police to obtain information on suspected or accused offenders.

Fielding's work encouraged non-interference in individual lives by the employment of surveillance techniques. Such practices were adopted from French policing methods, which had adapted to the various revolutions of its citizens by surveying the poor as a potential risk to French sovereignty. Modern surveillance techniques have been improved by the progress of technology, and with the advent of tools such as CCTV and the discourse of actuarialism, policing from a distance never been more possible.

For example 'scientific, rational, prevention-oriented police work, with non-intervention and surveillance, is well illustrated in the records that are maintained and processed by intelligence units (Heaton 2000). Police and community safety managers examine such information about high offending criminals and areas. For instance, if a local council is informed that robbery in one particular street is above the national average, the Community Safety Manager will then calculate the cost benefits of implementing a situational strategy, such as street lighting, in order to reduce the incidence of 'mugging'. Fielding's discourse of 'policing from a distance' has certainly come to fruition, since practices of actuarialism advance the notion that a 'hands off' approach, via crime management, is more desirable than interfering directly in the lives of individuals.

In the nineteenth century a new term, 'the residuum', described the irregularly employed casual labourers who formed the borderline between poverty and criminality (Miller 1979:18). Areas defined as housing the 'dangerous class' were dealt with via sustained harassment on their very way of life, e.g., police practices were employed to target the playing of street football (Manning 1977). This was not an attack upon the dangers of playing football in the street, but a way of controlling working class pass times and populations, perhaps even laying the ground for the working class to understand themselves as police property (Storch 1981). The historical account of the nineteenth century poor has illustrated that they were seen as 'obviously' dangerous. Their very being was dangerous, the filth they were forced to live in, the jobs they were forced to undertake, and the pollution of the streets they had to walk through created a precedent that the poor must be 'sub-human', problematic and depraved.

In the twenty-first century, the working class is not so obviously dangerous, living conditions for the Western poor have improved, while poverty has become relative to

one's social position. Generations of working class people have become heroes in war, invented technologies, been educated and 'civilised' and are not so easily criminalized. As the working class become more respectable in its image, pass times and living conditions, 'risk' has become a method of identifying the dangerous:

The concept of an underclass, with its connotation of a permanent marginality for entire portions of the population, has rendered the traditional goal of reintegration of offenders incoherent, and laid the groundwork for a strategy that emphasises efficient management of dangerous populations
(Feeley and Simon 1994: 193).

Because the poor of the nineteenth century were viewed as an obvious danger, actuarial justice is also regarded by 'a growing number of people as obvious and practical the only – response to an intractable problem involving dangerous people' (Feeley & Simon 1994). Actuarial justice normalises the existence of 'good' and 'bad', dangerous and 'non-dangerous'. Moreover, these populations, in comparison to the nineteenth century 'dangerous' are classified via statistical compilations. For example, the targeting of street football was a way that the police could control and gain power over working class communities in the nineteenth century. It could be argued that similar practices have occurred in classifying football fans in the twenty-first century as 'high risk'. With one turbulent match creating a perceived need for military style policing, undercover surveillance and covert surveillance, the message received by the public is quite explicit: football fans are a potential hazard.

Davis has also made the point that in Los Angeles policing practices such as mobile armed police squads, allows the policing of the very poor to be more militaristic, apart from creating greater insecurities (Coleman & Sim 1996: 11). The poor have become a targeted population whose social circumstances, like those of the 'residuum' poor, provide the police with ample ammunition to engage in practices that treat all residents in Los Angeles' poorest areas as potential criminals. Here we see a move towards 'managerial' style policing for certain members of the community i.e., 'two tier' policing, dependent upon one's demographic location. In Britain, the situation is not far



removed with places such as Liverpool experiencing similar forms of 'squat policing' and armed policing in the city shopping centre (Coleman & Sim 1996: 15).

In the nineteenth century, the dangerous classes were targeted by the demolition of their homes, in the hope of eradicating criminality. In Campbell Road homes were demolished to make way for a factory, while many others were demolished for the building of municipal housing, various youth clubs, and uniformed organisations' (Radzinowicz 1981: 119).

There is a definite similarity here to the events noted in chapter five, where in North Town, areas seen as high risk (i.e., housed a number of risk individuals) were being knocked down and residents dispersed to other areas. The reason given by the council for deciding upon demolition was that renovation costs were too high. However, it was noted by the community safety officer employed by the council that a decision to renovate or demolish would, in part, be based upon the social problems of the estate. In other words, actuarial methods of reducing crime by eradicating the 'bad homes', was strongly reflected in nineteenth century crime control practices.

The nineteenth century poor were not expected to walk outside the remit of their residential or working environment. 'To be caught following a less than pedestrian line of desire or a class subject caught out of your legal place, you were not only out of order, but had broken a moral code of respectable public behaviour' (Radzinowicz 1981: 127). The potential for criminality was inferred by the presence of the underprivileged in a region of the privileged. Where once the separation of respectable and unrespectable was maintained by definite residential boundaries and obvious differences between the classes, separation is today becoming more reliant on draconian police methods (Coleman & Sim 1996) and defensible space mechanisms, such as gated roads (Davis 1990). The idea that certain people do not belong in certain places was also highlighted in the findings of Norris and Armstrong, who found that CCTV operators targeted people who were believed to be in places they did not belong. The most targeted group for this kind of observation were black male youths, whose presence in a particular residential road or shopping centre would create cause for concern in the CCTV operator's mind (Norris & Armstrong 1999). Perhaps the policing

of social boundaries and those who are allowed into them has changed only with regard to the tools of policing.

In spite of the move from policing dangerousness to dealing with risk through security, policing, technology and physical barriers the law still maintains its focus upon the poor as the inevitable risk, and the privileged as inevitably 'good'. The difference under actuarial justice is that the concentration on specific working class crimes allows the poor to be statistically verified as a risk. As Sheptycki notes, the policing of the invisible and the powerful is being achieved via the creation of special policing groups such as Interpol, or the Police Working Group on Terrorism (Sheptycki 1997: 68). Since they 'do not fit easily into our concept of policing' (Ibid) as a public, we relate our idea of dangerousness and concepts of crime to whatever our everyday police force is targeting. Since the local police station and the uniformed officers deal largely in working class crimes (apart from CID who may deal in local murders), these crimes are focused upon by the authorities for various 'anti campaigns', situational crime prevention and various forms of management. Because secret and undercover operations are used in policing crimes of the powerful and invisible crimes, they tend to be kept out of the public arena. The point is that modern policing is still focused on the same types of people, places and crimes. I would argue that the 'rational' label given to actuarial practices is creating a more 'legitimised' account of their 'risk' status, which is far more difficult to disagree with than nineteenth century ideas based on notions of morality.

Policing, risk and actuarial justice

Initially, risk was related to the probability of loss and gain or, on a personal level, 'bravery and adventure'⁷ (Beck 1996: 21). When Columbus set off to discover the Indies, he took the risk that his journey may end in death. Luckily for him the exploration led to the discovery of America, making him a hero to the English and a curse to the unlucky Native Americans, whose subsequent adventures, risks and chances became an ultimately doomed fight for their land and freedom.

⁷ For example, individuals make individual choices with regards to climbing mountains for a hobby, exploring foreign countries or becoming a fireman.

Global risks

Risk within modernity especially high modernity has little to do with adventure or chance (Douglas 1994 Beck 1996). Its emphasis largely denotes 'only to negative outcomes' (Douglas 1994: 23), referring less to gains and more to losses, disasters and hazards. Risk, as it is understood by writers such as Beck (1996) has become synonymous with danger and in high modernity environmental pollution and atomic weaponry have created more than a mere chance of disaster: such inventions are disasters. As previously mentioned the nineteenth century poor lived in conditions that were so obviously hazardous they were not conceived as a risk: the lack of sewerage, the smoke filled air and the oozing River Thames 'assaulted the nose or the eyes and were thus perceptible to the senses' (Beck 1996: 21) in a way that made them 'nasty' but nevertheless obvious dangers to the individuals who encountered them. On the other hand, Beck suggests that the risks produced in high modernity 'typically escape perception and are localised in the sphere of physical and chemical formulas', i.e., perhaps invisible, but capable of 'catastrophic hazards' (Ibid.).

To illustrate this point Beck uses the example of Union Carbide's chemical producing factory in the Indian town of Bhopal, which in December 1984, due to a variety of mechanical failures, leaked deadly methyl isocyanate gas into the air of Bhopal resulting in the death of 2,000 people and injuring 200,000 (Velasquez 1988: 3). This catastrophe has been subsequently labelled the worst industrial accident in history (Ibid: 5), and raised a variety of questions concerning the relationship between third world countries and western industry (Ibid: 6), including questions with regards to Union Carbide's investment in health and safety mechanisms. Health and safety risks were assumed to be calculable, and if any disaster struck, the danger was assumed to be away from 'home ground'. This, at first sight, was a correct calculation, since only the residents of Bhopal suffered the horrific consequences of toxic fumes. However, as Beck argues, risks today cannot necessarily be contained because their severity, as was the case in Bhopal, means that the hazards and dangers 'return to their highly industrialised homeland in fruit, cacao beans and tea leaves' (Beck 1996: 42). There is a warning in Beck's message that modern risks are so perilous that no individual or group can escape their consequences, regardless of class, nationality or wealth.

The point follows that modern risks are not actually risks at all, in that they do not fit the practices of insurance, and they are not calculable in the same vein as a measurable event. As Beck notes with regards to modern hazards, 'the affected even include those not yet alive at the time or in the place where the accident occurred but born years later and long distances away' (Beck 1996: 22). There is, nevertheless, still a point to labelling 'destructive forces' as a risk, because it is 'a false but nevertheless very effective way of dealing with them' (Ibid). By labelling a global hazard as a risk, states and industry ignore the fact that there is actually little 'chance' involved as to whether hazards like Bhopal will develop. The state, conglomerations and individuals possess no technological formulas to establish where, or when or whom these hazards will affect: modern risks are dangerous by their very existence.

Although Beck does not relate his discussions of risk to crime or punishment (Sparks 2000: 428), and certainly not policing, there are comparisons between the effects of global hazards and methods of crime control created under a regime of risk. To illustrate this point three of Beck's arguments concerning the effects of global risks will be compared to issues surrounding the control of crime.

Although Beck argues that global risks are a hazard to all citizens he also acknowledges that there are 'class-specific risks' (Giddens 1996, Beck 1996, Sparks 2000) created by poor living conditions, food substances or working environments and, this point is shared by Sparks who comments:

In a globalising economy, it makes a fatal difference to one's life chances who one is (in terms of one's skills and 'social capital') and where one lives (a sunrise zone or a rust belt city, a gentrifying suburb, or an 'impacted ghetto). In these respects the notoriously widening income – dispersions in many major economies, and the creation of structurally redundant populations within them, are key properties of capitalist globalisations
(Sparks 2000: 427).

'The type, pattern and media for the distribution of risks differ systematically from those of the distribution of wealth' (Beck 1996: 35). Poverty attracts an unfortunate abundance of risks (Ibid), for instance buying a home in a 'gentrified suburb, rather than an "impacted ghetto" not only protects against environmental risks but may also lower the risks of burglary (Sparks 2000). Moreover, affluence buys the physical measures available to reduce crime, selfishly displacing its effects upon those unable to afford protection (South 1987). Manufacturers have the technology to make cars theft proof and security companies can now provide services offering to install fencing, CCTV, alarms, and a house sitting service to notify sleeping occupants and the local police of suspected intruders.

It has also been suggested that affluence may result in a better service from the public police. For instance, in Davis's *City of Quartz* policing methods for the poor, homeless and unemployed youths, illustrates that not only do the poor live with greater risks of victimisation but live with the greater risk of becoming targets of police abuse in an environment where 'cops are becoming more arrogant and trigger-happy, and a whole generation is being shunted toward some impossible Armageddon' (Davis 1990: 316). With regards to the effects of global risks Beck suggests that:

The history of risk distribution shows that, like wealth, risks adhere to the class pattern, only inversely: wealth accumulates at the top, risks at the bottom. To that extent, risks seem to strengthen, not to abolish, the class society. Poverty attracts an unfortunate abundance of risks. By contrast, the wealthy (in income, power or education) can purchase safety and freedom from risk. [...] The possibilities and abilities to deal with risks, avoid them or compensate for them are probably divided among the various occupational and educational strata
(Beck 1996: 35).

'Whoever has the necessary long-term financial cushion at hand can attempt to avoid risk through the choice of a place or residence' (Ibid.). Moreover, Beck's words are easily transferred to the poor's experience of crime. Ironically, wealth accumulates ironically with those who experience less crime, while victimisation accumulates at the

bottom where a 'ghettoed population' of curfewed individuals survives sandwiched between gang war and military style policing.

Beck's second argument is perhaps a warning that the protection of a suburban lifestyle, or the ghettoisation of the very poor away from the affluent, as we see in the *City of Quartz*, may only reduce the risk of victimisation. The police may identify hot spots and hence increase policing in a chosen area; they may even suggest that they use the practices to predict who is more likely to commit crime (as illustrated in the empirical research below) and to keep those offenders away from 'safe' areas. Furthermore, the affluent may employ practices to reduce a crime such as 'Taking a Conveyance Without Consent' by the development of steering column locks (Webb 1997) and highly advanced immobilisers. However, the result of one crime being reduced may lead to criminals obtaining their goods by other avenues, therefore 'Robbery of a Motor Vehicle', involving the more serious act of threatening or injuring the driver to obtain their car keys may increase. Iron gating around post office windows, alarms connected to the local police station along with defensible space⁸ may reduce post office burglary (Hunter & Jeffrey 1997), but it may increase post office robberies that neglect the need to break through steel barriers. In other words by tackling crime purely in the realms of defensible space and opportunity reduction,⁹ that is, as an event to be physically prevented via notions of suppressing risks (potentially dangerous groups), thus creates a situation where the end result is of a more serious nature than simply the displacement of crime (Gilling 1997: 182). As Beck notes with regards to global risks:

Sooner or later the risks also catch up with those who produce or profit from them. Risks display a social boomerang effect in their diffusion: even the rich and powerful are not safe from them. The agents of modernisation themselves are emphatically caught in the maelstrom of hazards that they unleash and profit from
(Beck 1996: 37)

⁸ Defensible space is a method of using architectural design to prevent crime. Primarily the theory views that design could encourage residents to take responsibility for their environment, therefore, designs such as high-rise buildings encourage crime because the design is such that any stranger may 'sneak' into the building and commit crime (Newman 1972).

⁹ By educating the public to take responsibility for their property and incorporating situational crime prevention practices the opportunity to commit crime will be reduced.

Beck is suggesting that even the industrialists who have created the risks of high modernity will suffer their consequences. In a similar vein to global risks, crime is not a static phenomenon, but adapts and shifts to account for new opportunities and preventative methods. With the advent of situational crime prevention, opportunity reduction and environmental design, crime may alter to the extent that criminals become more violent, more professional and more sophisticated in their methods. Moreover, a 'criminal boomerang' upon those who have invested so heavily in anti-crime devices may take place: as petty crime becomes more difficult, more organised crime, involving weapons and force may begin to increase. Moreover, it is possible that crime on this scale will aim to target those with high valuable goods. As Davis suggests, the creation of 'Fortress L. A' via its destruction of public space, restricted entry points to residential zones and privatised roads has not yet led the poor into a unanimous acceptance of suppression:

*Until the final extinction of these last real public spaces - with their democratic intoxications, risks and unscented odours - the pacifications of Los Angeles will remain incomplete. And as long as this is the case, the various insecure elites, like the yuppie-aliens in John Carpenter's *They Live!* will never know when some revolt may break out, or what strange guise it may wear (Davis 1990: 260).*

Finally, and perhaps where 'global boomerangs' may be best compared to 'criminal boomerangs' is with regard to invisible crimes. As Beck suggests, late modernity creates risks that cannot be protected by wealth:

radioactivity, which completely evades human perceptive abilities, but also toxins and pollutants in the air, the water and foodstuffs. They induce systematic and often irreversible harm, generally remain invisible, are based on causal interpretations, and thus initially only exist in terms of the knowledge about them (Beck 1996: 23).

This is very similar to the effects of invisible crimes, due to the nature of 'white collar crime' as it is usual for the victim to be unaware of their victimisation. In addition, the financial and human impact of breaking health and safety law and committing environmental offences is almost impossible to recognise and assess¹⁰ (Levi 1992: 223). Moreover, large companies who may well be involved in 'crimes of the powerful' are increasingly becoming victimised themselves by an ironical 'boomerang' committed by their middle class workers with instant access to their numerous files and data (Nelken 1994: 14). Financial frauds have caused the collapse of banks and the loss of pensions as well as jobs. Moreover, the criminal events leading up to these catastrophes are often invisible to detect.

There are also the effects of crimes committed by the state, the global war against drugs, and international arms dealing as well as the:

Turkish genocide of at least a million Armenians; the Holocaust against six million Jews and the hundreds and thousands of political opponents, gypsies and others; the millions killed under Stalin's regime; the tribal and religious massacres in Burundi, Bengal and Paraguay; the mass political killings in East Timor and Uganda; the 'autogenocide' in Cambodia; the 'ethnic cleansing' in Bosnia; the death squads and disappearances in Argentina, Guatemala, El Salvador. Or take torture – a practice supposedly eradicated from Europe by the beginning of the nineteenth century and now routinely used in two thirds of the world

(Cohen 1996: 492).

These crimes are not invisible, they exist with a large majority of the world conscious of their occurrence, however, like a global risk, nobody is safe from crimes committed by a totalitarian state. We see in Zimbabwe President Mugabe's murderous regime has arrested the opposition leader, Morgan Tsvangirai under a charge of treason, although it is doubtful that the opposition will beat the present leader who is 'expected to carry out

¹⁰ Tombs has suggested that in 1994/5 there were at least 1409 deaths caused by asbestos exposure alone in the workplace (Tombs 1999: 79).

widespread vote rigging.¹¹ Perhaps here we see similar reflections in Nazi Germany and Stalin's Russia, i.e., the point is that crimes of the powerful may reflect upon all persons at any time including industrial leaders, political leaders and aristocracy. State murders that kill millions, environmental crimes that fill the air with toxins, and frauds which destroy healthy economies are not protectable via CCTV, steel fencing or the community police officer armed with his intelligence led clipboard. Invisible crimes and crimes committed by the powerful often exhibit similarly powerful characteristics to global risks, in that they go beyond the control of the government and once created their consequences may be impossible to control without an extreme response. While in the past the west has been in the privileged position of sitting back, observing and pontificating on the suffering of various individuals under totalitarian rule, the crimes of these governments are now capable of effecting more than those who reside in their countries. Atomic and chemical weapons may provide any leader with the power to punish any race, creed or country. While dictators have been left free to torture their own people, they are now capable of torturing us all, creating a 'boomerang' as large as any global hazard.

Calculable risks

Secondly, the use of risk in modern crime control has been theorised as an insurential and actuarial practice (Ewald 1991; Castel 1991; Feeley and Simon 1994) creating aggregate populations to be managed rather than treated, rehabilitated or punished. Practices such as situational crime prevention¹² provide the mechanisms to manage whole populations (housing estate, road, village) without interference in individual lives, and can therefore be considered as part of an actuarial regime. This form of risk will be considered along with calculative risks that do not result in practices of actuarialism, but utilise risk data to establish individuals in need of counselling (drug rehabilitation, parenting skills, violence management). This theoretical discussion will establish via empirical research, that risks in policing practices (crime hot spots) is best understood as actuarial justice. Since 1829 the remit of policing has rarely involved counselling – police have always aimed to 'manage' the most 'dangerous' categories in society and perhaps this is why techniques

¹¹ The Guardian Unlimited 25th February 2002.

¹² See chapter one for a definition of situational crime control.

of risk and actuarialism have become popular in modern policing methods.¹³

In everyday language we have established that the term 'risk' is understood as a synonym for danger or peril. Within insurance it does not denote an event but a 'special mode of treatment of certain events capable of happening to a group of individuals' (Ewald 1991: 199).

Calculable risks utilise insurance technologies to 'designate neither an event [bad or good] nor a general kind of event occurring, but a specific mode of treatment of events that may happen to a *group* of individuals' (Ibid.). Insurance through the category of risk objectifies every event as an accident' (Ibid.). Risk as a term of insurance deciphers 'riskiness' for the purposes of calculating what insurance will be sold to which groups and at what cost (Austin 1983: 517). In order to assess risk, it is necessary to focus upon the behaviour of some existing group of individuals possessing a common trait' (Austin: 1983 534). A person's social status, for example, infers a specific style of life, and a perception of their 'riskiness' as a group. As well as social status insurance practices identify a number of risk factors including occupation, age, sex and territories. Therefore, a male, under twenty-five years of age and living in a high-crime area will pay much higher car insurance premiums than a female, aged fifty and living in a low crime suburban area. Interestingly, it is these types of characteristics the police utilise to decipher the riskiness of a particular person, place or crime, so risk has become, in criminological terms, the calculation of data to provide information on who is more likely to commit crime, what crime is likely to be committed and where this crime will take place.

One of the primary practices derived from risk analysis has been the transfer of risk calculations onto data maps to illustrate a variety of crime patterns such as 'hot spots' of crime. In Chainey's study of crime mapping a variety of characteristics were used to analyse where and to whom burglary was most likely to take place. The results illustrated that burglaries were more likely to happen in the poorest areas - in fact the very poorest estate in the London Borough of Brent suffered the greatest number of burglary crimes. In this example the Geographic Information System (GIS), although

¹³ This was not the only route that policing could have taken. We see in other countries such as Japan the police are encouraged to work as social workers.

organised by local police, is utilised by councils to help decipher the best use for community safety initiatives (Chainey 2001: 96). There are great advantages to this because the most vulnerable, whom they view as the most victimised, can be provided with special crime reduction initiatives (e.g. youth clubs, neighbourhood watch). Risk analysis also provides advantages to personnel who work in the community, e.g., LeBeau highlights how GIS in Carolina is being used to identify hazardous police space allowing police officers in 'high assault areas' better protection and this in turn could be used for probation officers, doctors and paramedics on home calls (Ibid: 98).

On the other hand mapping fails to reflect the victimisation experiences of people and households with common characteristics other than location (Pease 2001:229). The risk of domestic burglary, for instance, is difficult to map when high-risk characteristics do not necessarily include location but rather whether the head of the household is between sixteen and twenty-four, a single parent, or whether the home is in an area with high levels of physical disorder (Ibid: 230). Pease is not anti-crime mapping, but suggests that until all risk categories can be included on crime maps, concentration on repeat victimisation rather than crime mapping would be more beneficial.

It could also be suggested that risk analysis tends to be about targeting the usual working class crimes, in the usual working class areas, which in turn neglects crimes such as domestic violence and frauds. By classifying certain groups as highly criminal, powerful groups committing serious crimes may be overlooked (Scranton & Chadwick 1996: 291). Forty percent of police stations now use risk analysis to decipher 'potential criminals' but the danger of this is that the justice system reproduces social inequality by focusing on the lower class (Van Swaaningen 1997: 3). For example, Ladanyi investigates a police claim that certain areas in Budapest contain high concentrations of offenders. By reassessing the data he found that past offenders were spread throughout the city and finding that offenders with low educational attainments were given longer sentences, 'this can be partly attributed to the fact that under-privileged people are often sentenced for longer than more privileged people who have committed the same crime, because of their experience and lack of proper legal defence' (Ladányi 1992: 106). Low sentence offenders were spread quite evenly throughout Budapest, except in the very affluent areas. Contrary to police research there was no criminal subculture living in particular parts of the city and in the very poorest of areas, such as the inner city slums,

the proportion of imprisoned people was no higher 'than the proportion one would expect given the low status of the people living in these areas' (Ibid: 107).

As well as criminal areas, risk technologies are being used to provide knowledge on high-risk offenders. Greenwood (1999) suggests that single parenting and the severity of a juvenile record are two of the best predictors of adult criminality; he advocates that by calculating the 'high-risk' family, violent crime may be reduced. His theory is based on criminal statistics illustrating that violent offenders largely come from single parent families. His analysis leads him to suggest that primarily education is required for 'high-risk' young women on how to avoid unwanted pregnancies. If 'high-risk' women (poor, uneducated) do become pregnant, he further advises, that the risk of their children becoming delinquent could be prevented by ordering their attendance on a variety of programmes including one of the following:

Sensory and developmental screening for children at ages twelve and twenty-four months

Condition one plus free transportation to regular pre-natal and well child visits;

Condition two plus nurse home visitation during pregnancy

Condition 3 plus nurse home visitation during child's first two years.

Programmes illustrated that child abuse or neglect during the first two years of the child's life were substantially less among those receiving the postnatal home visits. Among those most at risk (poor, unmarried, teenagers), the difference in abuse levels between those receiving no services and those receiving the postnatal home visits was nineteen per cent versus four per cent. There are counter arguments to the findings of this research e.g., the empiricist Hirschi, in his substantial research project established no connection between deviance and single parenting. Rather he found that 'good' parenting created an attachment from the parent to the child that would stop them from wanting to shame or disappoint their parents (Hirschi 1969).

Secondly, there are methodological problems with choosing single parents as the sole study group. Hirschi's reasons for doing so were based on studies and statistics, which illustrate that delinquent children, tend to come from poor, violent, single parent families. However, the assumption that single parents are 'high-risk' ignores studies

suggesting that violence against children occurs in a variety of social backgrounds. However, while some argues that violence against children occurs in all social groups, this is misleading because it tells us little about the proportions of different social groups and their experience of violence. Nevertheless, he argues that child deaths from abuse mainly occur in poor families. Had Greenwood's analysis considered the effects of these programmes on a variety of social groups the results would have provided far more valuable data on the extent of abuse in a variety of social groups.

Although the use of risk in crime control does not necessarily denote actuarialism, risk may stand as a single technique adopted to decipher specific types of information - it is the practices derived from risk data that create an actuarial regime. For example, in Greenwood's study post natal programmes would have been irrelevant to an actuarial justice where any kind of counselling programme is outside the remit of a regime that takes crime for granted and accepts deviance as normal (Feeley and Simon 1994: 173). Actuarial justice is not interested in 'ascertaining responsibility or, making the guilty 'pay for their crime' or changing them. Rather it seeks to regulate groups as part of a strategy of 'managing danger' (Ibid).

Johnston describes the use of risk in policing as 'risk management', suggesting that practices we presently see being used in the police (e.g. risk analysis) have been adopted from commercial risk management'. In this respect 'risk management' is 'actuarial, proactive and anticipatory, its deployment requiring the collation and analysis of information about and the systematic surveillance of those at risk or likely to cause risk' (Johnston 1996: 192). Ericson follows a similar line by asking the question, 'if the police spend relatively little time on directly protecting persons and property against criminal threats, what else are they up to?' The answer lies in considering the police as 'knowledge brokers, expert advisors and security managers to other institutions' (Ericson 1994: 151). Data derived from risk files is used in an actuarial form:

In risk society the focus on deviance-control-order is beginning to be displaced by a focus on knowledge-risk-security. The concern is less with labelling of deviants as outsiders, and more on developing a knowledge of everyone to ascertain and manage their place in society. The concern is not so much control of

*deviants in a repressive sense, but the constitution of populations
in their respective risk categories
(Ericson 1994: 168).*

What Ericson describes in the above quote is an actuarial form of policing, one that is based on the collection of data to manage and segregate those of differing risk categories. The extent to which risk data is actually used in an actuarial regime will be explored in the empirical research, since it could be suggested that the risk analysis carried out by intelligence units or police research groups does not dictate the 'type' of policing carried out by the uniformed officer.

A consideration of risk may lead us to a variety of practices. First in terms of Beck we see risk as a way of understanding the effects of crime upon society, especially invisible crimes and crimes of the powerful that are similar in their effects to global risks. Second, risk as a term of insurance provides mathematical techniques to calculate who, where and when. This data may be used in a variety of ways, for instance, it provides a base of knowledge about who commits crime and allows this data to be correlated with other statistics such as social deprivation or environment. In turn, governments may use the information to establish suitable social crime prevention policies. Such schemes may include better youth training, greater provision to welfare and improved housing with the back up of social and police 'care' in the traditional sense of 'community policing'.

For the last ten years the majority of writers have related risk to a regime of actuarial justice, which refutes social crime prevention and looks to managing populations via situational crime prevention, target hardening or environmental design. In other words under this form of risk management crime is no longer an event to be prevented by social mechanisms but a risk to be managed by insurential, risk or actuarial practices. It is to risk, as a mechanism of actuarialism, that we now turn.

Actuarial policing

A large area of police work could now be described as 'knowledge gathering' (Ericson 1994), and the very task of collecting data in order to place individuals in risk defined categories leads to specific forms of treatment that a sub-population may experience. In

chapter five the research finds that in North Town youth that dressed in a certain way were treated as a high risk group and policed as such. They are treated not as individuals but as aggregates of the population they belong to. In North Town the youths defined as risk were trapped in a circle of warrants, arrest and release, being constantly managed through public and private policing (including shopping centre security guards and council employed CCTV operators).

In their 1992 paper, Simon and Feeley discuss the 'new penology' as an emerging set of discourses, objectives and techniques. The objectives of actuarial justice are not about punishing or rehabilitating:

It is about identifying and managing unruly groups. It is concerned with the rationality not of the individual behaviour or even community organisation, but of managerial processes. Its goal is not to eliminate crime but to make it tolerable through systematic coordination

(Feeley & Simon 1992: 455).

The actuarial objectives infiltrating the criminal justice system have become transformed into a 'technocratic rationalization' that 'tends to insulate institutions from the messy, hard to control demands of the social world' (Ibid). By concentrating agencies' efforts upon indicators that can be easily controlled, components of the criminal justice system such as recidivism change in character. While recidivism once located levels of success it has become far less important e.g., instead of calculating how many offenders re-offend after parole, the success of parole may be based upon the time lapse between arrests and due process hearings (Ibid). Brining fault out of the criminal justice system and replacing it with dangerousness and management not only removes individual-oriented doctrines of criminal procedure, but places management rather than success as a priority. Neither Feeley nor Simon consider policing as actuarial. However, employing their actuarial discourses this study will examine whether the objectives that have become so evident in the criminal justice system are as prevalent in policing practices.

A central feature of the new discourse is the replacement of moral or clinical descriptions of the individual as 'mad', 'bad' or 'slightly off the rails' with an actuarial language of probabilistic calculations and statistical distributions applied to the production of populations (Feeley & Simon 1992: 453). The question for the criminal justice system has shifted from 'dealing' with individual problems through punishment, rehabilitation or reform to 'managing' populations. Since the individual is less important under practices of actuarial justice and there has been a decline in the importance of fault, we also see a recent move towards no fault and strict liability. For instance, under licensing law it is a strict liability offence to sell alcohol to a youth under the age of eighteen, and requirements for prosecution are purely proof of sale and the age of the youth. Mistakes or knowledge of the server's intent (*mens rea*) are quite irrelevant for the purposes of prosecution¹⁴. This in turn allows the police to 'manage' the crime quite effectively because any person caught serving a youth less than eighteen years of age is automatically guilty. The police have little to do apart from 'catching' the server 'in the act'.

Most police forces in Britain would now claim to be engaged in 'crime management' (Maguire 1997). For the police, 'management' and the evasion of individual responsibility, guilt or intention have some obvious advantages since they allow flexibility in choices of tactics and the time to strike (*Ibid*). However, more importantly, they remove the need for interview-based evidence e.g., the publican who is caught selling alcohol to a person under eighteen may not even receive a police interview, just a court summons to attend a magistrate's hearing. This form of justice has to be the most simplistic of all since it removes motive, intent and reasoning thereby bringing guilt purely down to the *actus reus*.

A further example of policing without 'fault' can be seen in the new 'Anti-Social Behaviour Order' law. This is a Civil Order which can be applied for by local councils or the police on the basis of a relatively low level of evidence. When breached however, it gives rise to strong criminal sanctions including imprisonment. This can be seen as a back door method of managing a social problem with no concern for fault or reasons, merely a stepped process of moving the individual from a civil warning into

¹⁴ Although two defences are allowed including due diligence and no reason to suspect, which attempt to consider intent but only from an administrative point of view.

prison. Furthermore, as Maguire notes such sanctions are discriminatory, as they tend to target particular classes of individuals in order to exclude them rather than deal with them (Maguire 1997: 173).

Secondly, the criminal justice system has come to be concerned primarily with sub-populations and categories of crime. Therefore, techniques such as those within incapacitation become more important as they provide a number of risk factors to identify risk without the need for probing into their individual problems. Incapacitation has risen (Feeley & Simon 1994), with the idea that changing or punishing the individual may be fruitless, but detaining offenders for a period of time delays their criminal intent i.e., 'the aim is not to induce altered behaviour as a result of rational calculations by individuals, but the management-through-custody of that segment of the population that is dangerous' (Ibid: 177).

The risk factors used for the purposes of incapacitation have caused several commentators to criticise their effects. In Hudson's 1995 paper, for instance, she argues that the risk criteria for decision-making originally created a belief that sentencing would become fairer since 'discretion', which often led to prejudiced decisions, would be reduced. Rather, the risk criteria for assessing the future possibility that an offender will re-offend prejudices, for example, black people even further. 'Criteria such as a stable home or employment record obviously disadvantage black people who have higher rates of unemployment, and face more discrimination in housing, than do their white counterparts' (Hudson 1995: 12). Again, we see actuarial variables used in incapacitation prejudicing the unemployed or homeless. Hudson suggests that the consequences of using risk techniques is that prejudice in sentencing will gradually depart from purely racial divides and move towards the prejudice of all poor, homeless and jobless youths as one sub-population.

We have already established that the police are 'knowledge brokers' 'a central activity of their institution is the social production and distribution of knowledge for risk management and the definition of subpopulations'. (Ericson and Haggerty 1997:153). An example of this 'knowledge gathering' is found in Bennet's empirical study. In it he explores strategies employed by the police to identify criminal areas and offenders in need of targeting and he argues that concentrating crime prevention methods on high-

risk targets is more effective than dispersing resources across the board. Therefore, high-risk groups such as truants are targeted via police teams, who walk the streets looking for possible truants (1994, 1998).

Finally, the advance of statistical methods permits the formulation of concepts and strategies that allow direct relations between penal strategy and the population: 'rather than simply extending the capacity of the system to rehabilitate or control crime, actuarial classifications have come increasingly to define the correctional enterprise itself' (Feeley & Simon 1992). Within the criminal justice system, these discourses are quite evident through the courts concentration on specific crimes as they become more common (mobile phone theft). In other words, the courts have the power to make certain crimes more 'criminal' than others. Furthermore, their propensity to do this is achieved through statistically calculating some crimes as more serious and of greater concern to the public. As Hudson notes the discourses on incapacitation often involve 'war on crime' strategies, and these strategies are based upon risk data derived from the crimes of the dangerous classes (1995: 9).

The police are now very much part of deciding what the crime problem is and the following research indicates the intelligence unit creates priorities of crimes and priorities of people to target. For Garland, the police have created a new field for authorities to know and to work upon (Garland 1996: 455).

Policing actuarially in South Town?

This section will examine the empirical evidence illustrating discourses of the new penology in order to establish the extent to which policing in South Town is actuarial. This will be achieved by first discussing the techniques found in the intelligence unit; the duties and practices of uniformed officers; and the information given at two o' clock briefings. The techniques will then be compared to actuarial discourses and the overlapping features of risk management and crime minimisation as suggested by Feeley and Simon (Feeley & Simon 1994).

Intelligence unit

The primary job of the unit is to define 'hot spots' and 'hot people', which means that certain people and areas commit and contain a high incidence of particular types of

crimes (burglary). The theory behind this being that by identifying specific high crime incidents policing can be more efficient and effective because it is directed upon the prevention of 'known' crime. However, the Sergeant of the intelligence unit commented that what 'we see as a risk and what the police may actually police are two very different things' (Research interview, unit Sergeant South Town police station 2001). The unit Sergeant may suggest to his superiors that policing should be increased, for instance, in Smith Street between the hours of 3:30pm and 5:00pm Wednesday to Friday, and his suggestion will be based upon the analysis that car crime in this location at this time and on these days is above the average that this street normally experiences. However, staff shortages equate to no free police officers, because they are preoccupied with responding to public calls and emergencies. This scenario has been made worse by the events of September 11th 2001. A number of police stations must provide four of their officers per day to go to an inner city area and walk the streets on anti-terrorist duty. This of course is very frustrating for the unit Sergeant whose realistic argument is that extra policing will not prevent extreme crimes of terrorism:

*Our view in the unit is that by reducing crimes we can actually reduce the number of times an officer is called to an incident. Fewer burglaries equal less call outs and more officers free to prevent crime we need to get to the stage where less call outs equal more preventative policing
(Research interview with police Sergeant, South Town Intelligence Unit 2001)*

When an obvious problem is taking place in a particular area the unit officers may provide some police presence on the streets themselves, but this was not a common occurrence and not one that I was able to observe. The unit also left their office to talk with 'known' offenders, to let them know that the unit were still 'hot on their heels'. Other jobs that the unit may undertake are specific research studies, for example, CID may request information on a suspect or area for the investigation of a serious crime. To understand the work of the unit I have split the analysis into an examination of crimes and places and people.

Techniques utilised for the identification of crimes and places

The term 'hot spots' relates to areas within the station's district with a high incidence of crime. High incidence is difficult to define but depends on 'acceptable' levels of crime as set by the division. To identify and classify 'hot spots' analysts employ aoristic counts which are then placed onto a computerised mapping system. The 'map info' (computer with maps) contains detailed maps of all areas that South Town station covers and some areas beyond. There are a variety of different maps available on the system including street maps, which may be used for the purposes of preparing evidence for court. For example, the crown prosecution may ask the analyst to prepare a detailed map of where an offender ran after an incident to compare with CCTV footage. It might be suggested that the map provides a verification of the person's actions. The map however is created by what the police 'believe' to be the person's actions after an event and, do not provide the actual movement.

The common type of map is one outlining a particular place and which illustrates, in colour, the incidence of crime in that area, the number of convicted offenders living in that area, or perhaps a high incidence of repeat victimisation. Anything that can be counted can be mapped, for instance, an area with a high residence of convicted offenders makes this a high-risk area, and the information is passed onto the local council and CCTV operators who observe the activities of residents. In chapter five we shall see how this type of data is being utilised by CCTV operators to monitor places not for any particular purpose but because it is a 'known' place of residence for a number of past offenders.

Police hang out around their streets as they hang out around others and let them know that we are watching, we also target high criminal areas to give them Christmas cards just simply saying a merry Christmas from the Met

(Research interview with police Sergeant, South Town Intelligence Unit 2001).

Crime mapping works by comparing data and placing it upon maps or graphs to illustrate where police targeting is required. For example, one analyst entered (automatically) the addresses of persons convicted of 'robbery against the person' for a

period of one year and found that those who commit this act in one town (a low socio-economic area) usually live in another town (a higher socio-economic area). We can map 'Bad guys to XY & Z' he stated. 'Mapping allows more specific policing of their areas, watching where they go, so if a suspect from one town heads for another the police know why' (Research interview with police civilian staff, 2001).

The vehicle crime desk focused on who committed vehicle crime and where it occurred. For example, the vehicle crime team were able to pinpoint specific information i.e., the unit calculated that car crime is most common on Thursday at 2:00am. The second example showed crimes of assault, this included very basic assaults to grievous bodily harm and assaults reported in the home. The figures illustrated that in South Town the majority of assaults take place on a Friday and Saturday night and the most dangerous times on a Friday and Saturday night are, in descending order of risk, 12:00am, 11:00pm and 2:00am.

Techniques utilised for the identification of criminal people

In the North Town study, it was found that a number of characters had become infamous to the CCTV operators and the police. By observing the intelligence unit, it became possible to see the way in which these people become 'known'. In South Town Gary Fibb is an infamous local character - he had committed a lot of crime, but had not served a prison sentence.

His file was shown to me as an example of the typical pieces of knowledge held on offenders or suspects.

Category	Description
Associates	Friends and family of the offender
Addresses	All addresses of the offender plus addresses of family members
Vehicles	Description of offenders vehicle
Phone	Mobile and landline numbers
Objects	Items frequently carried (weapons)
Repeats	Characteristics of crime
Marks	Items such as tattoos, distinguishable markings or characteristics
Appearance	Description of height, colour, dress
Warnings	Violence, carries weapons, needles
Other	Any other information
Alliances	With political groups
Images	Pictures of known offenders
Links	To other divisions who also have information

The civilian member of staff who showed me this example stated that Gary Fibb probably committed most of the petty crime in the area and although this was difficult to prove, it was a 'fact' believed by the staff member. The information on Gary's geographical position was provided by beat constables, on who sighting Gary would write a note on the intelligence system. The job of the operator was to look at the information and enter it into the file of Gary Webb. Most information was quite useless, like 'saw Gary Fibb enter local shopping market wearing black jacket'. There were 131 entries of this sort, allowing the intelligence unit a full run down of his entire wardrobe and daily activities. The information is not actually used in everyday policing, but it is an intelligence file maintained for future reference:

These files do not aid us in every day policing apart from the fact that they tell our officers who to keep 'an eye on', they are there in case anything happens in the future, so we may be able to tie the sighting of him in with other information, work out if the crime took place in his haunts or involved one of his acquaintances

(Research interview with police Intelligence Unit Analyst, 2001).

Briefings

Briefings take place at the beginning of each shift (6:00am, 2:00pm and 10:00pm), the intelligence unit present one briefing a day at the beginning of the two o' clock shift. The preparation for the briefing is done on a PowerPoint presentation package to emphasise known faces and names.

The PC who presents the meetings explained that he didn't really feel that many of the officers on duty took note of what he was saying; during the meetings some officers paid attention more than others, asking questions and probing for more information. Briefings also provided a time for the intelligence officer to gain any new information on known offenders or offences from the beat officers.

The presentations included mug shots of known offenders, asking the officers to keep a 'special eye' upon their activities and requesting that should their behaviour be out of the ordinary to report this to the intelligence unit. When I asked the PC after the briefing what he meant by out of the ordinary he stated 'being out of his usual hang out places, hanging out with people that we don't know'. The room in which the briefings took place was littered from wall to wall with known suspects and all officers were encouraged before their shift to read the notices and to look out for these individuals. Some of the persons were not actually wanted by the police, but were 'known' troublemakers, others whom the police needed to 'keep and eye on'.

Can policing methods be labelled as actuarial?

To assess if policing in South Town can be labelled actuarial, the above techniques will be assessed to discuss whether or not policing practices in the intelligence unit lead to population management, risk minimisation and practices of prevention.

Population Management

The evidence illustrates that the intelligence unit employs techniques that create and treat individuals as an aggregate of the population to which they belong. Individuals are transformed into aggregates by their treatment as variables on an actuarial table. Their place on this table is defined by various risk characteristics such as past offences, associates and their residential address. Linked together they create a risk profile. Once the individual is 'data banked' they are no longer merely criminals, victims or suspects,

but they become aggregates of a population defined by the police as 'high risk'. By this it is inferred that they 'could be' responsible for a high number of crimes.

The first point I would like to emphasise is that the intelligence unit, by concentrating upon populations, removes any need for fault and offender responsibility. The very nature of the unit is to target individuals and crimes 'making' them into a problem. By this, I mean that individuals become part of a database of 'dangerous' characters. Their place within the data banks may be a result of previous offences, or it may be due to their acquaintances, but the important point is that these people are not being treated by officers as 'problematic' persons because of their mental health problems, poor parenting or habitual criminality, but purely on the basis that they are calculated as a risk. As Feeley and Simon argue these individuals are nothing but aggregates of the population to which they belong (1994).

There is nothing new in officers keeping a special eye on known 'rogues'- the police have always concentrated on those 'habitual' criminals who commit the 'usual' working class crimes. However, the intelligence unit has created a different classification of criminal that allows briefings to specifically pinpoint who in South Town is a serious risk (to crime levels). Previously police attention may have arisen when the 'known' character committed a crime, but now just the sighting of the character creates a police reaction. They are expected to write down where they saw the person, who they were with and what they were wearing, in order to create a full surveillance record. Non-every day activities, such as visiting the cinema are noted by the police as potential risk activities. They are perhaps 'overreacting' to the existence of the criminal, making him a bigger risk than he may actually be. This takes us back to the issue of no fault discussed by Simon: by managing certain individuals in this manner, fault becomes insignificant, and various risk data suddenly become evidence of possible guilt.

This form of crime management creates little room for analysing why characters such as Gary Fibb constantly break the law. In briefings, the intelligence unit advises officers to simply observe his activities and if these activities are criminal he will be arrested. Within actuarial justice the individual is viewed not as a distinct, unique person, to be studied in-depth and known by his or her peculiarities, but rather as a 'point plotted on an actuarial table' (Garland 1996: 469). Particular residential areas were also defined as

being highly criminal, the addresses of criminals and perpetrators of reported crimes are placed onto a map indicating the areas with greater criminal numbers. By doing this, whole areas may become risk zones because they contain 'risk' aggregates. The very nature of a crime intelligence unit that deals in statistics, maps and crime analysis denotes techniques that remove the human face from crime. When a group of people become targeted it is clear, looking at the techniques of the intelligence unit, that this is not necessarily because their individual actions are criminal but because their behaviour fulfils risk characteristics.

Prevention and Risk Minimisation

The second feature of actuarial justice is that it seeks prevention of future offences. This is not the same as social crime prevention that endeavours to change the environment and the motivation of offenders (Hughes 1998: 20). Such prevention may well focus on those most at risk of committing crime, but their intention to change the mood and thought of the person through, for instance, youth programmes or employment and training programmes (Ibid: 83) makes it well outside the remit of actuarial justice. According to Feeley and Simon, actuarial justice presents 'purer forms of prevention' (1994: 178) and by this they infer a move away from socialised prevention towards prevention that targets the crime or eradicates a need to change the person (incapacitation). Prevention is aimed less at halting proscribed activities than reducing the likelihood and seriousness of offending (Feeley and Simon 1994: 178). By this, Simon is referring to risk minimisation, the idea that through prevention crime is reduced rather than eradicated.

Although the emphasis of the unit was undoubtedly one of crime prevention, there was no interest in discovering why incidents occur. Actuarial policing has no interest in any other data, apart from calculable variables. By focusing exclusively on the elements of a crime which are easily measurable, the police ignore a number of more interesting characteristics regarding the criminal act. For example, if car crime increases between 3:00pm and 3:30pm this could possibly be the result of parents collecting their children from school who fail to lock their car doors, on the assumption that a car cannot be stolen in five minutes. This in turn could lead to the police providing more effective forms of crime prevention, while still maintaining their goals of crime minimisation.

Observing the work in the intelligence unit also highlighted the extent to which the police have the power to make certain crimes more important than others. For instance, it was noted that although drug crime was quite prevalent in South Town, it was not of concern to the unit since it was considered to be 'under control'. In other words, although the existence of drug crimes on the streets is presently minimised to acceptable levels, the unit Sergeant commented that should there be a significant rise in drug crimes then this crime would become a priority crime. While I was in the unit the priority crimes were vehicle crime, robbery and burglary - however this could change if their rates are reduced or if other crimes become more prevalent. Robbery had only recently become a targeted crime because there had been an increase in reported 'muggings'. This illustrates a significant point with regards to actuarial justice: here we witness the acceptance of crime within the community so long as it stays within acceptable boundaries. This doesn't mean that the police will ignore a crime not on their priority list, but that certain crimes are given a greater amount of police time. Therefore, in briefings the intelligence unit only focused upon the individuals and the crimes that were most frequent. These in fact were not the most serious of criminals nor the most serious of crimes, just those that were in higher proportions. This exposes a serious flaw in actuarial justice, because it is driven by practices to minimise harms i.e., more serious crimes are neglected while more common ones, that may increase the criminal statistics, are given greater priority. Neither are crimes given precedence for the right reasons, robbery against the person is a serious crime that requires reduction, however it is not chosen by the intelligence unit to save individual victimisation, but to reduce overall levels of crime.

Discourses of statistics and 'naming' the crime problem (Feeley & Simon 1992) are quite evident in the intelligence unit. By focusing on a specific crime such as robbery and vehicle crime the unit can make this a 'problem' crime, and thus request resources to reduce its existence. As the Sergeant noted, if we want to reduce a crime we may have a public awareness campaign that reminds the people to watch their bags or lock their homes. In turn, this defines for the public what the crime problem 'is' e.g., if leaflets are delivered reminding them of car crime, then this crime will be become a concern.

Actuarial justice is interested in crime prevention because it allows for the management of crime. The very fact that the police undertake risk analysis infers that situational prevention is the only viable option: South Town police station does not house counsellors or social workers. Therefore, it would seem that by utilising risk, actuarial justice automatically evolves because the replacement of offenders and crimes by statistics and maps provides little option other than to reduce statistics since it is unlikely that statistics will relate to any forms of punishment or community strategies.

Conclusion

This chapter has provided an historical discussion which has considered the shift from policing dangerous people to policing risks. The connection between the dangerous classes and populations of risk is not a new one and a number of writers have identified that modern risk techniques are just another way of segregating human populations (Sheptycki 1997). The empirical research for this thesis validates this claim. The intelligence unit in South Town utilises computer technology in order to identify and classify high-risk criminals. An individual may be classified as high-risk because they have a criminal record, are 'known' to the police (for the family they were born into) or have criminal acquaintances. Significantly, the information regarding individuals is being collated so that the intelligence unit can discern populations of risk. Risk techniques utilised within the unit also allow for high-risk crimes, times and places to be calculated and if these areas are policed at the correct time, crime will be reduced. However, the research illustrate that this does not always occur because police are often under staffed.

It was suggested in chapter one that actuarial justice creates an actuarial community. I would like to briefly address this claim taking into account the information collected in this chapter. The actuarial community is a 'synthetic' community of individuals who are identified as high risk. In South Town police station, it was evident that the formation of actuarial communities was occurring. I suggested in chapter one that actuarial communities may have postcodes in common and by this I inferred that actuarial communities are area based. This to a certain extent is true because the unit was able to target specific risk areas through lists of addresses where a large number of identified individuals resided. However, not all populations have postcodes in common, the unit had created a number of other risk populations. For example, when beat

officers went out into the town they were given specific names of people to observe. If these individuals were seen doing anything different (socialising with different people) then officers were encouraged to report this to the intelligence unit. This perhaps strengthens Feeley and Simon's claim that 'new practices radically reframe the issues, and target something very different, that is, the crime rate, understood as the distribution of behaviours in the population as a whole' (1994: 178). The actuarial community may include areas with a high proportion of risk individuals, but the police also create their own actuarial community by treating all those considered as a risk to the social order with the same risk reducing practices. From this observation, further research could be conducted to consider the extent to which these practices truly reduce crime.

From the research, it would appear that techniques of identification lead to practices of crime reduction and prevention. An adoption of prevention and an acceptance of crime reduction seem almost inevitable in the intelligence unit. The very fact that the police are given the responsibility to maintain statistics and create crime maps gives them the responsibility to react to this information, in turn the police have little choice. Other than to employ crime preventative practices since the role of the police is not one of social crime prevention. Moreover, the policing of populations leads to practices that aim to reduce their effect upon the social order. Management of populations, therefore, becomes a precursor to crime minimisation.

Chapter Four

Population Control in East Town: Actuarial techniques in strategies of community safety

Introduction

There has been a recognition that under both Conservative and New Labour Administrations the control of crime has gradually shifted away from the Home Office towards local authorities (Bottom and Wiles 1996). By this, it is inferred that local authorities have been given the managerial responsibility to reduce crime, a role that has been largely fulfilled through a 'partnership approach' (Gilling 1997: 170). This chapter aims to examine the practices utilised by local councils and the police to illustrate the development of the 'actuarial community'.

In particular the chapter:

- i. *Identifies the rise of actuarialism in both Conservative and New Labour Administrations*
- ii. *Examines the use of actuarial techniques in strategies of community safety*
- iii. *Discusses the techniques and practices used to reduce youth and drug crime.*

Employing the works of Van Swaaningen (1995) and Brownlee (1998) a theoretical discussion will suggest that New Labour and Conservative policies, although differing in certain respects, have enabled a considerable growth of actuarial techniques. This is because both parties have followed policy initiatives that aim to 'manage' through a partnership approach (Crawford 1998: 171). Furthermore, both parties have adopted an ethos of advanced liberalism;¹ in turn leading to a concentration on the minimisation of street offences. This is because under a strategy of advanced liberalism the family and the home become paramount; in turn, protection of property is even more significant (Stenson 2001: 22). Moreover, advanced liberalism's push towards free market preference has encouraged the growth of private crime control agencies and 'these new commercial agencies of security and incarceration are no longer mere adjuncts to the work of public agencies but are major innovators of the technologies of crime control the agendas of state policy makers' (Ibid: 24). Such a focus has provided a solid foundation for the techniques of actuarialism to be further embedded in strategies of crime control.

¹ As opposed to social modes of government that looked to advancing the welfare state, advanced liberalism is associated with a rise of New Right philosophies that are highly moralised and look to strategies that are economically effective (Stenson 2001: 15).

The works of Feeley and Simon (1994) have been utilised to define five basic techniques of actuarial justice: information gathering; risk assessment; prevention; population management and minimisation. The empirical research has examined practices of community safety (Gilling 1997) to prove that actuarial techniques are widely utilised within East Town's crime reduction methods.

Finally, the chapter will consider how the practices of actuarialism are being utilised to reduce youth and drug crimes. We will consider 'social preventions' and 'risk based' preventions taking place in the community in order to decide whether or not the label 'actuarial community' is wholly suitable under New Labour initiatives.

The chapter, therefore, explores the following arguments:

It suggests that both New Labour and Conservative policies have aided in strengthening techniques of actuarialism, moreover, that actuarial justice has not declined under a Labour Administration. At present New Labour's push towards 'social' prevention is minimised to the extent that the actuarial community still largely represents individuals treated with preventative schemes, and, moreover, as aggregates of a risk population. This chapter argues that schemes to reduce drug and youth crime in East Town have concentrated largely on risk techniques and the treatment of individuals as members of an actuarial community.

Research methods

Findings from this analysis are drawn principally from eight interviews, and documentation published by East Town Community Safety Unit, local police and Housing Services.

Interviews

Interviewees were chosen for their specific involvement with crime control within the area of East Town and included:

Local authority

- Head of the East Town Drug Action Team, His role involves the fulfilment of a government drive to encourage crime control agencies, including the local

authority and the police, to work in partnership (in light of the Crime and Disorder Act 1998). Secondly, the role involves the coordination of a number of anti-drug campaigns.

- Hackney Offending Team. This unit came into existence through the Crime and Disorder Act (1998). The major objectives of this team are to use risk techniques to reduce crime and protect the public. Lisa was previously a probation officer, and is therefore strongly influenced by an ethos of risk, an ethos which she is trying to bring into the team.

- Neighbourhood watch coordinator. This role involves the coordination of neighbourhood watch schemes in the area of East Town. Since these schemes have been recently removed the work is aimed at building them back up in a variety of housing areas.

- Two Community Safety officers. Both of these people were employed in the Estate Safety and Risk Management team. This unit exists to combat fraud, disorder and unlawful behaviour. The field workers' responsibilities are going out into targeted community hot spots and investigating either incidents that have been reported or looking to identify crimes that are occurring. They are in effect a 'council police force'. Their perspective as field workers rather than managers was useful. The majority of interviews were with managers, who did not like their staff being interviewed, but in this case, the manager was ill leaving the staff free to be interviewed.

Police

- Superintendent in charge of the Crime Prevention Unit. He works in partnership with the local authority aiming to 'educate' people on how best to reduce crime. He is also in charge of operational policing which endeavours to use intelligence to target specific areas and people.

- Detective Inspector in charge of the Community Safety Unit in East Town. This unit has a number of specially trained police officers that deal with hate crimes,

including crimes based on prejudice and domestic violence. The Community Safety Unit was born out of the domestic violence unit - detectives without specialised training originally dealt with domestic violence. The introduction of the unit has enabled specialised personnel to deal with the reduction of hate crimes.

- PC One PC Two (interviewed together)
- PC Three (interviewed alone)

These officers work in the crime prevention unit. Their primary role is to visit locations and to give lectures on best crime prevention. They also visit houses and fit locks or provide personal advice. As a team, they are in charge of defining areas in need of crime prevention lectures or crime prevention practices (CCTV, better lighting). These areas are identified by CRIMIT² as being areas with high crime rates.

Local Authority Documentation and Statistics

East Town council has published a number of documents to advertise and explain their 'Safer Communities Partnership'. These pamphlets give detailed information about the strategic plans, key targets and key priorities that the local authority, police and other agencies are concentrating on. These pamphlets are particularly useful because they provide documented evidence of the targeted areas in East town. The description of their key priorities is also a useful resource to illustrate techniques of risk assessment, targeting, and crime prevention.

East Town sits within an inner city area, it has an estimated population of 194,000 of which almost a quarter is under the age of sixteen (Safer Cities Campaign, East Town, 2000). East Town has attracted a diverse range of immigrants, refugees and asylum seekers. A third of the borough's population is from ethnic minority groups. The unemployment in the borough is around 14.7%. Unemployment rates for ethnic minority groups is considerably higher. Two thirds of households in the town have an income of less than ten thousand pounds. East Town rates as one of the most deprived

² CRIMIT is an acronym for criminal intelligence, a computerised system that takes in data of criminal events, people and addresses then produces information that can be utilised for risk assessment.

areas in the country. All wards are in the worst 10% nationally and nine wards are in the worst 3%.

Other indicators of social deprivation in East Town: 58% of residents live in social housing, 50% of children receive free school meals and long-term illness and disability rates are extremely high. East Town experiences high levels of mental health problems and has amongst the highest admission rates to psychiatric hospitals in the country.

Political influence on increasing uses of actuarial techniques

Both the Conservative and New Labour governments have adopted actuarial techniques in Home Office policy (Feeley & Simon 1994) but this does not necessarily mean that both have initiated the same crime policies:

At first impression there appears to be a strong and obvious connection between the rise of conservative political stances and towards crime, actuarial justice, and liberal stances and a traditional due-process focus. Although there may be some connection, it is neither obvious nor strong, and it is our contention that actuarial thinking represents deeper 'pre-political' thought that cannot easily be associated with conventional political labels

(Feeley and Simon 1994: 190).

Feeley and Simon (1994) view actuarial technologies as something more powerful than a practice that is chosen or disregarded by a political party: 'actuarial practices are gradually forming a surface over institutions and social policy arrangements that make them conducive of political and moral charge' (Simon 1988: 798). O'Malley refutes this argument, suggesting that the spread of technologies is most likely to be the result of their appropriateness to particular ends, 'and this in large measure will be related to political struggles which establish programmes on the social agenda' (1992: 258).

According to O'Malley, these political struggles are largely inspired by neo-conservatism's economic rationalist philosophies, so the aim of actuarial justice can

be seen as, 'stripping away socialised risk management and replacing it with a pragmatic combination of privatised prudentialism' (Ibid: 257). This utilises ideas of economic rationalism³ with a view to encouraging individuals, councils or businesses to take responsibility for their own safety through, for instance, situational crime control (personal alarms, cameras, barbed wire, Business Watch). Dispersing the cost of crime away from the government and towards the 'community' is a contributing factor to the rise of actuarialism (O'Malley 1992: 257).

Stenson describes a similar pattern as the rise of 'advanced liberalism', observed in both Conservative and New Labour governments (2001: 18) that have enabled administrations to follow an ethos of 'personal responsibility and more local communal responsibilities' (Stenson 2001: 22). Furthermore, both parties have adopted a move away from the, 'bleeding heart' perspective that is sympathetic to the offender rather than the victim' (Stenson 2001: 17). What is more significant in respect of Labour's move towards this ideology is that it represents the removal of welfare rights, changes in the use of imprisonment, and a following of harsher schemes such as 'three strikes and you're out' (Ibid). The most right wing aspect of advanced liberalism is the actuarial techniques of population management but as Stenson notes:

The targets of these policies are disproportionately poor whites and the visible ethnic minorities. Hence, building a consensual community among the majority comes at the price of ghettoising
(Ibid: 18).

The adoption of advanced liberalism in both parties has helped to embed actuarialism into crime policy, because a removal of welfare rights and greater emphasis on individual responsibility equates to community safety through crime prevention.

However, Stenson comments that it would be an over exaggeration to label New Labour as 'Conservatives in disguise'. This chapter agrees with Stenson's point and illustrates a number of policy initiatives that distance Labour from the long period of Conservative

³ By economic rationalism, O'Malley is referring to a methodology that considers efficiency through factors of cost effectiveness.

rule. For example, while the Conservatives largely ignored the rates of domestic violence and hate crimes and rejected any social reasoning for the incidence of crime, Labour have made them part of their political strategy in reducing crime:

Beyond the growing use of technologies of risk management in crime control the distinctive feature of the new 'progressive governance' administrations is, by contrast with their Conservative predecessors, in every case, the attempt to link 'tough on crime' policies with those which are 'tough on the causes of crime'

(Stenson 2001: 16).

This quote recognises that New Labour have attempted to bring in 'social' forms of crime prevention. We will discuss whether this might lead to the demise of the actuarial community.

The New Right

The 1980's Conservative government prided itself on being the party of law and order. They minimised the 1970's use of rehabilitation while increasing retribution. Boot Camps, 'job culture', street crimes and football hooligans became the focus of Home Office policy and discourses of crime turned to individual responsibility rather than society. The 1980s witnessed a persecution of the single parent family. In the Conservative manifesto of 1987 it stated that:

The origins of crime lie deep in society, in families where parents do not support or control their children, in schools where discipline is poor; and in the wider world where violence is glamorised and traditional values are under attack

(Conservative Manifesto 1987).

Margaret Thatcher's son may have been accused of trading in arms, his move from America to South Africa may have been related to a corrupt financial deal, and his move to South Africa may have ended in revelations that his financial company were

corrupting police officials, but his mother carried on espousing 'good' housekeeping, 'good' mothering, 'good' moral values, and 'good' child discipline.

Individuals were encouraged to be at their most 'moral' at a time when the economic climate was encouraging a respect for a 'Yuppie' lifestyle. This 'respectful' lifestyle may have included any number of illegal trading frauds, from banking to breaches in health and safety. However, these types of crimes were down played by the Conservative government as 'victimless'. People in positions of power were considered to be carriers of the economy and therefore their 'little indiscretions' were treated with some leniency, e.g. the arms trade that Mark Thatcher may or may not have been involved in made the government 25 billion pounds and provided Saudi Arabia with a variety of modern weaponry. Van Swaaningen notes:

People on the dole only cost money; that means there is little weight on the other side of the scales of the accountants of justice. The point is not really whether you do harm to society, but whether the balance of the economic costs and benefits of one's behaviour is positive or negative
(1995: 176).

While minimising the crimes of the powerful, the Conservatives, through strategies of Administrative Criminology, emphasised crimes such as robbery, burglary and car theft as the most immoral and the most dangerous (Clarke 1997). Concentration was placed on the need for harsher punishments for street crimes, as Wilson, a leading proponent of Right Realism stated:

It also reflects my conviction, which I believe is the conviction of most citizens that predatory street crime is a far more serious matter than consumer fraud, antitrust violations and prostitution and gambling
(1975: 201).

The consequence of such beliefs was draconian policing methods, legitimised by the idea that such crimes were a danger to the rest of society (Coleman & Sim 1996). The popularity of strategies with actuarial undertones can perhaps be explained by the fact that dealing with crime becomes not so much a matter of justice but more to do with what is economically viable:

Actuarial justice's rationale of efficiency is inspired by free market discourse, and so is its logic of risk. The point is not really whether you do harm to society, but whether the balance of the economic costs and benefits of one's behaviour is positive or negative. The shift in the public's attitude to fraud, which went from white-collar criminals to social security scroungers, is a good illustration of this tendency
(Van Swaaningen 1995: 180).

The Conservative Home Office of the 1980s made it clear that their policies were not to target the root causes of crime. The propensity to commit crime was not merely a lack of morals but also the fact that the individual was economically rationalist and capable of measuring the advantages of committing crimes (Clarke & Cornish 1985). These ideas led to policy initiatives that sought to physically contain crime. The 1980s saw an adoption of ideas such as 'designing out crime' (Gason & Wilson 1989) and Situational Crime Prevention (Clark 1980). As Brake and Hale note the ethos reflected a notion that:

Since we cannot make people more honest, we must rely instead on making stealing more difficult, and increasing the likelihood of getting caught and punished. Forget any idea of progressive social change; concentrate instead on the management, control and surveillance of public places
(Brake & Hale 1992: 20).

By moralising about 'good people' and 'bad people', 'good families' and 'bad families', society and the government reject any responsibility about creating or curing the

criminal. We are left accepting that bad people do bad things, which leads directly to a very commonsensical reliance on security, surveillance and various forms of situational schemes. Technologies of actuarialism may have existed in government policy for some years (O'Malley 1998) but in shifting policy towards prevention (in a security and surveillance sense) and away from cure, we see a huge increase in the need for these technologies because security, surveillance and situational crime prevention all work upon a foundation of risk (Johnston 1997).

A move towards 'managerialism' is another result of actuarial influences upon crime control. As Van Swaaningen notes, 'despite the revival of traditional moralistic discourse, most of the actual legal developments are characterised by managerialism' (1995: 180). Here we see a criminal justice system shifting its working ethos to that of a business organisation (Christie 1996) with business managers and risk assessors. For example, the probation service traditionally provided assistance to the offender but now the service relies on the actuarial practices of case management, input trajectories, result-oriented offers, product registration and result measurement (Van Swaaningen 1995, Simon 1994).

'Moralising and managerial orientations seem contradictory, but on closer observation they need each other badly' (Van Swaaningen 1995: 182). First, by adopting a managerial style, administrators of justice are able to reduce complex moral dilemmas in law enforcement to technical and financial questions. This is much more effective because the system relies less on the discernment of right from wrong and more on what is financially viable. Second, Van Swaaningen suggests that moralising and managerial mechanisms fit well because 'they touch upon different parts and functions of the system' (Ibid: 183). Managers are less accountable in the same way, so they can utilise resources according to efficiency. These two major changes in the way in which law was to be organised laid quite solid foundations for actuarial technologies to grow and influence criminal justice, law and crime policy.

Overall, a move towards actuarialism would seem to have been a move away from *justice* and towards ideas that were economically viable. Social disorder was frowned upon and strikes such as those witnessed in the 1980s became less about *rights* and

more to do with control. As part of its strategy to develop social values such as nationalism, self-help and the nuclear family the Conservatives of the 1980s and 1990s fought wars on those threatening the social order, 'these included the terrorist, the trade union militant, the football hooligan, the permissive teacher or the 'soft' social worker' (Brake and Hale 1992: 13):

Little, if any, discussion or corporate crime, racist attacks on black people, domestics, sexual attacks, police discrimination or attacks on the gay community will be found in Tory statements of law and order
(Ibid: 14).

The Conservative Administration concentrated upon items such as Situational Crime Prevention (Clark 1997), draconian policing methods, and more importantly the management of dangerous sub-populations. This led to a disproportionate surveillance in the poorest of communities and a reliance on actuarial techniques.

New Labour

In 1997 Jack Straw, then Labour's Shadow Home Office Secretary, published Labour's proposals to prevent crime and criminality. In his report he noted that parenting, schools and truancy, drug and alcohol abuse, lack of facilities for young people, unemployment, low income, the recession, homelessness and the treatment of the mentally ill are all influential upon a person's propensity to commit crime (Straw 1997). In trying to create greater working opportunities the Labour Party promised a windfall levy on public utilities in order to finance a programme to get 250,000 young people off benefit and into work and training (Ibid). Indeed unemployment has fallen and housing availability although still problematic is steadily improving.

Better housing, curing homelessness and providing more rehabilitation for drug users became part of Home Office policy. Improvements in education and the reduction of unemployment and of individual poverty signalled a return to traditional socialist ideologies that had viewed 'non-stigmatising, non-punitive responses to offending behaviour' as the way to reduce crime (Brownlee 1998: 315). However, a step back in

time to socialist Labour was inevitably flawed. New Labour could no longer maintain the ideologies of a welfare era. After eighteen years of Conservative ideologies, England in particular had become entwined with an individualistic ethos. The very motto New Labour was designed to instruct the public that they were safe in the hands of the new Party because this time the 'wishy-washy' had been 'sacked', and New Labour were the party of 'law and order'. Subsequently New Labour have been constantly criticised for policy initiatives that reflect those created under a Conservative Home Office. For example, the Conservative government made Eviction Notices part of the Anti-Drug Abuse Act 1988: the purpose of such a law was not to 'identify the guilty but is a way of ridding areas with anti-social behaviour', (Feeley & Simon 1994: 192). Under New Labour, the same principles have been hugely popular. Local authorities have been provided with greater power to evict nuisance tenants.

New Labour also recognised that social crime prevention was essential for reducing crime in the long run. It was noted by the party that this was time consuming, so in search of new crime policies Labour turned to Left Realism (Brownlee 1998) which provided practices that focused on the 'reality of crime' and 'here-and-now' practical crime policies (Ibid). Left Realist explanations emphasised individual moral blame and this ethos was attractive to New Labour because it recognised the need of the poor to be protected from the poor but it also concentrated on situational prevention:

the existence of this alternative criminology of the left has enabled those who sought to modernize the party's attitude to crime and its control to argue, more convincingly than would otherwise have been the case, that their approach merely reinterprets and refreshes earlier critical theory, and that it remains consistent with wider socialist values
(Brownlee 1988: 321).

Brownlee's ideas have been echoed in a variety of statements made by Straw who notes that, 'poverty and lack of opportunity cause crime. But crime and disorder worsen poverty and reduce opportunity even further' (Straw 1997: 6). By this Straw is

inferring that poverty causes crime, moreover that crime reduces the quality of life for those affected by it. Above all people had a right to be free from crime:

The concept of mutual responsibility lies at the heart of the stakeholder society – a society in which we all have a place and opportunity. Securing people's physical security, freeing them from the fear of crime and disorder is the greatest single liberty government can guarantee

(Straw 1997: 6).

This is a significant point but it also highlights that according to New Labour the greatest single liberty is no longer freedom from poverty but being free from the fear of crime. The methods used to achieve this required quick fix schemes, localised to specific needs (Crawford 1998). We can see here that the whole emphasis of crime prevention is changing from long-term social crime prevention to short term situational prevention.

The Morgan Report (1991) heavily influenced policies initiated by New Labour. This report suggested that crime prevention measures would be tailored specifically to the needs of high crime areas. Furthermore, the Morgan report supported a 'partnership' approach initiated by the local crime control initiatives of the Conservative party. In 1998, the Crime and Disorder Act created a model of partnership working where equal leadership is shared between the council and the local police (Crawford 1998: 171). It is this type of partnership that is referred to throughout the chapter. The Morgan Report suggested that each local council should to be given greater powers to reduce crime appropriately in their own areas utilising the following practices:

- Neighbourhood policing with targeted patrols
- Local action to tackle drug misuse
- Security measures such as CCTV and good design and lighting
- Support for parents experiencing difficulties
- Effective action on truancy
- Training opportunities for young people

- Adequate recreational and youth provision
- Preventing crime against women
- Action against harassment and racial violence
- The prevention of repeat victimisation by targeting help on previous victims

There is an actuarial influence in many of these policy initiatives, for example, neighbourhood policing with targeted controls requires access to risk assessment so that targeting can be effective and precise. Moreover, practices of this nature assume all residents to be a risk, thus it is inferring the use of techniques of population management.

However there is much in this list that infers something other than actuarial justice, the most obvious being training opportunities for young people. The focus of control is directly upon 'changing' the individual - this is not actuarial. By considering certain community safety initiatives, it would appear that New Labour had some genuine pledges towards social crime prevention. However, The New Penology has influenced changes in New Labour (Brownlee 1998). In place of welfarism and interventionism, policies so warmly held by Old Labour, the virtues and values of the market are extolled by New Labour as the answer to the economic problems inherited by the previous Conservative Administration. For Brownlee Labour has chosen to follow a regime of prevention and *minimal* interference as laid out by the previous government (1998: 325). I would suggest that social prevention is too weak to detract fundamental policies away from actuarial justice at the present time.

Labour has endeavoured to rely upon an ethos of community safety, which has enabled the Home Office to concentrate on a variety of crimes and social areas including greater emphasis on helping youth and victims of domestic violence. Under community safety, there is also a definite interest in giving greater power to local communities, employing managers to deal with the problems of local crime, and transforming citizens into clients and consumers (Gilling 1997). Much of this is actuarial but it is also mixed with a moral ethos from social forms of crime prevention. Reducing risk is one of the main aims of prevention. For example, in tackling youth criminality Bright, a Labour MP, looks to early academic failure:

Helping high-risk children to do well in school should therefore be an important feature of any criminality prevention strategy. One of the most promising ways of achieving this goal is to make schools more effective
(Bright 1997: 23).

We can see that while New Labour may be holding onto risk based techniques, these techniques are being aimed towards a number of preventative schemes, some of which are based upon social crime prevention. However, there is another side to this. Straw has consistently claimed that a tough approach on crime is in line with the needs of the Working Class (Stenson 2001: 17):

Building a consensual community among the majority comes at the price of ghettoising expanding sections of the population into desolate urban zones that are inhabited by the poor, the addicted, the homeless, the mentally and physically ill
(Ibid).

It would appear that we are back to recognising, as under the Conservative government, that actuarial justice results in the targeting of the poorest members of society. Nevertheless, their contribution to increasing actuarial practices must be recognised within a regime that has placed greater importance on deterring individuals from crime.

No one political party has instigated an increase in actuarial practices. However, it is clear that during the 1980s a shift towards individual blame and managerial mechanisms together with a move towards Situational Crime Prevention laid a foundation for the adoption of risk technologies. The new Labour government has continued these policy initiatives in an aim to reduce crime in the short term while more long term initiatives are developed.

O'Malley's claim may be correct that actuarial justice is a resource adopted to undertake specific political programs (1992). By studying Conservative and New Labour policies, we can argue that actuarial justice remains strong because the policies

chosen by the new government remain within the remit of prevention, security and surveillance. However, the influence of actuarial justice is such that perhaps it can be suggested that the technologies of actuarialism are continuing to permeate as, Feeley and Simon suggest (1994). Not, as they argue, because they are necessarily more efficient but because of the economic circumstances that constrain all governments. Global and economic circumstances influence policy (Brownlee 1998). Regardless of various Home Office policies, the pursuit of managerialist goals has had a greater impact on the criminal justice system in England and Wales than has policy agenda:

This carries the implication that the goals and practices of contemporary criminal justice systems have emerged not as a result of politically structured policy choices so much as in obedience to what Giddens has characterised as 'processes of change engendered by modernity.... Intrinsicly connected to globalizing tendencies of post-modernity. To the extent that this is true, then while the same economic conditions and strategies prevail, a change of political party in government is unlikely to make any real difference to the development of penal policy (Ibid: 325).

New Labour may wish to consider any number of social preventative schemes, but reducing unemployment or affecting markets so dominated by economics makes these initiatives difficult to undertake. Crime is one of the leading issues in any election and politicians must promise to do something about crime and criminals. Moreover, what is necessarily right for reducing crime is overtaken by the fact that governments must be seen to be doing something about it. What may look right is heavily influenced by budgets. Actuarial justice has fulfilled this need because its implementation provides an efficient, risk-assessed strategy for reducing those crimes that the public fear the most, the crimes traditionally connected to the poor.

Actuarial techniques in strategies of community safety

For the purpose of this chapter, 'community' crime prevention does not refer to the policing of a single homogeneous group of people living and sharing their experiences.

As discussed in chapter one, this thesis takes the point of view supported by Crawford that:

community crime prevention has very little to do with communities as collective entities, but rather is concerned with aggregates of individuals or households. This type of community strategy is really a form of 'collective individualism', often involving interventions or initiatives aimed at individuals but given the gloss of 'community' rhetoric
(Crawford 1998: 125).

Drawing on the work of Hope and Shaw (1988) Crawford suggests that the 'community' plays a dual role. First, it is representative of a high-risk area.⁴ Second, individuals living in targeted 'communities' are expected to take responsibility for reducing 'local' crime i.e., the notion of 'community' provides an excuse to involve local people in the 'fight against crime'. Changing individual behaviour or securing properties are the types of crime prevention schemes that encourage individual responsibility. Community crime prevention, in this context is actuarial as it shows no concern for transforming group relations but focuses on dealing with high-risk groups (Crawford 1998: 125). After reading Feeley and Simon's description of actuarial justice (1994), we would expect, when identifying the actuarial community, to find some very specific characteristics. Their significance lies not in the individual employment of these characteristics but in their relationship with each other and their methods of application taken as a whole.

Figure 1. (see page 180) illustrates a sequence in the employment of these techniques. In the community, the actuary has a role largely played by the police, whose crime analysts work in much the same way as the actuary in an insurance company. A number of organisations gather information on a variety of crimes and people. This information goes through a process of risk assessment and enables the identification of high-risk groups. Once the sub-population is identified, preventative schemes are introduced that may not eradicate crime but will reduce it to 'acceptable' levels.

⁴ The police and council refer to high-risk areas as Hot Spots.

The employment of actuarial techniques may once have been developed through the political obsession with situational crime prevention, which was considered inherently risk based in its efforts to minimise crime and target specific populations (Simon 1988). However, understanding practices of community crime control solely in terms of prevention, misses some significant changes in the ethos of reducing crime (Gilling 1997: 93). There has been an 'overall, dampened enthusiasm for situational crime prevention' (Ibid), a consequence of a number of different factors including its 'alleged theoretical weakness, problems with displacement and the rising arguments with draconian forms of surveillance and the target hardening technologies that underpin it' (Gilling 1997: 95). The control of crime has shifted towards ideas of community safety since the late 1980s (Gilling 1997, Crawford 1998).

As a part of the community safety regime communities and individuals are being encouraged, through schemes such as neighbourhood watch, to take responsibility for localised crime:

It was decided that if the seeds of criminality lay within the community, it was the communities' task to do something about it, either by preventing its manifestations as crime, or by tackling its origins
(Gilling 1998: 95).

The community safety regime also encourages a partnership approach to solving local crime (Crawford 1998: 5). This aims to bring together agencies with very different views and crime prevention agendas. Community Safety has therefore helped to bring together situational and social prevention. Although this concept started in the mid 1980s under a Conservative regime, as a 'multi-agency' approach, it has been greatly supported by New Labour whose 1998 Crime and Disorder Act provided legal rulings to enforce 'partnership' relations of equal standing between the police and local councils (Gilling 1997: 171). Gilling underlines elements of community safety, which help to analyse the empirical research and illustrate that an ethos of community safety ties in strongly with techniques of actuarial justice i.e., community safety is the prerequisite of the actuarial community:

1. Community safety deals not only with crime but also with the insecurity of crime. To achieve this, community safety concentrates on less serious crime that tends to occur on the streets or against property:

Like the crimes community safety is most concerned with, the incivility that is perceived to occur is that it takes place in public space – ‘out there’. Thus, while there may be the occasional exception, community safety is largely confined to the crime and incivility of the streets, and not the crime that takes place within the home, or in the corporate world.

(Gilling 2001: 383).

However, in East Town, there was a significant amount of resources used for dealing with crimes in the home. Gilling’s observations are influenced by a community safety model created under a Conservative regime this illustrates that once again crime control is focused on the poorest members of society. Under New Labour, partnerships target the fear of crime and reducing the fear of crime was considered one of the top priorities of the East Town Partnership Unit.

2. While criminal justice agencies are supposed to play a much-diminished role, they are not excluded from the community safety domain (Gilling 2001:383). It follows, then, that while criminal justice’s concern may be for due process, community safety’s concern is less legalistic, but about control through prevention. To fulfil this role the research will illustrate that community safety is concerned with techniques of actuarial justice in order to ensure the effective use of practices such as situational and social prevention.

3. The rule of law underpinning traditional criminal justice is generally taken to reflect a normative consensus, whereas community safety is more expressly intended to build a consensus out of the conflicts and chaos characteristic of high crime communities. This is inherently actuarial, as it provides partnerships that have the power to direct resources effectively and directly upon high-risk populations. The research illustrated this to be an important point since partnerships had to justify the work they undertook and the

resources they utilised. Furthermore, it was noted that a lot of risk assessment is undertaken to ensure that partnerships, especially the police and council, can account for the work they 'choose' to undertake.

4. Community safety may incorporate situational crime prevention but it may also look to mechanisms of social crime prevention, crime and disorder reduction and working with victims and offenders (both potential and actual). The flexibility of community safety allows it to be problem-focused, devising novel combinations to tackle localised problems. This helps to explain the various practices being adopted within the community, however the research argues that regardless of eclectic policy practices nearly all preventative measures were seen to rely upon risk-assessments and population management.

5. Within a scheme of community safety, partnerships are utilised to take certain responsibilities away from the Home Office and to place them with localised organisations. It might be suggested that the right to 'fight' crime at a local level has been enhanced by a distinct move from keeping the control of crime firmly within the Home Office to giving greater responsibility to the police and local councils (Garland 1996: 459). It is suggested that a system that allows organisations to create their own internal rules according to localised needs increases ideas of efficiency because practices can be precisely directed towards a localised population (Feeley and Simon 1994).

During an interview with East Town's Community Safety Manager it became apparent that although the council is now committed to working in partnership with a variety of organisations, it was a relationship that neither the police nor the council naturally formed. This point was also emphasised by a number of police officers at both managerial and PC rank. Working in Partnership is now considered an invaluable scheme. One Superintendent commented that before the Crime and Disorder Act (1998) manpower and resources were being wasted because one organisation would deal with one theme⁵ and another organisation would deal with the same theme:

⁵ A theme is a type of offence, for example burglary and robbery are themes.

Requirements to work in partnership came to the fore from the Crime and Disorder Act, this really focused everybody's attention on reducing crime. From those Partnerships we have been able to create the Crime and Disorder Strategy - this in turn enables us to be far more proactive

(Interview with Detective Inspector, East Town Police: 2002).

This Act states that partnerships must find out what the local crime issues are, and establish the priorities of those who live and work in the community by consulting them. Moreover it links and strengthens the skills and resources of *all the key agencies* including the police, the council, probation services, NHS, private groups and the voluntary sector (victims support). When reading the Crime and Disorder Strategy for East Town it is clear that the partnership has accounted for localised needs. There is a focus on the crimes that individuals fear the most, such as crimes against people and property. Within this strategy, the main organisations including the police and the council create their own plans and schemes to reduce crime. Previously the government may have set targets and deadlines, now localised organisations can do this as appropriate to their area.

Gilling makes the point, and this research supports it, that while we may view community safety as quite liberal it is actually very authoritarian. While it speaks for the voice of the majority, it raises the question of whose voice. The fear is that the usual dominant voice will demonise youth street culture, homeless and beggars (Ibid: 395).

1. Information gathering

Actuarial justice is 'concerned with techniques for identifying, classifying and managing groups assorted by levels of dangerousness' (Feeley & Simon 1994: 173). The process of classifying and identifying targeted groups relies substantially on a steady flow of information being reviewed and processed through methods of risk assessment.

During the research, interviewees used 'information' and 'knowledge' interchangeably. In an everyday context, we might suggest that information is something evidence based, something cognitive to the individual person, in that different people will read different meanings into the same piece of information and, these interpretations are understood as knowledge. Knowledge is also fact based but generally connected to scholarly attainment. Knowledge can be unexplainable in that we may have any number of items in our heads that we can't fully explain⁶. Lack of information does not necessarily stop us from believing what we think is true⁷, but this is problematic because actuarial justice bases risk assessment techniques on what people think is true. In this chapter, information and knowledge are used interchangeably, as they were by interviewees - to represent data that is going to be processed or has been processed through risk assessment.

In 'Policing the Risk Society' Ericson and Haggerty's empirical research demonstrates that the police as risk assessors are also 'knowledge workers'. A key aspect of policing is sharing their knowledge with any number of internal departments and external organisations (Ericson & Haggerty 1997). In using the word knowledge, they are inferring that the police are 'experts' in identifying risk. The police provide more than information to be interpreted but also scholastic facts.

The role of the police may today be more about knowledge production than crime fighting (Ericson & Haggerty 19: 1997), but this role did not come naturally, as one officer noted:

We may work well together now but in the beginning, we were suspicious of each other. Without the Crime & Disorder Act (1998), there was no way we would have provided the council with information. They would look at us with suspicion and we would look at them with even more suspicion

⁶ For example, we all 'know' what a spiral staircase is but few can describe its shape in words, we all know that we need air to breath but few of us can explain why.

⁷ Some people who see unusual lights in a sky might believe that they have witnessed a new type of high-tech plane, others may believe they've seen an alien spacecraft, while others might 'see' that they've had a hard day at the office.

(Interview with Crime Prevention Officer, East Town police: 2003).

To ensure that 'Partnership'⁸ policing works the Crime and Disorder Act (1998) supplemental (115) states that the police have the power 'in any case where disclosure is necessary' to provide information to the council, probation service or health authority. Partnership meetings allow the distribution of this information. Each meeting will have a particular theme, for example, the Community Safety Unit in East Town deals specifically with crimes of hate such as domestic and racially motivated violence. To reduce this crime the unit frequently meets with the Domestic Violence & Racial Harassment Unit from East Town's local authority, East Town's Women's Aid and East Town's Action for Racial Hatred along with a number of voluntary groups. The police may provide the meeting with information they have received from the public about a specific address or case. Alternatively, the police may share information obtained from CRIMIT on any number of items such as high-incident areas in need or targeting.

CRIMIT⁹ is a computerised system equivalent to a filing cabinet. The interest in systems such as CRIMIT and GIS (Radcliff & McCullough 2001: 332) is that information is no longer just stored and retrieved when required. Instead, we have a 'burger' making process where information goes into a very large pot, is mixed with a variety of information and finally churned out to provide something resembling new, improved and aggregated information. Information fed into CRIMIT may originate from any number of sources, including community police officers who have become a valuable source of information gathering (Johnston 1997). The significance that the police place on information gathering is clear:

The beat officer's job is to make community contact for information. They all go out and get more and more

⁸ Partnership policing is the concept of the police, local authorities, voluntary agencies and ad hoc committees working together to reduce crime.

⁹ CRIMIT stands for criminal intelligence, a computerised system that takes in pieces of data (knowledge) such as a report identifying a known criminal. This information is then utilised to create risk knowledge.

information, its not that it's a woolly roles it's a very important role

(Interview with Detective Superintendent, HackneyPolice: 2002).

Surprisingly there was no mention of policing in the traditional sense. PCs also understood their role to be one of information gathering and listening to the 'whispers' of unofficial reporting in order to target resources to the most needed areas (Ratcliffe & McCullagh 2001: 330). During an interview, one Crime Prevention Officer noted:

During my time as a community officer, I would collect as much information as possible, put this into CRIMIT and it would be used to decide where the uniformed officers should concentrate their efforts

(Interview with Crime Prevention Officer, East Town Police 2002).

This type of information is largely unofficial and anonymous but crime prevention officers also mentioned officially reported information from residents as being invaluable:

If you have an estate and the minority are causing trouble, it is easy to deal with them by getting the information from their neighbours. You can't blame them they don't want the 'crap' on their pavement they just want to get on with their lives and be able to mow a lawn without being frightened. We use their information to pin point people, all of this information goes to intelligence and we can work on it. Almost everything we do is based on intelligence we couldn't work without it now

(Interview with Crime Prevention Officer East Town police: 2002).

There may be an irony in this because the more information that is collected on one area the higher risk the area and its residents become.

Identifying a risk community based on 'information gathering' is problematic. First, the gathering of information changes from police station to police station. Some forces record everything about known offenders, including the most trivial of items. For example, in chapter three the South Town study found that a sighting of a known criminal would trigger an immediate report, including details of the person's whereabouts and items of clothing. According to Ericson and Haggerty, others may be more selective in recording potential intelligence (1997: 10). Overall, the absence of any real guidelines presents the police with the problem of not knowing what data to retain (Ibid). With regards to the actuarial community, this also infers that risk categories are categorised at differing levels depending upon the types of classified data utilised.

Secondly, if the state and its organisations are to define risk through pieces of knowledge we need to be sure that the individual pieces of information received are in fact worthy of being defined as data. The knowledge gathered by the various sources is very important because it is this knowledge, along with criminal statistics, that identifies an area as being a risk. Fiske notes that knowledge to some is what others would consider extraordinary. (Fiske 1993:187). What is popular belief may be equally denied by an abundance of scientific rationalism, as he notes:

One in ten Americans claims to have had a conversation with Satan

One in four Americans believes in ghosts

One in ten Americans claims to have been haunted

One in four Americans believe that he or she has had a telepathic experience

One in six claims to have carried on a conversation with a deceased person

One in seven has personally seen a UFO

(Fisk 1993: 196)

The news, magazines, the tabloids and the reference library often define how we understand knowledge (Ibid). As such, what our neighbours think of our behaviour is rationalised by what they believe to be 'normal', 'criminal' or 'immoral'. In other words who is to say that the unusual looking character who visits number 23 every Monday evening is a potential drug buyer, a relative, or Satan himself. Perhaps the

processing of data gathered in the community is not providing precise details. Incorrect information could mean that communities targeted as high-risk may be less of a risk than believed, and those not targeted could be an unrecognised risk.

2. Risk assessment

A computer takes in data¹⁰ that it can process through a logical sequence, and produces information¹¹ that will provide meaning - this is risk assessment, a technique of actuarialism that helps to define populations and their levels of dangerousness (Feeley & Simon 1994: 173). For a population to be a risk, it must be possible to evaluate the probability of it committing crime. While the courts may be interested in who committed the act and why it took place, the actuary is only interested in the fact that an incident *may* occur so:

When put in the context of a population, the accident which taken on its own seems both random and avoidable can be treated as predictable and calculable. One can predict that during the next year there will be a certain number of accidents, the only unknown being who will have an accident, who will draw one of existence's unlucky numbers.

(Ewald 1991 : 202).

Ewald is suggesting that any one of us could be the unfortunate and that the person and why the accident takes place are inconsequential. The key concept to accept is that the act may occur at some point. The actuarial community works in much the same way in that members of the partnership are not interested in why the crime occurs or even who commits it, but are utilising techniques to categorise those *most likely* to commit crime.

The technique of risk assessment is essential to ensuring that actuarial practices such as CCTV are directed upon the correct population so that prevention can reduce 'the likelihood and seriousness of offending' (Feeley & Simon 1994: 178). The technique of risk assessment was highlighted in chapter three with a more detailed discussion of

¹⁰ Data in computing terms is information in a form in which it can be processed.

¹¹ Information consists of facts and items of knowledge. It can be anything that has meaning to people.

CRIMIT and GIS. In South Town, it was found that the police are the sole risk assessors of crime since they hold the facilities within the intelligence unit to store and process information on CRIMIT and then to analyse results on software such as GIS. During the research, it became increasingly obvious that the police rely heavily upon risk assessment. The reason for this is that risk assessment provides the techniques to quantifiably argue that certain populations are more dangerous than others and hence require greater levels of policing and surveillance. Pre-empting who the dangerous are has its benefits since crime has a very uncertain nature because, until a person is caught there is no sure way of discerning who is criminal and who is not:

The techniques of risk management have developed, in part, as responses to new forms of uncertainty and risk in the economy. Faced with the dilemma of maintaining creative flexibility while at the same time ensuring the orderly accumulation of capital, regulators have pursued strategies that enable them to shape rather than react to their environment
(Reichman 1986: 449).

During several interviews officers acknowledged that crime was indeed too uncertain not to utilise risk. Risk was considered an absolute necessity to cope with the volume of crimes and the population being policed, as one officer noted:

We have thousands of reports on crimes and suspects, some people think that a dog fouling the street is a priority crime, but at the end of the day we don't know where crime is going to occur or what crime will occur. We have to help our resources by using them in the best way possible
(Interview with Superintendent East Town Police: 2002).

To illustrate techniques of risk management the Community Safety Manager described two examples of estates where risk assessments had been carried out to identify a high incidence of burglary:

1. Estate 1- Techniques of risk assessment found that the majority of burglaries in the area were being committed in local hotels, especially hotels accommodating refugees. After identifying the problem, a crime prevention officer was sent to examine procedural and structural weaknesses in the hotel. Police suggestions ranged from outside access to living arrangements. As part of the partnership approach, the council also visited hotels either with the crime prevention officer or at another time. The purpose of their visit would be to talk to residents regarding personal safety and encourage awareness surrounding crime issues. The council's responsibility was to ensure translators were available to speak to refugees regarding any crime concerns.

Once the situation had been assessed, the hotels were target hardened with a publicity campaign that published leaflets in a variety of languages saying things such as don't leave windows open. By increasing awareness the Community Safety Manager stated that they had brought a number of hotel managers together, to train them in recognising potential suspects and to encourage reporting of problems and this has led to Hotel Watch.

Estate 2 – a middle class area where targeting was based on protection from the outside world. Publicity created specifically for that area included leaflets advertising a 'Weakest Link Campaign'. The idea of this being that the community had to protect itself from outside dangers and if crime was to be reduced all residents were to take responsibility¹².

In both areas, the crimes targeted were very specific. This was because the risk assessment originally identifying the high burglary rates had been the basis for Home Office funding. No other areas could benefit from this funding. The Community Safety Manager explained that although the funding was successful, in that it helped to reduce crime in Estate 1 and 2 it had also resulted in the displacement of burglary to other areas. This meant that areas without specific funding had to be ignored. As a result of this the local authority and the police are now provided with funding to target

¹² This returns us to the issue of increasing uses of morality. Individuals are being targeted in such a way as to feel guilt for being a weak link.

East Town as a whole, where and when required. As the Community Safety Manager explained:

The freedom to decide where our funds should be spent will hopefully stop a greater incidence of displacement. We now have a person who is specifically in charge of burglary and this person's job is to reduce burglary in the area as a whole (Interview with Community Safety Manager East Town Council: 2002).

The community safety manager went on to explain that when risk assessment is undertaken an identified area can be targeted, but it is unadvisable to do this to the detriment of all other areas. Identifying risk categories does however, have its advantages. Primarily it allows the police and the council to prove the need for Home Office funding. It also justifies the budgets given to community safety units who can reduce crime using known and tested resources.

Within the housing department, the local council have created the Estate Safety and Risk Management department. Their remit is to reduce crime on council housing estates, issue eviction forms and liaise with the public as information gatherers. The department is organised so that field workers can go out (in a similar vein to beat officers) and 'police' local areas. These are not uniformed security workers, they are community workers who work closely with areas identified as 'hot spots'. The police will sometimes identify 'hot spots' to them but they often find that 'hot spot' information is not accurate, as one field worker noted:

I'm sure a lot of mapping and hot spot stuff is wonderful and you see all these wonderful colours and diagrams but a lot of them don't compare like for like. We've got one estate with 3 incidents but it's only got 10 flats. Whereas Woodberry, which has a higher incidence of crime actually has 2500 homes so that's a crime hot spot. When it comes to mapping this place stands out as being high in the statistics but actually, the

wonderful colours represent a high population of people living in one small area

(Interview with field worker, Estate Safety & Risk Management, East Town Council: 2002).

The field workers target areas identified as 'hot spots' and go door to door asking residents if they have any crime concerns. It is believed that their presence is more acceptable to residents than a uniformed officer. Once they have established why the area is a 'hot spot' their job is tackle those causing the majority of the trouble. There was a feeling amongst the field workers that they were perpetuating the negative label of some areas because they were actively seeking information that would not otherwise become known. Another field worker noted that risk assessment is:

a load of gibberish invented by a previous manager to help us define where the dangerous areas are. We don't need to be told where high crime areas are because it's obvious, everybody knows where the high crime areas are

(Interview with field worker, Estate Safety and Risk Management, East Town 2002).

Crime prevention officers in East Town admitted that they rely heavily on CRIMIT to do their work, but on the other hand they acknowledged that once they are sent to 'hot spots' of crime by their superiors, and on the basis of CRIMITs risk assessment, they often find that the areas labelled as 'hot spots' are not the problem but small areas near or in the 'hot spots':

The analysts do a lot of analysing for us, they pick up all kinds of areas that we need to visit, and once these areas are identified, strategy on how to reduce crime in these areas will be discussed. We then go to these areas with our given remit and hear whispers of information, these whispers provide us with our own mini hot spots of crime that have not shown up on the analyst maps

(Interview with Crime Prevention Officer, East Town Police: 2002).

The second problem with risk assessment is that it is not necessarily used to help reduce crime in the worst of areas but to provide the police with a legitimate reason for targeting the areas they do. Furthermore, risk assessment provides evidence of the work they do and the resources they use:

Risk assessment is absolutely integral, because the danger for the police is that you lose support by not being seen to do things. Information comes in and we have to decide if it is worth targeting resources, some risk assessments are about health and safety but our risk assessment is about an assessment of resources. The real issue is if we get it wrong we lose credibility because information has been provided but not acted upon. The risk is in calculating where we reduce crime most effectively

(Interview with Chief Superintendent, East Town Police: 2001).

Utilising techniques of risk management and identifying dangerous populations has highlighted two problems. First, crime mapping gives no guarantees to finding realistic 'hot spots' but would appear to be identifying areas with high residential capacity. Second, the gathering of information for the purposes of risk assessment perpetuates even further the debate about, who is dangerous. Finally, risk is not necessarily a way of defining dangerous areas but a practise that justifies the work undertaken by the partnership.

Population management

We know from the works of Feeley and Simon that individuals are 'grasped not as coherent subjects, whether understood as moral, psychological or economic agents, but as members of particular sub populations' (Feeley & Simon 1994: 178). These populations are calculated utilising risk assessment. At this point, each person becomes part of the whole:

Each person's conduct, however immaculate and irreproachable it may actually be, harbours within itself a risk to others that may be miniscule but nevertheless exists. No will is absolutely good; even the good father of his family traditionally cited as a yardstick of rectitude in judicial evaluations of conduct can have characteristic weaknesses which put others in danger. The idea of risk assumes that all individuals who compose a population are on the same footing: each person is a factor of risk, each person is exposed to risk. However, this does not mean that everyone causes or suffers the same degree of risk. The risk defines a whole, but each individual is distinguished by the probability of risk, which falls to his or her share
(Ewald 1991: 199).

One consequence of classifying a group of homogenous people is that the targeting of people as a population creates 'the other'. It is a criminology of the alien 'other' that represents criminals as dangerous members of distinct racial and social groups that bear little resemblance to 'us' (Garland 1997). Garland is suggesting that we see identified groups as an image very different to our own, which makes it easier to treat all residents as potential criminals. Under actuarial justice, we have to acknowledge that within a population all members are treated as a potential risk:

It is a fact that when we target a high crime area we go with it in mind that all residents are potential criminals. We have to accept all residents as a risk. Personally, I believe that. If you wanted to visit some places in East Town I would say don't go there alone – it is a very dangerous place
(Interview with Crime Prevention Officer, East Town Police: 2003).

In other words, populations targeted as a risk are full of potentially dangerous individuals.

Population management, however, is more than just putting people into a category and leaving them there. Within the actuarial community dangerous populations are targeted for crime reducing schemes. In accordance with an ethos of community safety it was made clear that the council and the police expected the community to take responsibility for reducing crime:

In one area we went in to, we worked with a community project manager, drug workers, and a drugs outreach worker. I was employed as a crime reduction officer. We went into this place and we taught the community, including the clergy. At the end of the day, we brought the fear of crime down by 13%, shoplifting down by a third and reduced credit card fraud by 54%. At the end of the day they wanted us to stay, they said, you can't go, but it was them that had achieved the results because they came on board

(Interview with Neighbourhood Watch Coordinator, East Town Council: 2002).

This ties in very closely with suggestions made by O'Malley and Stenson that modern forms of crime prevention are based on making the community take responsibility for crime control and that actuarialism is chosen to fulfil privatised prudentialism (O'Malley 1992). Schemes such as the one in the above quote do not aim to focus prevention on 'changing' the individual, because policy targets whole populations as one entity.

Prevention

Preventative practices are put in place once the community to be targeted is identified. These practices will usually be decided between the partnerships. Prevention is not a new concept. Garland has already recognised that 'the devaluation of understanding the individual in an aim to reduce crime was on the minds of people well before the 1960s' (Garland 1997: 465). He refers to the views of Colquhoun who suggested that crime was a consequence of the increasing availability of goods, trade, opulence and 'the multiplication of temptation and opportunity which these produce' (Ibid). Colquhoun's

remedy for dealing with increasing crime brought about by capitalism was not to punish offenders harshly. In a similar vein to actuarial justice, his remedies ignored the individualist explanations of crime and focused upon prevention and opportunity reduction, as Garland notes:

It is a telling fact that Colquhoun's treatise of 200 years ago should bear such a close resemblance to the thinking of Britain's Home Office in the 1990s, particularly when Colquhoun's proposals, like those of the present government, were offered as an alternative to the strategy of punitive sovereignty, which, even in the late eighteenth century, was seen to be failing (Garland 1997: 465).

From the early 1980s, a school of thought re-emerged that crime is the responsibility of the individual. 'The alleged failure of penal policy, social intervention and social reform to prevent crime led to the 'nothing works' pessimism of the late 1970s, a shift in focus away from the offender to the victim and the development of 'situational' or 'opportunity reduction' theories of crime prevention' (Bright 1991: 65). Another reason for a turn to opportunity reduction ideas is that the opportunity to commit crime has risen with increases in car ownership, silver goods white goods, and credit cards. By the early 1980s research began to illustrate that crime could be prevented by changing the environment and making the act of crime difficult.

When identifying the actuarial community we look for crime control practices chosen and managed by local organisations. Local authorities, the police and youth groups have the power to decide local crime reduction practices. It would seem that the partnership approach is an important aspect of community safety:

One place we really made a difference was area 1, this is where the more sophisticated approach with various partners created the model that we now use across the borough, it's the first time we started working truley as a partnership (Interview with Superintendent, East Town Police: 2002).

Estate 1 in East Town provides a good example of crime prevention through community safety, and is the epitome of the actuarial community. The area has over 4000 residents living in 1265 units. A local trust is regenerating the estate and yet despite this investment, the physical environment is described by the police as a 'crime hot spot'. Prior to the start of 'Operation Clean Up', East Town's Drug Action Team (DAT) commissioned a fear of crime survey to provide comparative figures at the end of the project. They found that 82% of residents were worried about being a victim of crime and 70% felt unsafe going out at night. Sixty-five per cent see the area as having a large drug problem. The primary aim was to reduce these levels of fear, the second aim was to reduce crime, and this was to be achieved in several ways:

Operation clean up

There was a police campaign to clean up the area and disrupt existing drug markets, plus a physical clean up of the area to remove abandoned cars.

Building an anti drugs response in the community

A three-year project with a principle objective to build a resistance to drugs through the local community. To incorporate a sustained drugs education programme, community activities, are organised with a trained drugs councillor. The community regeneration department is piloting an outreach scheme. This provides pre-access education aimed at lone parents and those who have no formal education. The Neighbourhood Committee, supported by the neighbourhood office, has been actively involved in tackling issues such as the recent negative publicity in the area. They attend the newly formed Police Sector Working Group, which also includes members of local faith groups and schools.

Diversion and sustainability

The council funded a youth worker for three years. This provided targeted youth diversionary work, to enable young people to build their self-esteem and resist drugs. CCTV and re-locatable cameras quickly and effectively deal with problem tenants/areas. Youth schemes to deter drug use are being implemented through improved medical services. As the final part of the project, there is a programme of diversionary activities for young people in the area. Methods of risk assessment

identify young people at risk and, to achieve this the partnership work along side the East Town Youth Offending Team, East Town Education Welfare and the Pupil Referral Unit. In addition, home beat officers are invaluable sources of information on drugs and crime prevention. The main aim of the project was described as the disruption of local drug carriers coming into one of East Town's largest estates, targeting known addresses on the estate and surrounding areas in order to arrest dealers, and to contain and reduce the local supply of drugs. Interestingly the police measured their success on the amount of actions they take and this included 919 searches, 41 arrests for possessions of drugs with intent to supply, 30 arrests for robbery and related offences and 4 arrests for unlawful possession of firearms this greatly supports Feeley and Simon's argument that the criminal justice system is no longer interested in measuring success through low crime figures but through statistics proving a job 'well done' (Simon 1992).

'This hard-hitting style of policing is going to continue for the near future. The council and police team will support the building of community resistance to drugs through the development of a strong community base. They will assist pro-active estate management and be a visible force against substance misuse'¹³. To target persistent offenders in the area and to tackle anti-social behaviour, in addition to Operation Clean-up, CCTV and re-locatable cameras are utilised which provide situational prevention.

A number of community safety initiatives have been tried on another East Town estate, which illustrate that the focus of high-risk areas is not solely situational crime prevention. Under an ethos of community safety, it is felt that crime is not caused by one particular factor but is the outcome of several conditions that may overlap each other (Crawford 1998: 9). The community safety approach attempts to identify specific crime issues within an area and to create a partnership approach that will reduce crime. On this estate drugs were recognised as a significant problem, so a large proportion of implemented practices concentrated on the reduction of selling and using drugs.

Community safety characteristically allows an eclectic set of practices and East Town provides an example of schemes ranging from situational prevention such as CCTV to

¹³ East Town police pamphlet (Anonymous).

medical care – all these youth activities and confidence building practices are related to an interventionist approach that is quite opposing to an actuarial regime. A partnership approach itself infers an ‘holistic approach to crime which is problem –oriented rather than organisationally led’ (Crawford 1998: 10). Again, a practice that would lead us to easily conclude that the actuarial community is one that is diminishing.

Operation ‘Clean Up’ is traditionally what we would equate with actuarial practices in that it aims to minimise crime by evicting ‘known’ drug sellers and troublesome families. However, the second focus looks to ‘building an anti-drugs response in the community’ and provides something more social than previous forms of crime prevention that aims to promote drug awareness and education. Finally, focus three concentrates on diversion and sustainability, on diverting young people away from crime and into schemes that will boost their self-esteem. These schemes include drama activities, music facilities and sports. This is far from what we might understand the actuarial community to be. However, a closer look at Estate 1 indicates that the actuarial community may not be as scarce as first impressions suggest. There is much within estate 1 that identifies it as actuarial. First, estate 1 was chosen for targeting based on ‘East Town’s Crime and Disorder Audit 1999/2001’. This highlighted the area as being one of East Town’s ‘Crime Hot spots’ (information brief). There may be any number of youths in other areas requiring this kind of support but focus is specifically placed on Estate 1 to reduce the high incidence of drug related crime in this ‘hot spot’. Second, when considering the overall plan to reduce crime it can be seen that there is still a significant focus on reducing crime through situational crime prevention, security and surveillance through estate management:

The [Estate 1] police team will support the building of community resistance to drugs through the development of a strong, informed and positive community base. They will provide assistance to security and crime prevention workshops. They will assist pro-active estate management and be a visible force against substance misuse
(Estate 1 police pamphlet 2001: 3).

The aim of the partnership is to incorporate practices that will minimise crime rather than eradicate it. Schemes such as neighbourhood watch and targeted crime prevention are still prevalent, and for now social crime prevention is minimal. More importantly, we still see individuals within the community largely targeted as an aggregate of their population in other words there is little differentiation in the treatment of each individual person.

Minimisation

Feeley and Simon make the point that actuarial justice contains preventative practices that will minimise not eradicate crime. No policy has been able to fully eradicate crime. Some would argue that this is simply a failure of the criminal justice system to fully comprehend and fulfil the ideas suggested by professional criminologists. In reality, we may assume that crime is far too complicated to consider its total eradication. As far as the police are concerned, it is unrealistic to think that crime can be eradicated. The police are now considered successful by maintaining given targets, as one officer commented with regard to removing 'Crack Houses':

You have to accept that there are Crack Houses, we have set targets that we aim for. Our original target was 100 a year, but we managed to disrupt 225. It's a never-ending battle. We have to accept that Crack Houses exist even though we know they generate a large amount of crime the only thing that we can do is to displace disruption. I think we are setting ourselves up if we try to eradicate all Crack Houses

(Interview with Superintendent, East Town Police: 2002).

Community Safety represents the reduction of crime and rarely policies of eradication or curing.

Techniques and practices within the actuarial community

In 1997, New Labour came to power with the promise that they were to be, 'tough on crime tough on the causes of crime' and their campaign focused the minds of the public on the notion they were the new party of law and order (Brownlee 1998: 313). With

this 'hard line' image, they were also willing to recognise that certain crimes, largely ignored by the Conservatives, required greater attention. The Crime and Disorder Act (1998) aims to reduce crimes such as domestic violence, racial hatred, drug offences and crimes related to youths.

This section takes two examples, youth crime and drug crime, and explores the extent to which these crimes are dealt with under techniques of the new or old penology. This will help to discern the extent to which the new penology is affecting criminal justice strategies.

Control of youth crimes

Labour has done a lot to support its tough approach to crime and one principle scheme has been the 'reprimand' system. The first time the law is broken a reprimand is issued. If the offence is very serious, the youth will go straight to court. The second time a warning is given the youth will automatically be referred to the youth justice team. Again, if the offence is serious the youth will go straight to court. The youth will definitely be sent to court if the law is broken for a third time (Police Pamphlet (Anonymous) 2000). The Conservative party allowed the police to give youths any number of cautions before going to court and in this respect such a rule is more draconian and produces more of a 'net' approach. However, the new reprimand scheme is fairly structured so that youths do not simply walk in and out of police stations with official warnings, they may also be referred to the youth justice board whose priority is working with youths to deter them from crime. On the surface, it is a scheme not unfamiliar to one that would be welcomed by the Left Wing positivists, but the purpose of this scheme has been to catch young offenders at an early stage and then provide a variety of schemes to keep them away from crime. Brownlee also makes the point that there is something 'welfarist' in this approach as a whole:

The government's law and order programme has been set in the context of other measures on social exclusion, including improvements in education, the reduction of unemployment and of individual poverty through welfare-to-work schemes, and so

on, which are evidence of a partial recognition at least that offending behaviour has its roots in social structures (Brownlee 1998: 316).

The Youth Justice Board centrally monitor the Youth Offending Team (YOT) (Gilling 1997: 61). Their remit is varied but they have been encouraged to develop local policies to tackle such issues as employment, education exclusion and early intervention in order to prevent young people from committing crime in the first place. This programme seeks various ways to support families, local communities and the educational and training needs of those at risk:

Youth crime reduction has been seen as part of a more general improvement in the social and economic condition of young people, because of the close links between deprivation and crime amongst young people (East Town community pamphlet 2001: 5).

There is a definite emphasis in recognising a traditionally Left Realist view that crime is the result of poverty and lack of opportunities. The Youth Offending Teams are now four to five years old and it is significant that the manager of the unit, when explaining the goals of the YOT, stated them as being the reduction of crime and the protection of the public. Such objectives are a huge shift from any 'welfarist' modes of reduction. This is because the youth offending officer is a risk assessor. When youths are referred to the team their main job is to assess the dangerousness of that individual person. This was actually causing problems for the YOT manager, whose staff members, who originated in social work, were more interested in welfare:

The position of the team is that there has been a very strong welfare effort in the past. It was a very strong diversion ethic and that mitigates against a strong ethic on risk. It's getting better but initially I had a lot of resistance from staff who feel that the fact that I am talking about risk is wrong, I want to have a public protection team for high risk offenders. If you have offenders

posing harm to other members of the public, they need a different service, but I have had resistance from my team, who feel I have labelled people

(Interview with YOT Manager, East Town Council: 2003).

In the table below (see page 181), we also see moves towards individualised justice in schemes such as the anti bullying campaign, citizenship lessons that aim to take the individual's natural interests and steer them into something positive for the community. In addition, schools are being targeted in order to educate the young in issues of health, welfare and victimisation.

Another example of a social preventative scheme is an East Town local youth project, which aims to make young people consider what they would like to do with their lives. The goals of the project are related to education, training and personal development. The young people are put in touch with a mentor who aims to encourage them into a different path and the project includes a number of residential trips to encourage them to enhance their skills and look at their own lives. This model has been adopted by a number of other schemes and charities around East Town who aim to provide a similar service. For any charity willing to provide mentoring, education, training and residential experiences there would appear to be any number of funding opportunities.

In addition, figure 1 (see page 181) also illustrates that along with social preventative schemes there is a significant amount of practices based on risk assessment, especially concerning targeted forms of crime prevention. To define East Town's youth strategy as being actuarial we would expect it to follow some very specific techniques. A purely actuarial strategy should target a population considered to be high-risk, this population should have been assessed utilising risk methods, strategies should aim to minimise rather than eradicate crime and finally practices should target total populations rather than cater for individual needs i.e., individuals may still be the target but they are treated as aggregates of the population to which they belong (Feeley & Simon 1994).

In order to label the strategy of youth crime control as actuarial we would need to find these techniques applied in their purest sense. However, practices such as residential

trips and training opportunities enables service providers to concentrate solely on the individual and to reduce crime through deferment and such practices do not correspond to minimisation through prevention as we would expect to find in actuarialism.

Alternatively, we might think of anti-youth crime strategies as purely risk based rather than actuarially based. This allows us to recognise the influence of risk upon targeting but allows practices that aim to 'cure' or 'defer'. Finally, it could be suggested that practices aimed towards changing the lifestyle of the individual are so minor in comparison to minimisation through prevention that they are inconsequential in terms of recognising the existence of actuarial justice in strategies of youth crime. The project on estate 1 for example provides us with a good example of statistically identifying an area to be targeted but utilising a number of 'social' preventative schemes. I would suggest that youth schemes are significantly actuarial given that specific practices are being directed towards statistically calculated populations. These practices may be of a social nature but the techniques and technologies underlying these practices are actuarial. Moreover, it is pertinent to remember that accompanying these 'social' practices are a large number of practices aimed at minimisation through prevention, such as estate- based crime prevention strategies including patrol wardens, CCTV and intensive police surveillance. Continued investment in crime control and a gradual increase in social prevention could eventually minimise actuarial justice, but presently the Home Office budget is too tight not to utilise actuarial justice. This is because actuarial justice is indeed, as Feeley and Simon note, a managerial form of crime control. In East Town, managerialism is as much about managing local budgets and justifying the use of resources as it is about controlling crime. Perhaps actuarialism and its techniques have derived from the government's call to accurately spread the costs of crime, but more importantly to direct resources in the areas where they will prove to be most cost effective and successful.

Control of drug crimes

Drug misuse is a significant problem in East Town - it is estimated that 3,000 people in the area use illegal drugs. Cannabis remains the most commonly used drug but the use of cocaine and ecstasy is rising. Cocaine has started to overtake heroin as the preferred drug and the number of estimated crack houses has increased over the last two years by

twenty per cent (East Town Crime and Disorder Reduction Strategy 2002: 6). Fifty per cent of Class A drug users arrested for possession fall into the age category twenty-six to thirty-nine years, while nearly fifty per cent of Class B are eighteen to twenty-five years¹⁴ (Ibid). There are a number of offences that are often generated by drug misuse, such as burglary, theft from shops and theft from motor vehicles. In East Town, it was noted that 70% of offenders known to the Probation Service had a problem with drug or alcohol misuse. This was particularly marked for those convicted of burglary, theft and robbery (Tackling Substance Misuse in East Town 2003: 5).

Feeley and Simon (1992) suggest that although there is still a tradition of using rehabilitation to reduce the incidence of drug use, strategies of the new penology are growing where drugs are used as a risk indicator. The widespread evidence of drug use in the offending population has led not to new theories of crime causation, but to more efficient ways of identifying those at highest risk of offending. 'From the perspective of the new penology, drug use is not so much a measure of an individual's acts of deviance as it is a mechanism for classifying the offender within a risk group' (Ibid: 462). Therefore, there is greater emphasis on drug testing than on drug treatment (Feeley and Simon 1992).

Figure 3 (see page 182) illustrates that there are a number of mechanisms being implemented to reduce the use of drug crime. These priorities can be attributed to both the old and new penology. First, there are a number of techniques comparable with the new penology. Techniques for identifying risk populations are noted in methods of targeted intelligence-led policing operations, management is prevalent in the priorities that illustrate a commitment towards targeting of specific communities and 'tackling drug misuse by targeted estate based initiatives and community intervention. The move towards using techniques of risk was also clear when the head of the drug action team was interviewed:

Intelligence led policing leads to a better use of resources to deal with disorder. We will be employing a drug analyst to produce

¹⁴ Class A includes crack, cocaine, heroin, ecstasy, LSD and methadone. Class B includes cannabis and amphetamines.

hot spot maps of arrest rates. From these maps, we are able to concentrate on one area very intensely
(Interview with Manager Drug Action Group, East Town Council: 2002).

There are a two significant points concerning this quote. First, it supports Feeley and Simon's claim that drug use is becoming a crime that is risk assessed. Second, it illustrates, as was claimed in chapter one, that actuarial justice is convenient for local authorities that are dealing with strict budgets because it allows resources to be targeted to high crime areas.

In one respect, we may view this development as it is commonsensical to target areas with the greatest drug crimes. However, tackling the problem in this way has two effects, first the area becomes 'known' even more as a 'bad' area. Secondly, in targeting specific areas the image of poor-drug using criminals is enhanced, while other communities who also use drugs escape labelling. When a pop star confesses to a drug habit they are not heavily monitored or attributed to a risk population, they receive privately paid rehabilitation. When Prince Harry was found to be using Cannabis in his local pub, although his behaviour was disorderly, he was not attributed to a risk population and labelled a danger to society (what ever the actual reality may be).

Feeley and Simon provide the answer to such differential treatment of drug users when they state that 'the widespread evidence of drug use in the offending population leads not to new theories of crime causation but to more efficient ways of identifying those at highest risk of offending' (Feeley and Simon 1992: 462). What Feeley and Simon neglect to mention is that targeted individuals are members of the poorer classes, I would, therefore suggest that practices such as those implemented in East Town are not aimed at the mere minimisation of drug crime with all the town's citizens but as an excuse to further monitor the poorest communities, whose drug habits lead to further crimes and in contrast to privileged users of illegal drugs who can afford to feed their habit.

The manager of the Drug Action Team made it clear that their aim was to 'minimise drug use' which is a significant technique of the new penology. Of course, in the old penology no policy aimed to eradicate crime, but the ethos was such that crime was not 'acceptable' because every crime has a victim. In a system that is concerned more with statistics and classification, it is easy to forget this (Simon 1988). The unit manager noted that 'the police's aim to reduce drug crime by one percent is what we stick to as a percentage' (Interview with Drug Action Team Manager, East Town Council, 2002).

In the tradition of the old penology, we see in figure 3 (see page 182) a concern for individuals within practices of treatment, intervention, education and reducing the level of fear. A concern for changing the mind of the individual infers that they are seeking to 'cure' the individual thought process, a concept that contributed largely to the old penology. However, since these strategies are tied up in an ethos of actuarialism there is a point where their compatibility with strategies purely from the old penology becomes doubtful. After interviewing the unit manager, it was evident that many of these individualised projects are in fact risk based. Those who are targeted for individual help are defined as being at risk and classified as such through social services and YOT. Moreover, certain 'high risk areas' have dedicated 'youth crime prevention officers' who specifically pick out young people requiring specialised help. The extent to which these young people are being treated as individuals or as aggregates to the population they belong to is debatable. Moreover, once these young people are entered into the criminal justice system their use of drugs makes them a risk to be observed:

Individuals who use drugs are pushed towards an anti-social behaviour order. This result is that four out of five go to court to be prosecuted this will result in an anti-social behaviour order. This enables the person to be put under surveillance. This surveillance will be organised by private security firms, the police and CCTV

(Interview with Manager Drug Action Group East Town Council: 2002).

For Feeley and Simon, rehabilitative strategies that are developed alongside an ethos of actuarialism are volatile because the underlying aim is to reduce crime through targeting specific risk populations:

It remains to be seen whether they can be effective in the absence of long-term treatment facilities, community based follow-up, and prospects for viable conventional life-styles and employment opportunities. In the meantime it is obvious that they can also serve the imperative of reducing the costs of correctional jurisdiction while maintaining some check on the offender population

(Feeley and Simon 1992: 465)

Strategies of community safety contain a number of rehabilitative goals as we have seen in the strategies adopted to deal with youth crime and drug crime, but, when these strategies are used upon risk populations (actuarial community) they provide a more accurate way of assessing risks.

This point is evident in the East Town Campaign Against Drugs, set primarily in one estate. The area has a complex and persistent drug market which has led in recent times to serious crimes including a number of murders and shootings (East Town Communities Against Drugs Pamphlet 2002: 3). The reduction of drug crime on this estate has been tackled through a Partnership approach. In an effort to reduce crime it was decided within the partnership to initiate a number of strategies on targeted youths to help them gain their 'self respect and resist drugs'. The pamphlet explains how CCTV and re-locatable cameras are used to identify targets, and ensure problems are dealt with quickly and effectively. This estate provides a good example of the actuarial community using strategies of community safety. This is because it provides a partnership approach as required for community safety and aims to divert people from drug crime - also a facet of community safety, but overall it maintains an ethos of targeting high-risk groups, and this high-risk group is one of the poorest in East Town. This is an actuarial community because it is targeted with risk reducing strategies that estates that are more privileged do not experience.

Conclusion

As Feeley and Simon note it would be easy to identify strategies of actuarialism as having right wing tendencies. However, actuarial justice has been prevalent in both Conservative and Labour Administrations. Actuarial justice is concerned with efficiency, and its practices are convenient for local authorities that work within strict budgets. Nevertheless, this does not mean that actuarial practices have seeped into strategies of crime control because they are more efficient, but that their risk related techniques has allowed community crime managers to identify high-risk targets. As O'Malley suggests actuarial justice survives because government policies choose to incorporate its use. New Labour may wish to incorporate a number of social preventative schemes but the reality of this has to be incorporated within the present fashion for reducing the fear of crime. Practices of actuarial justice are good for achieving this because they allow local authorities and the police to justifiably concentrate their efforts on high-risk populations.

Feeley and Simon describe actuarial justice as being concerned with identifying, classifying and managing risk populations (1994). This infers that actuarial techniques do not aim to change the person. Situational crime prevention could be considered the perfect practice of actuarial justice. This is because it aims to deter the potential offender without trying to change their character. Moreover, it provides practices that are targeted to particular risk populations. The empirical research found that community safety was prevalent within strategies of community crime control. On first appearance the evidence suggests that actuarial justice may be sidelined by the introduction of community safety practices such as counselling and youth work projects. These practices endeavour to change the 'mind' of the individual and are, therefore, not actuarial. However, there is much about strategies of community safety that are actuarial. First, community safety retains its emphasis on identifying communities of risk. Its primary aim, before the implementation of practices, is to identify the actuarial community. The actuarial community is a community identified as a risk population. To achieve this goal community safety must implement techniques of risk assessment. These techniques were identified in chapter three as tools utilised by South Town police station. Within practices of Community Safety police intelligence is still imperative in assessing populations of risk, however the empirical research for this

chapter discovered that local authorities have their own computer systems to calculate risk areas. Once populations are identified a process of management takes place, which includes a number of practices, some of which fall under the category of social crime prevention (youth groups) while others remain firmly within the category of situational prevention (CCTV).

Social crime prevention may exist within these communities but this part of the regime is minimal. The discourses utilised throughout a number of interviews with local authorities illustrate that actuarial justice is indeed prevalent. Feeley and Simon have noted themselves that practices of crime control are in transition from the old to the new penology. In reality, it is doubtful that actuarial justice will become a 'total' form of crime control, however, it is powerful enough, now, to be dominating crime control practices.

By looking at youth and drug crime, it is evident that actuarial justice helps to legitimately identify poorer communities in East Town as a risk to be managed. By doing so, actuarial justice can target the actuarial community with measures that will reduce crime and the fear of crime. One point that is clear from this empirical research is that actuarial communities (drug users, poor youths, people who share the same post codes) have fewer rights than those not in actuarial communities. Greater police numbers in actuarial communities equates to more youth arrests and this in turn leads to more youths experiencing the reprimand system. Such a system is legitimised because the very youths it targets are already identified as being 'at risk'.

Drug users are also viewed as a risk population, but this does not include all drug users. The empirical research has highlighted that to be within the actuarial community and experience the practices which go with being part of that community a person must do more than commit a crime. To be part of an actuarial community you must have a particular postcode, group of friends or family connection. If risk populations were based purely on the crimes committed by an individual then all drug users would be part of an actuarial community and we know that they are not. In reality, this research illustrates that to belong to the actuarial community a person must belong to an economically deprived community.

Appendices

Figure 1. The Interlinking Practices of Actuarial Justice

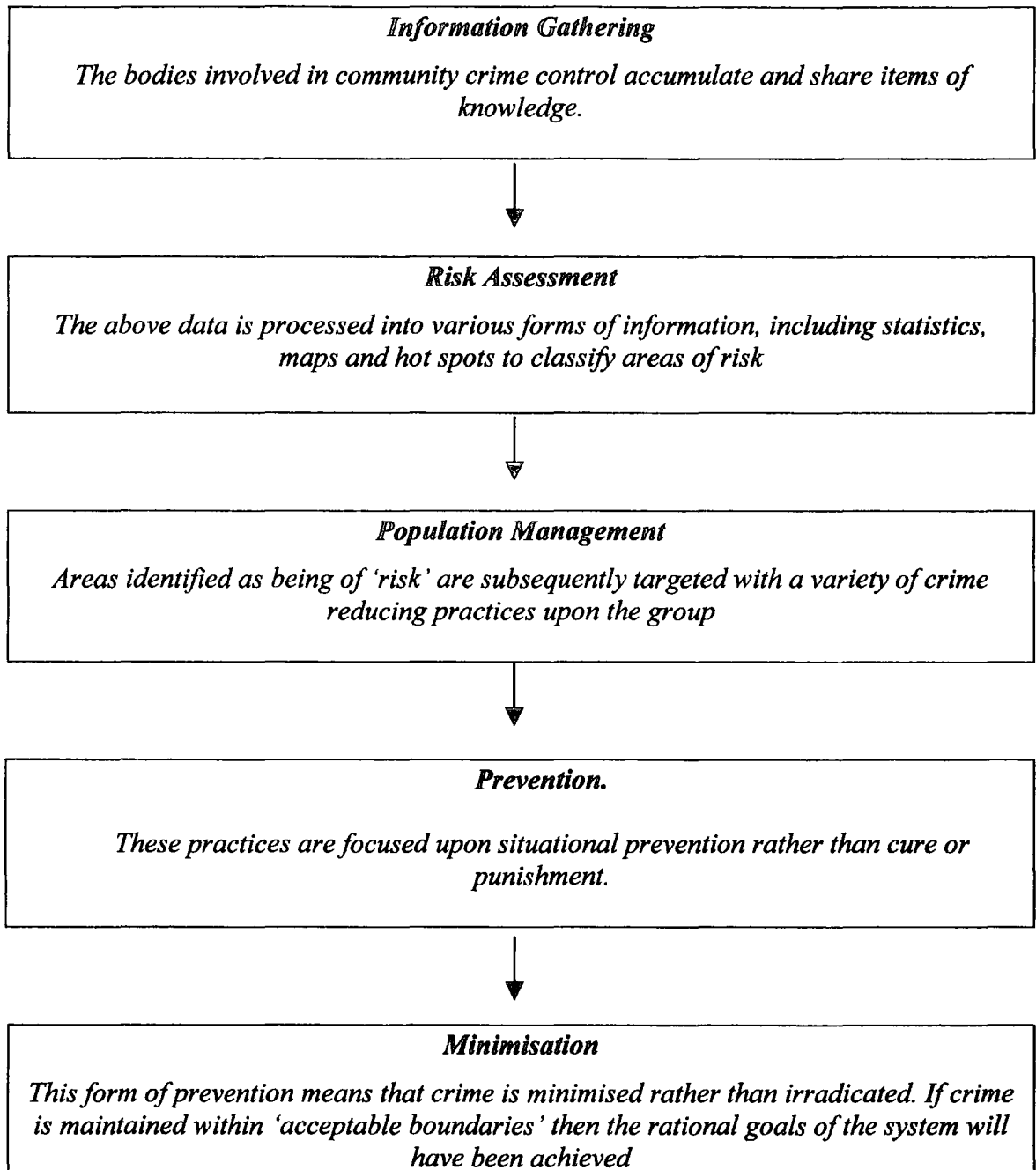


Figure 2. Key Priorities for Reducing Youth Crime

Name	Description	Actuarial Characteristics	Individualised Characteristics
Reducing Re-offending and tackling persistent and high-risk offenders	<p>Intelligence led policing operations targeting high risk offenders</p> <p>Multi-agency risk/public protection panels for young offenders</p> <p>Delivery of programmes for persistent young offenders</p> <p>Continued implementation of the Youth Justice plan</p>	<p>Emphasis on statistical accumulations and risk assessment</p> <p>Targeting high-risk groups</p> <p>Emphasis on risk</p>	
Targeted Crime Prevention and early intervention	<p>Estate based and neighbourhood based crime prevention strategies</p> <p>Schools based initiatives</p> <p>Youth crime diversion projects and youth mentoring schemes</p>	<p>Emphasis on prevention and minimization</p>	<p>Targeting at risk groups</p> <p>Targeting individual need</p>
Supporting Victims and Challenging Victimisation	<p>Education based in schools</p> <p>Personal, Social, Health and Citizenship education</p> <p>Anti bullying projects</p> <p>Active citizenship projects</p>		<p>Targeting individual needs</p>

(Figure 2. Data taken from East Town's Crime and Disorder Reduction Strategy 2002-2005: 5)

Figure 3. Key Priorities for Reducing Drug Crime

Name	Description	Actuarial Characteristics	Individualised Characteristics
To help young people resist drug and alcohol misuse	<p>Education and prevention programmes supporting young people</p> <p>Improved education and access to health advice</p> <p>Targeted interventions for young people 'at risk'</p>	Social prevention but utilises risk techniques	<p>Individualised but targeted to a specific community</p> <p>Individualised</p>
To protect the community from drug related anti-social behaviour	<p>Involving the community, increasing awareness and reducing the level of fear around drug and alcohol related crime</p> <p>Tackle drugs misuse by targeted estate based initiatives and community interventions</p> <p>Supporting initiatives within ethnic communities</p> <p>To continue the development of criminal justice interventions to tackle drugs misuse, such as the Pilot Bail and Drug Testing Scheme</p>	<p>Aimed at risk population</p> <p>Risk assessed strategy</p> <p>Risk assessed strategy</p> <p>Targeting risk populations</p>	
To support people in overcoming their drug and alcohol related problems	<p>To develop an integrated model of treatment</p> <p>To support people into appropriate treatment services</p>		<p>Individualised</p> <p>Individualised</p>
To reduce the availability of illegal drugs in the community	<p>Targeted intelligence-led policing operations</p> <p>Improved communication with the community on drugs misuse issues</p> <p>Reinforcing licensing</p>	<p>Risk based strategy</p> <p>Targeting communities at risk</p>	<p>General policing practice</p>

(Figure 3. Data taken from East Town's Crime and Disorder Reduction Strategy 2002-2005: 5)

Chapter Five

North Town's Closed Circuit Television System: Targeting, managing and the minimization of risk

Introduction

Supporting the debates initiated by Simon (1987 1988) and Feeley & Simon (1994) this chapter argues that actuarial justice is progressively being employed in practices of controlling crime. To this end, the theoretical ideas of Feeley and Simon will be compared to the results of a qualitatively based research study examining closed circuit television (CCTV). CCTV has been specifically chosen as it may be considered, 'the exemplar of actuarial technology since, under it, aggregate populations as well as particular offending groups, constitute the community of risk' (Johnston 2000: 62).

In particular the chapter

- i. *Identifies the rise of CCTV in general and in North Town*
- ii. *demonstrates that CCTV operators target specific populations*
- iii. *illustrates that the camera is a tool used for management and risk minimisation.*

Utilising the works of Coleman and Sim (1996) and Fyfe and Bannister (1996) the chapter first establishes that CCTV has been adopted in a large number of cities and towns around the country owing largely to its effects on consumerism. Evidence from the empirical research will demonstrate that the use of CCTV may not be attributed purely to techniques of actuarial justice and in line with the study of CCTV undertaken by Norris and Armstrong, operators use a variety of 'pre-emptive' ideas on people and behaviours considered suspicious (1999: 118). However, it will be shown that in North Town a significant number of actuarial techniques are identifying specific populations for targeting, which in turn, influences the operator's impression of who and what is potentially criminal. The actuarial techniques of management and risk minimisation will be illustrated by employing two empirical findings: first, CCTV's involvement in street level drug offences will be discussed, suggesting that CCTV provides a platform to reduce this crime rather than eradicate it. Secondly, the observation of people using pubs and nightclubs in North Town's main commercial area, 'after dark', will be explored in order to establish an argument that management and risk minimisation fails to protect 'night time revellers' and that to become part of this population is to lose the protection that is automatically expected by daytime users of the town.

The chapter, therefore, explores the following arguments:

That camera operators target risk populations, identified in North Town by a person's residential, class or criminal status. Furthermore, through CCTV, techniques of actuarial justice are employed to manage the crimes and activities traditionally connected to the working class¹. In chapter five, this argument will be advanced to illustrate that levels of surveillance upon the lower classes have become so great that they are *now* intrusive and draconian.

Research methods

Findings from this analysis are drawn principally from ten interviews, a sixty-hour observation at North Town CCTV unit and several group conversations which evolved from the observation, documentation used by CCTV operators, and statistical data obtained from North Town Council.

Interviews

Interviewees were chosen for their specific involvement with CCTV in North Town and include:

- The head of Community Crime Initiatives for North Town Borough Council, whose role, with regards to CCTV, involves bidding for government grants, managing the development of CCTV projects and working together with other partnerships such as Safer Cities Project².

- The manager of North Town's CCTV unit, whose roles involved the management of wardens who hold a dual position as wardens to the elderly and are the camera operators for the town's CCTV system. During the observation, interviews and informal discussions were also conducted with camera operators within the unit. Regardless of 'policy' initiated by management or government, it became clear that the operators hold significant power over who and what is targeted.

¹ Including street offences, drugs, thefts from the person, auto crime, youths hanging out, use of town centre pubs and nightclubs.

² SCP is the Safer Cities Project, which aims to 'reduce crime, lessen the fear of crime and create 'safer cities' where economic enterprise and community life can flourish' (SCP pamphlet). Part of its aim in North Town was to implement greater use of CCTV in residential areas.

- The Chief Superintendent and Superintendent of North Town police station were interviewed as users and original managers of the camera system that was previously housed at North Town police station. At particularly busy times,³ they may request an officer to sit in the unit to monitor the cameras.⁴ The Town's Crime Prevention Officer was also interviewed, his role being, among other things, the advisor to the public and business organisations on crime prevention including CCTV. His interview proved useful because, unlike patrol officers, he personally knows many of the residents in North Town's 'troublesome' areas.

- Finally, private security staff were interviewed at one of North Town's shopping centres. Their methods of monitoring customers within a commercial rather than public sphere provided a comparison to the council operators.

The aim of these interviews was to gain an understanding of the methods in which operators utilised CCTV. Semi-structured questions were employed in an attempt to create a more conversational style where interviewees felt free to express their thoughts. At times, this meant that the topic of conversation veered away from what might normally be considered relevant. The tone of the conversations were such that it became clear to me that the notion of privacy, for these individuals, was not an issue. They saw no harm in the cameras in this respect, and would have little interest in exploring this avenue!

Observation

Although notions of risk were detected in the interviews, to legitimately prove the presence of actuarial practices it was necessary to get 'into the field' and discover first hand the extent to which actuarial operations were existent.

Few notes were taken during the observation unless necessarily. I acted as a member of staff as far as possible, and having been trained, during my first day, to use the cameras, I was therefore able to work as an operator when staff were busy or absent. Although I

³ For example, officers were placed in the unit during Millennium evening.

⁴ Bearing in mind that CCTV operators have a dual role of wardens and operators.

felt trusted and accepted by the staff it was patently obvious that at most times the staff still saw me as a researcher. Notes were typed after the shift, then analysed together when the observation was complete.

The best time to talk to operators was when the manager had gone home, normally at around 6:00pm. At this time, the staff would take a break, go into the kitchen, put the kettle on, and prepare food or organise a take away. As the majority of the observation took place in December there was an abundant amount of sweets and biscuits, given to the wardens by the elderly. Once food, sweets and biscuits were organised the unit staff would gather for a chat, the atmosphere was warm and good-humoured and inevitably became a great opportunity for group conversations, which tended to focus quite naturally upon issues of crime and punishment.

The CCTV operating unit

When the council took control of the cameras, they negotiated with the local wardens' service for the system to be housed in the warden control unit, the theory being, that while the wardens monitor the phones and emergency alarms for the elderly they can also monitor the cameras. The wardens, therefore, have had to adapt to a dual role from wardens to wardens/crime fighting camera operators. Since taking on this additional role further cuts have resulted in cleaning contracts being reduced, and wardens having to clean the unit, while undertaking the role of wardens/crime fighting camera operators.

The unit is a bungalow, built in the 1980s, to accommodate a resident warden, and surrounded by purpose built accommodation for the elderly. In the early 1990s it became the control centre for a twenty-four hour warden control service, and the scheme for resident wardens was dispensed with. Its location means that it is well hidden from the public, but even so, it is well secured by cameras and security doors. The unit contains three rooms and a small kitchenette; the first room is used as a staff/locker room, while the other half has been sectioned off into an office for the unit administrator; the middle room houses the unit manger, and contains various audio equipment to enable the manager to check tapes, play tapes to the police, and monitor what operators have viewed on the previous night shift.⁵

⁵ Tapes are checked to prevent misuse of the cameras when the manager is absent.

The control room itself is approximately 18 foot by 14 foot. The wardens to the elderly are set up on one side of the room with their equipment, including two computers and various aids that allow constant radio contact with the elderly, and wardens on home visits, and visa versa. On the opposite wall is housed the camera operating system, including 30 monitors fixed high up on the wall, and a control panel that allows staff to manoeuvre camera positions. There are approximately thirty staff working in the unit and up to five at any one time could be in the control room, although the majority of the time only three staff sat in this room, one as a CCTV operator and two as warden controllers.

Monitors are surrounded in the conventional beech wood veneer, while the rest of the room consists of odd pieces of furniture, filing cabinets and paper work. The room also has to be fairly dark because of long periods of time that staff observe computer screens and all lighting is artificial as there are no windows. There is, however, a glass partition between the manager's office and the operating room, which allows the manager a constant view of staff activities. The walls are filled with notice boards containing information on staff rights, staff time sheets, staff nights out, and the lottery bonus ball competition, which I won on my first gamble, during my first week! As a gesture of good politics I suggested a roll over for the next week!

The majority of the time staff dress in a uniform that they themselves have chosen from a staff catalogue; uniforms for wardens on call to residents are important so they can be easily recognisable to the elderly they visit. For the males, this includes a white shirt, blue trousers and blue tie; for the females a navy blue skirt or trouser suit with a flower-designed blouse. Night shift staff dress more casually, some even wearing their slippers on duty. In appearance, staff are quite different from the 'typical security employee': they are primarily wardens, and this is how their image appears.

In research conducted by Norris and Armstrong, the majority of employees within their three chosen units were male and all staff they specifically shadowed were male. In comparison, due to the historic nature of the unit as a wardens' control centre, a job primarily conducted by women, the 'male' culture is significantly missing. I was not introduced to a 'shaggers alley' or shown pictures of naked women (1999). Possibly my presence as a female prevented any sharing of such information. Moreover a high

female presence in the unit and a female manager may have helped to minimise such a culture. There is also the possibility, of course, that the four male employees would not have behaved in this manner.

The majority of women, most of whom were mothers spoke in worried terms about what they observed in relation to their own children and were, at times, compassionate about what they witnessed. This is not to say that the male employees did not experience the same feelings, but such thoughts were not conveyed by the men, who demonstrated a more 'joking' and 'competitive' feel to the job. They were keen to catch criminals, a characteristic not illustrated by the women, who worked hard on the cameras, but not as a competition.

During the first day of the observation, the wide range of activities occurring within this one room was quite noticeable. Phone calls, or emergency calls come in from the elderly, regarding issues from blocked drains to serious medical problems. When a call arrives the operator knows, via the computer screen, exactly who is calling and any personal details such as medical requirements. There is, therefore, a background noise of obtrusively loud conversations with residents, most of whom were obviously hard of hearing.

Certain wardens are not happy in their new role and would much prefer their traditional job as wardens to the elderly. New staff accept the role better, but those who did not appreciate a change in their job description have not taken the operating job as seriously as perhaps the management would like them to⁶. Their observation skills are sometimes lacking in effort and they tend to concentrate on what is happening on the other side of the room. But overall, staff are committed to the cameras and their attitudes to the job are positive.

Police relations

There is a good working relationship between unit staff and the police, who come in and out of the unit when they require tapes or information. Although officers are supposed to make official arrangements, management and staff are quite happy for them to drop

⁶ The unit manager indicated this during an interview.

in as required. There is little need for formality and during the observation the police and unit staff frequently swapped on items of local 'gossip' including information on what the local 'toe rags' had been up to. There was no hesitation in including me, as a researcher, in these conversations, and being in the unit gave me the opportunity to talk to officers outside of the restrictive surroundings of the station which proved, from a research viewpoint, to be useful. Officers showed no signs of suspicion and instigated conversations about targeting and policing issues often without being prompted.

North Town police station has one CCTV monitor that enables controllers at the unit to transfer pictures to the police station. This allows the police to be able to choose whether an incident is important enough to be attended. Alternatively, police headquarters based close to North Town have a control room with a linked screen for operators to transfer pictures to. This station is the main centre for dealing with 999 calls. At that point, if an operator sees an emergency they can put the incident through to headquarters, rather like an emergency 999 call. Civilian staff at headquarters can then look at the picture and decide if the incident is serious enough to deploy an officer.

There is a police radio in the unit, which enables staff to listen to transmissions. On most occasions the radio proved ineffective either because incidents took place where cameras were not positioned, or the radio transmission lacked adequate information for the operator to be able to react. Had these transmissions contained greater information i.e., more detailed descriptions of people and places, operators may have been able to offer greater assistance to the police in finding run away suspects. If an incident occurred that was covered by the cameras the operators would zoom into this area to see activities taking place, and record them if necessary.

CCTV unit documentation and statistics

The observations were also compared with a variety of other documents and evidence held at the unit, such as incident reports and police use of tapes, most of which I had access to. I was also given permission to photocopy certain items, free of charge, to allow analysis of documents at a later stage. Incident reports proved especially useful for researching particular roads or addresses targeted for surveillance. Statistics obtained from North Town Council gave a good indication of poverty levels,

unemployment, and working patterns. Government statistics were also used which identified North Town's poorest wards, as a comparison to areas covered by CCTV.

North Town

North Town houses a population of 90,630 people. In comparison, the Norris and Armstrong study utilised towns with populations of 500,000, 250,000 and 200,000. North Town is, therefore, significantly smaller. From a research perspective, there are negatives and positives to this. First, it may be argued that a full analysis of actuarial justice in the community would not be complete without analysing a variety of towns or cities large and small, but not only are there practical problems to this, but the research aims to analyse North Town only. Later research can establish whether similar events are taking place throughout the country, or worldwide.

I also conducted some preliminary interviews with a neighbouring and much larger police force to North Town but interviewees proved to be extremely suspicious. I was later told by two police officers, that officers from this particular town were 'fed up' with taking researchers into their trust who had subsequently written reports they felt to be unfair. Fortunately, North Town has not been the focus of much interest by past researchers, especially in the area of crime. Not having experienced the 'sting of the researcher' all institutions including the police in North Town were more than willing to be of assistance.

The rise of closed circuit television

The massive adoption of CCTV in nearly every town and city in the UK cannot be attributed purely to actuarial goals and, in fact, there are a number of factors at play:

1. Technological breakthroughs and the CCTV industry

As with all computer-based technologies the evolution of CCTV has been phenomenal, each advancement making the tool more powerful and efficient in the tasks it performs. For example, CCTV like television has always relied upon analogue data to produce pictures from camera to screen. This is gradually being substituted for digital technology (Monro & Bellerby 2000: 34), which among other things allows for more compact storage of images and, disturbingly, provides the opportunity to change images on screen. Moreover, any tiny changes made to digital films or pictures would be

almost impossible to detect, but nevertheless, 'The House of Lords, The Home Office, ACPO, and lawyers agree' (Mackay 2000: 15) that digital images are admissible as evidence in a court of law.

There are other liberty concerns regarding the rapid advances in technology (Graham & Brooks 1996: 21). Recognition systems are now in use⁷ along with cameras using microchips of less than 100sq mm (Ibid: 22). Regardless of such concern, industry led magazines,⁸ such as 'CCTV Today' ensure that security managers are well informed of new advances by producing adverts such as:

*Support Jack Straw's Crime & Disorder Initiative by specifying and installing
FUJINON quality CCTV lenses
(CCTV Today July 1999: 44)*

*CCTV Cuts Crime in ½
(CCTV Today 1999: 44)*

Such a multi billion pound industry is unlikely to blink under the heavy banner of civil liberties, no matter how eloquent such arguments appear to be. However, one thing that may sway the industry are new research projects on the effectiveness and cost benefits of CCTV. For example, Boots the Chemist is unwilling to invest any more capital into CCTV until appropriate 'in-house' evaluations have provided them with positive 'cost-effective' data in its use (Alalouff 1999: 3).

2. Monitoring loss and profit in the commercial and industrial sector

With a move towards a global market, businesses have been forced to contend with huge international competition. This in turn has led corporations to rapidly embrace the new management techniques of Just in Time (JIT) management and Total Quality Control (TQC) as proposed by Sewell & Wilkinson (1992). Both these systems are

⁷ Facial Recognition systems work by analysing a person's cranial structure and measuring the relationship between the physical features of the face, of which can see through false beards, balaclavas and make-up (CCTV Today January 1999: 7). In the Newham tests of facial recognition technology it was alleged that crime was reduced by 34% (CCTV Today November 1999: 4).

⁸ A survey I conducted of 19 major retailers, including the Burtons Group, Asda, Waterstones and the Sears Group found that 100% of security managers obtain information regarding security devices from industry led magazines and industry organised conferences (e.g. Birmingham Security Conference).

knowledge hungry for data on working practices, behaviours and methods. For example, data on productivity lines notifies managers and supervisors who produces goods, in what time, and what quantities, thus allowing for the replacement of workers not attaining required goals. The acquirement of knowledge has been advanced greatly by automated surveillance, and CCTV has been suggested as one of the greatest of these practices, allowing managers to constantly observe the actions, speed, lavatory breaks and production levels of staff.

As well as a tool for knowledge gathering the growth of CCTV, can be accounted for as a product of increasing business victimisation (McCahill & Norris 1999: 209). In 1996 1.6 billion pounds was lost through retail crime representing 1.3% of retailing turnover in that year, one third of this loss being attributable to staff theft (Ibid). The use of the camera in this context may be regarded as not only for the control of workplace crime, but also as an overlapping feature of JIT management and TQC, where we see the use of the camera for:

Honing-in on the minutiae of shop floor workers' presentation of self. In the name of 'customer service' employees' gestures, facial expression and body language all become subject to the disciplinary gaze

(McCahill & Norris 1999: 228).

The result is that CCTV can be seen as a disciplinary tool used upon employees for the purposes of managerial control. McCahill and Norris note that this may cause resentment amongst employees (1999: 228). On the other hand as we have seen in the community (Honest & Charman 1992:19), the observation of management upon employees may be accepted under the banner of 'safety' and 'protection'.

CCTV in the commercial sector has been traditionally connected to the prevention of customer theft, violence and anti terrorism. Whether it is effective or not 'the presence of CCTV has the effect of allegedly alleviating fear and anxiety about crime (Beck 1996:190). In the retail sector security managers have, for some years, utilised the

technique of risk analysis⁹ in order to devise appropriate solutions and strategies in an attempt, not to eradicate crime, but to minimise its existence to acceptable levels:

There is a level of crime, which I consider acceptable, and my managers would expect me to keep. A percentage of 1-2% loss is acceptable but if I see, for example, an increase in thefts of ladies clothing I will target that area and see what's going wrong

(Interview with Security Manager, 2000).

Technologies of identification are able to provide measurable data on items such as: loss levels, typical perpetrator characteristics, shop floor blind spots, times that losses most frequently occur, and products most often stolen. Security managers can then implement practices of private security and electronic surveillance to provide, what they consider, as cost effective and efficient techniques of loss minimisation. *Figure 1* contains information gathered from interviews with nineteen retail security managers. The interviews represent major retail stores such as The Principles Group, Waterstones, Marks and Spencer's and Asda i.e., the chart represents security measures in a significant number of stores throughout Britain. CCTV is now the second most popular form of security, being utilised by more than 95% of retailers interviewed. I would suggest that a survey which included smaller independent shops may reduce this statistic, but it is significant that in so many 'major' stores CCTV is prevalent.

⁹ Risk analysis aims to evaluate measures and problem spots to prevent crime, unlike traditional crime prevention initiatives, risk analysis aims to combat weaknesses in one specific area (Ekblom 1987:1).

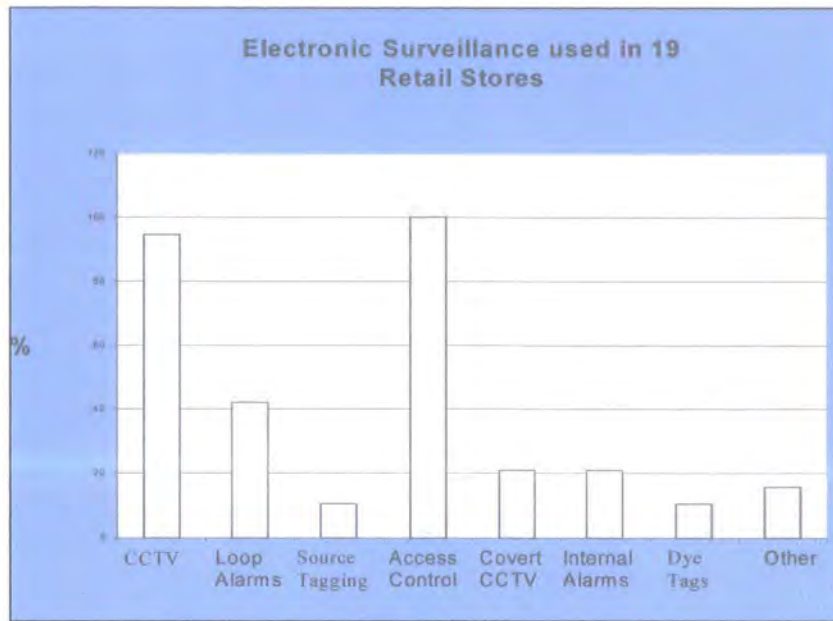


Figure 1. The horizontal axis represents only the security devices mentioned by security managers - there are many others available on the market. The Vertical axis is the number of devices employed by retailers calculated as a percentage.

The popularity of this tool in providing techniques of crime prevention has increased in an environment where profit and loss margins are at the fore of any security decision taken. In a similar fashion to O'Malley's arguments of prudentialism, others have recognised that:

One of the most striking features of recent times has been the extent to which police and criminal justice agencies have adopted policies based on assumptions and techniques derived from commercial risk management (Johnston 2000: 56).

Whether one evaluates the vast use of CCTV either as a move towards prudentialism or commercial risk management, the basis of both concepts is cost benefit decisions, a priority that would appear high in Home Office Policy.

3. Political Movements and the Rise of Administrative Criminology

John Major's conservative government promoted CCTV heavily as part of its law and order campaign (Davies 1996). This was achieved through the constant citing of 'post

hoc shoestring efforts by the untrained and self interested practitioner' (Pawson & Tilley 1994, cited in Norris and Armstrong 1993: 63). The strength of government support for CCTV can be seen in the case of Birmingham City Council who suspended an application for a citywide CCTV scheme due to a lack of privacy protection. In response, Downing Street announced that laws would be passed prohibiting councils from blocking the installation of camera systems (Norris, Moran & Armstrong 1996).

The integration of Administrative Criminology into Home Office Policy can be seen as one of the key explanations in the rise of CCTV. This is because Administrative Criminology, with its move away from 'positive inclined policy' to a more 'realistic' approach,¹⁰ focuses on the use of situational crime prevention (Hughes 1998: 59) and CCTV was a developing technology that fitted the very essence of situational practices. Neither situational crime prevention nor Administrative Criminology are purely actuarial as they are incapable of treating offenders as mere aggregates of a population. However, they are based upon a variety of notions such as Rational Choice.¹¹ Nevertheless, since their techniques are largely based upon risk scenarios and their goals are mainly the management of risk categories, they fit well within practices of actuarial justice, and moreover provide the perfect base in which to implement CCTV.

4. Consumerism

There have been a number of papers connecting the rise of CCTV to the needs of consumerism (Reeve 1996, Bannister 1996). Coleman and Sim (1996, 1998) describe the implementation of CCTV in Liverpool at a time when the city was experiencing some severe social and economic problems. The regeneration of Liverpool was best thought to be achieved through consumerism and to do this it was recognised that the town centre required a clean and safe image. The epitome of this goal was CCTV, which on its opening 'David MacLean, Home Office Minister, invoked the murder of local two year old James Bulger to illustrate the need for, and advantages of, CCTV.' (Coleman & Sim 1996: 12). The use of a child's life in a context which shows no

¹⁰ The British Crime survey was employed to identify dangerous areas and suggested that situational crime prevention was more realistic because the magnitude of the crime problem was so great that to manage crime (Tierney 1996: 272) would be more effective than aims to eradicate it.

¹¹ Rational choice is based upon the concept that individuals 'think' before committing crime i.e., weighing up the pros and cons of any decision. It is suggested by Clark that their choice not to commit crime can be influenced by making crime more difficult (Clark 1997: 9).

genuine thought to the safety or protection of children is abhorrent, but indicative of an era that saw CCTV as the ultimate crime reducing tool. In reality it was discovered that CCTV was implemented 'to tackle the city's image and its perceived impact on city centre business' (Ibid: 14). This is surely an altogether different rationale to the protection of children.

Fyfe and Bannister similarly argue that Glasgow's local authorities have expanded their remit of providing welfare and management to adopting a concern for security. This was done in the hope that local areas would be improved (Bannister & Fyfe 1996) and that the local economy would once again boom.

On the surface towns would appear to be improved, but as these studies illustrate, this is often to the detriment of the non-consuming. As Reeve notes in a study of Oxford City, the employment of cameras has been used to control the undesirable, non-consuming individuals to keep them away from the public space of the town centre because their disordered image impeded the aesthetic requirements of a traditional town centre (1998: 80). Combined with this, certain forms of behaviour were prohibited e.g., in 50% of towns begging was prohibited, in 40% skateboarding and 40% of towns prohibited youths hanging out as non-consumers. According to Reeve's the town centre is:

slowly taking on those mono-valent, exclusive qualities of the shopping mall not least of which is the use of remote surveillance as an instrument in the control of space – a technical support for the exercise of a whole range of prejudices about who should or should not be allowed to use such space, and what for
(Reeve 1998: 84).

North Town and the implementation of CCTV

The adoption of CCTV in North Town centre can be partially explained by the needs of consumerism, however, the expansion of CCTV into residential areas requires some alternative thought. In evaluating exactly why North Town Council and Police are pushing for greater use of CCTV in residential areas, there are a variety of factors involved, some of which have been mentioned above, and others that have been noted in interviews:

- ❖ As O'Malley notes, governments have been encouraging a move towards privatised prudentialism, which for councils has meant taking greater responsibility for the safety of communities. At the same time with a move towards Administrative Criminology CCTV was encouraged by the government providing large amounts of money for councils who were willing to prove their crime reducing worth. North Town Council has fought hard to obtain available funding.
- ❖ The police, who have traditionally focused on the reduction of crime statistics, have been very keen to implement CCTV in North Town, being the first operators and managers of the scheme. Its use in deprived areas is considered advantageous to protect residents and reduce crime (Interview with Crime Prevention Officer, North Town Police, 1999).
- ❖ Alternatively the implementation of CCTV primarily in the poorest of residential areas (see *figure 3*), infers that CCTV is a tool used for the containment of targeted populations this may be inferred from police policy to target particular individuals as a risk to crime statistics (Interview with Chief Superintendent, North Town Police, 1999)

These issues will be considered during the examination of the empirical study. Cameras were first implemented in North Town to reduce car park crime, but were also found to be of use for observing trouble in other parts of the town such as pubs and nightclubs. North Town, once a thriving maritime town, has suffered severe rates of unemployment, well beyond those of the national average. As *figure 2* illustrates, unemployment has

decreased in the last five years. Nevertheless unemployment in North Town remains at nearly double that of the national average.

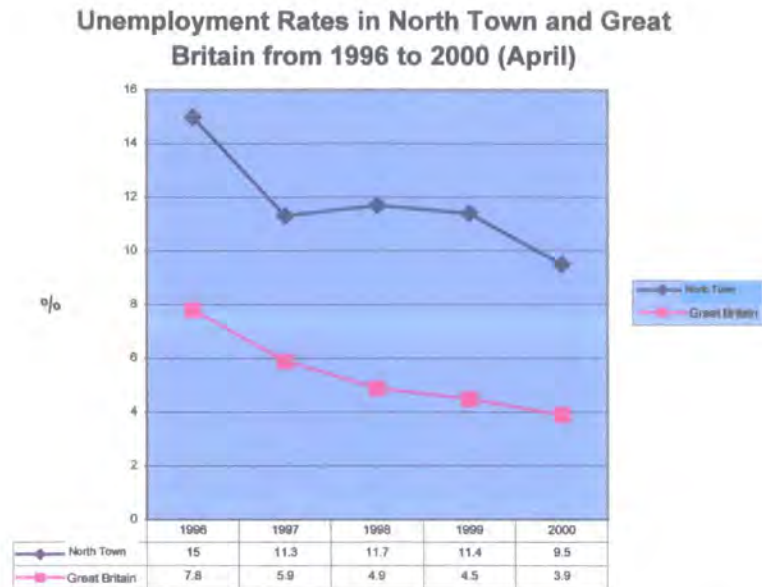


Figure 2. Figures obtained from the statistical unit, North Town Council.

With funding available from various regeneration schemes, North Town at first glance, appears much improved. General changes have been made in the redesigning of the original shopping centre: the streets have been improved with flowerpots, brightly coloured paving stones and street lighting. Derelict buildings such as the local church have been restored, and are now used as a showcase for North Town's cultural heritage.

One of the most significant changes in North Town has been the construction of the marina: once derelict waste land it now houses a new shopping centre full of discount designer stores along with apartments and sporting facilities, room for visiting fun fairs and even an all year round candy floss store, adding to the 'fun' element of the site. An historical quayside has been developed concentrating on North Town's maritime tradition, including a museum, shops, and guided tours of ancient ships.

The sea front at North Town has been the focus of considerable investment, and these investments have been backed by anti drinking laws, in order to improve the tourist potential of the town. We also see the building of new estates to cater for a variety of incomes over the middle working class budget. In describing the improvements of North Town the Neighbourhood services in charge of CCTV and regeneration said:

North Town is very much a town on the up and there is a high demand for people to live here. Unlike many former industrial towns, there has been significant investment to transform North Town in the last decade

(The North Town Mail 6 January 2000: 2)¹²

The night-time economy in North Town has equally had large amounts of private money invested. Pubs have painted their fronts bright colours in the hope of attracting the disposable income of North Town's youth.

To a large extent, the changes of North Town mirror those of Glasgow, Liverpool and Oxford. They cater for the improvement of the environment through consumption and tourism. It is evident in the town that there are problems with this style of regeneration. It would seem that the very poor have been 'left out in the cold' while buildings look cleaner and flowers bloom, poverty levels stay relatively the same.

'North Town remains the 11th poorest town in the country out of 354 council areas'. New housing is being built for some, while others remain in poor residential conditions. The council plans to eradicate this problem by pulling down the very worst areas.¹³ Although some estates have been improved with new front doors they are still to be demolished, much against the will of local residents.

When CCTV was implemented into the very poorest of areas, few concerns were voiced. Moreover, the residents feel that CCTV will provide them with an element of protection (Interview with North Town Crime Prevention Officer, 1999) and this view is backed by the campaigns of residents living in various non-CCTV areas who would like its implementation. *Figure 8* illustrates the placement of cameras according to wards. The poorest areas are more likely to be monitored by CCTV. This in itself is not actuarial because the poor have always been the targets of attention, but because as

¹² 'Don't Destroy Our Communities', *North Town Mail*, January 6 2000 (name of newspaper changed to ensure area remains anonymous).

¹³ 'Slum Homes To Be Knocked Down', *North Town Mail*, August 9 2000 (name of newspaper changed to ensure area remains anonymous).

the empirical research will show, the treatment of specific populations is indeed actuarial.

Ward	Deprivation Rank	Monitored by CCTV
1	25	Yes
2	70	Bids for this area in the process
3	102	Yes
4	124	Yes
5	135	Yes
6	228	Yes
7	314	Yes
8	749	No
9	819	No
10	1191	CCTV implemented to cover local shopping arcade
11	1973	No
12	2290	No
13	2354	CCTV in this area covers pubs and clubs in the town
14	2650	No
15	2759	No
16	2872	Bids in place for coverage of the sea front
17	5047	No

Figure 2: *Figures on Rank obtained from government survey, ranking is out of a total of 8,414 wards looked at nationwide (North Town Mail August 21 2000)¹⁴. Information on CCTV obtained from CCTV unit. Town made anonymous by numbers.*

Adoption of policing methods in the CCTV unit

During the observation it became noticeable that CCTV operators were employing a 'police oriented culture'. This was evident in those they targeted for surveillance and

¹⁴ The 11th Poorest Place In England. In The North Town Mail August 23 2000 (name of newspaper changed to ensure area remains anonymous).

the types of language they used to describe the targeted population (for example 'scrote' was a popular word used by operators and police officers during visits to the unit).

The adoption of police characteristics in the CCTV unit could be attributed to two factors: first, the police and the unit staff were in frequent communication with each other via the telephone, or on police visits to the unit. When the officers visited the unit the relationship between the staff and officers was such that they would, if time permitted, stay a while to 'chat' about recent events, offences or general 'goings on' in North Town. On one occasion, I was privy to a conversation regarding a youth, who was well known to the police and unit staff. The police officer was relaying the boy's latest antics, one of which included being found in possession of illegal substances. Such chat, although private information, was treated as necessary data for the unit staff to utilise in the course of their duties. Officers appeared to enjoy relaying the latest news and views from the station and the staff respected police opinions; there was little hesitation in following their advice on areas, roads or people to target.

Secondly, a significant proportion of staff members were interested in police work, viewing it with rather 'romantic' notions; a few staff admitted that they would like to have joined the police had their circumstances been different.

In his study of policing methods, Skolnick recognized that the police are faced with huge pressures to achieve results without themselves breaking the law. To cope with this the police develop 'informal rules, rites and recipes for coping' (Reiner 1997: 1016) including solidarity, isolation, conservatism and suspiciousness. The characteristics observed by Skolnick will be employed to highlight the extent to which policing methods have spread to the CCTV unit.

Skolnick identifies in his study of 'cop culture' that police officers, due to the dangers they face, feel socially isolated from the rest of the community (ibid: 49). There was a specific culture existent in the unit that while at work, staff were observers not community members. Some staff members told me that they do not allow people to know that they are employees of the unit for fear of community reprisals. Employees also observe a significant amount of crime and violence and often spoke to each other about incidents observed during their shifts, providing for each other a support system.

In the police service, 'getting results' is imperative (Skolnick 1996: 48) and can be seen as a way of strengthening solidarity. This ethos was present in the CCTV unit, especially with male operators, who viewed the capture of criminals as a competition - comments such as, I haven't caught a scrote in two months were not unusual. The behaviour of the female operators was not as competitive: they saw those they viewed as more akin to daughters and sons, as one female operator noted,

After working here I am so frightened when my daughter comes into town when I see violence I look and I know that could be her but she just thinks I'm paranoid
(Interview with North Town CCTV Operator, 2000).

This does not infer that male operators do not relate those on screen to family or friends but any worries they may have had were not expressed to me or other staff. Nevertheless, all operators were aware that detection figures provide crime managers with evidence that the system is working and the unit manager told me that effectiveness, which is measured partly by crimes detected through the cameras, was important to ensure any forthcoming funding.¹⁵

As Skolnick notes isolation and solidarity can increase stereotypical ideals and underlying prejudices between 'them' and 'us' (Ibid: 53), and this appears to be connected to beliefs of conservatism (Ibid 1966: 65). This attitude was prevalent in the control room: when questioning operators on issues of crime, their beliefs fell towards the right of the political spectrum, and ideas of retribution, hanging and capital punishment were frequently mentioned as positive ways of cutting crime. During a group discussion one evening with four other operators I directed the conversation towards issues of punishment and the following illustrates a view also held by the other three operators involved in the conversation:

The trouble is these people are out of control; nobody has any power over them. If you were to bring back something like flogging, even hanging, it would frighten them into not

¹⁵ At that time North Town was bidding for Home Office funding to enable the improvement of the present cameras and expand the system to more outer town areas. So far two cameras have been granted.

committing crime, and the cameras provide solid evidence so that nobody innocent is accused
(Interview with North Town CCTV Operator, 2000).

The continuous concentration on crime generates an ethos that this population is dangerous. Moreover, every act, whether criminal or seeming to be suspicious, is enacted on a television screen that de-humanizes those observed. In the 'Vision Machine' Virilio examines the camera as a tool that has turned public space into movie film scripts, and individuals into mere images, 'a sort of permanent pan cinema, which, unbeknown to us, turns our most ordinary acts into movie action, into new visual material, undaunted, undifferentiated, vision fodder' (Virilio 1994: 47). Perhaps such dehumanization aids in separating the operator from the perpetrator, by highlighting the individual as a separate entity to those who watch. Ideas of capital and corporal punishment are easier to accept when a person is a 'mere image, rather than a person with a family, friends and everyday troubles. Like the police, operators may see the very worst of human nature but unlike the police, they rarely hear the situation that surrounds the crime, the poverty, the abuse, the boredom. They merely see the crime in its 'purest' sense, and it would seem that such experiences have pushed notions of conservatism as deeply into the structure of the CCTV unit as it is in the police canteen.

Finally, Skolnick suggests that suspiciousness is principally a way of 'dealing with the job' (Ibid: 46). As the police have to decide quickly, when approaching individuals, if they are criminal or not, they are, therefore, prone to operate with prejudiced stereotypes of 'potential villains'. Operators also work on the basis of suspiciousness: the unit manager told me a good operator is indeed a very suspicious person. Without suspicion of certain types of people or actions, the job of the operator is considered very difficult:

When I first started, just a few months ago, I went mad on these cameras, thinking I had to follow everyone. If a lady with a big shopping bag came in I'd think right, well, that's a bit dodgy, then the other staff, who were a lot more experienced, taught me that this way of working the cameras was silly. I learnt to target

certain looking shoppers, now my job is a hell of a lot easier I can tell you

(Interview with Security Officer, North Town Shopping Centre 1999).

Now his training is complete the security guard targets the "scrote" looking people, that is, those people, who because of their poor appearance whether old or young are considered suspicious by their very existence.

Alternatively, suspiciousness during the observation was aroused by 'out of the ordinary actions' for example, walking through the town late at night or early in the morning, when all law-abiding citizens are tucked up in bed. Such actions would immediately arouse the suspicion of the operator and the suspect would be accordingly followed.

This practice was described by a police constable while visiting the unit - the unit staff, myself and the officer were talking about the 'types' targeted for random questioning and she commented that to come across a person or persons in the town late at night would automatically create suspicion:

Constable: We would automatically stop a person in town late at night

A: You would stop any person you came across late at night?

Constable: That's not everyone, not a respectable looking person. We have orders to do so.

In other words the stopping of people late at night is based on more than suspicion, it is based on management policy. Nevertheless, there are types that they choose to stop and these 'types' are considered to be outside of the 'respectable community'.

Alternatively, running was viewed as a highly suspicious activity:

A male is running out of the shopping centre from the side entrance, he is spotted by the operative who immediately starts to real time record,¹⁶ the operative notes that he is

¹⁶ Real-time recording is the video recording of whatever the operator scans to and allows close up pictures to be recorded and is used when an operator 'feels' that something may happen.

probably running away from security so he would follow him to let the guards know where he was heading, he heads straight for the bus stop and jumps on an awaiting bus. The operative then proceeds to radio the security staff in the shopping centre and inquire if anybody was chasing a person of this description, no guard was. The operative concludes that he was obviously up to something (Observation notes, North Town CCTV Unit, 2000).

This assumption is interesting, and whether such a reaction would have taken place had the male not been so young and wearing a suit is difficult to assess. I strongly suspect from the rest of the observations that a mature man, in a suit and running, would have caught the attention of the operator but the operator may not have been as explicit in labelling the man as a 'criminal'.

When looking at the 'types' that police most often target it is fair to say that they have historically exploited the division between 'roughs' and the 'respectable' (Brogden 1982: 147). The spread of this culture to the CCTV operating room has resulted in similar consequences noted in police attitudes, the primary one being that innocent citizens living in high-crime areas become 'symbolic assailants' conforming to police and agencies' stereotypes (Skolnick 1966: 42). Here we may distinguish between persons supporting their local football team, whose activities, it is argued, warrant close observation from both police and CCTV operators, and company directors whose constant cost cutting actions has resulted in greater deaths from health and safety crimes than from homicide (Tombs 1999: 82). Statistically the greatest killer may be the employer, but while shrouded by lawsuits, inadequate laws, and almost non-existent law enforcement, those exhibiting a 'respectable' front remain absent from categories traditionally targeted by the police and CCTV operators. Moreover these people remain absent from street level risk because their crimes tend to be carried out in private space.

In their study of CCTV, Norris and Armstrong ask:

Bombarded by a myriad of images from dozens of cameras and faced with the possibility of tracking and zooming in on literally

thousands of individuals, by what criteria can they try and maximize choosing those with criminal intent?

(Norris & Armstrong 1999: 131).

It is, they suggest, an occupational hazard, because the nature of the job requires a set of working rules which will maximize their chances of selecting those most likely to be involved in crime (Norris & Armstrong 1999: 117). In attempting to answer who and what is watched, Norris and Armstrong focus upon Sack's study of police patrols and a number of working practices, which the patrol officer uses called 'incongruity procedures'. There are problems, however, with using the procedures set by Sacks, especially with regards to CCTV operators. First Sacks was not concerned with suspicious behaviours, but only with appearance. Secondly, he neglected assumptions that prefigure the selection process on the other hand Norris and Armstrong argue that CCTV operators are bringing with them assumptions about distributions of criminality with the population (Ibid: 1999).

They, therefore, examine seven categories of suspicion based upon Sack's categories but remodeled for appropriate use of the CCTV operator. Their working rules have been briefly compared with the North Town study, to illustrate that although the implementation of CCTV may be partially attributable to an actuarial regime, not all targets are based on actuarial techniques. Levels of suspiciousness were to be found in North Town, as they were in the Norris and Armstrong study, although sometimes with slightly differing results:

<i>Norris and Armstrong Working Rules of Suspiciousness</i>	<i>Norris and Armstrong Result</i>	<i>North Town Result</i>
<i>Given the sheer volume of candidates targeted for surveillance, the operators utilise their already existing understanding of who is most likely to commit crime or be troublesome, to provide potential candidates for targeted surveillance</i>	Operatives use pre-given assumptions of people falling into one or more of the categories of young, male, black, or working class. The more of these characteristics a person holds the greater their suspiciousness rating.	There is no emphasis on minority ethnic groups in North Town. The town is a predominantly white working class area. Black people did at times come into view of the camera but were given no particular attention. Pre-given assumptions were made regarding young, male, and working class persons. However, it will be argued that the emphasis of those targeted was based more upon their membership to risk populations
<i>Certain behaviours warrant unquestionable surveillance because they are themselves criminal or disorderly. However, there is a range of other actions which, whilst not criminal, operators treat as indicative of potential or recently occurring criminality</i>	Suspicion automatically falls upon those running, loitering or acting criminal in some form; sometimes persons would play pranks on the operatives by pretending to be criminal	Very similar to North Town study often youths enjoyed 'playing' with operators, pretending to fight, as previously mentioned running was also noted as highly suspicious as was loitering
<i>Certain people are immediately worthy of surveillance because they are known by operators to have engaged in criminal or troublesome behaviour in the past</i>	Little evidence to illustrate that operators work upon knowledge of past conduct	Large focus upon known petty offenders and drug users
<i>Operators must learn to treat locales as territories of normal appearances and against this background, variation can be noticed. This involves utilising the temporal and special variation of activities within a locale to judge what is both 'out of place' and 'out of time'</i>	Differing shifts produce differing observations. Daytime focus on the city centre. Teen discos focused on early evening, night shift offered better opportunities for arrest especially during closing time for pubs and clubs, also a large focus on homeless	Very similar patterns of observation and arrest rates. Behaviour acceptable late evening (Fights, drinking in the street) was not acceptable during the day when the town was used for purposes of consumerism/leisure. The homeless were given very little attention during day or evening in comparison to Norris & Armstrong. Large focus upon residential areas in the evening
<i>For operators the normal ecology of an area is also a 'normative ecology' and thus people who don't belong are treated as 'other' and subject to treatment as such</i>	Concept of other is connected with who should be where so, for instance, drunks and street traders unwelcome in town centre	Very similar to North Town study, as mentioned drunkenness acceptable as was drug taking in certain parts of the town and at certain times, no problem with street traders observed
<i>There is an expectation that just as operators treat territories as a set of normal appearances, so others are expected to treat them as such. And thus if a person appears lost, disorientated, or in other ways at unease with the locale, this will indicate suspiciousness</i>	Normally bound with other rules of the incongruity procedure, people wandering aimlessly treated as suspicious. Normal behaviour expects strangers not to interact, out of the ordinary behaviour helps to note activities such as begging	Begging in North Town was allowed in certain areas of the town. Out of the ordinary behaviour was acted upon with suspiciousness no matter what category the person fell into. Elderly watched if looking confused, to ensure safe (this probably being a product of wardens monitoring the cameras)
<i>Operators learn to see those who treat the presence of the cameras as other than normal as other normal as other than normal themselves</i>	Operators work on the notion that they have the right to view who they want and those who react to the camera are noted as suspicious, again emphasis on black youths	People who reacted to the camera also given a significant amount of attention. A lot of resentment in residential areas, residents would make signs at the camera in their gardens or through their windows

The categories created by Norris and Armstrong enable an understanding of suspiciousness illustrating who and what the CCTV operators targets. This project plans to study suspiciousness as a pre-conceived idea and argue that in North Town the choice of who to follow is largely based upon techniques of actuarial justice.

The main features of actuarial justice can be understood as two overlapping features on the one hand being the management of populations on the other prevention and risk minimization. Each of these theoretical features will be compared to the empirical research in order to signify points at which operators employed actuarial techniques.

i. Population management

Individuals are understood as members of particular sub-populations and each town, district, city or county has its own identifiable 'risk' categories. In London emphasis is placed upon observing refugees from the new Eastern block countries (StopThief ITV 1999), while in the Norris and Armstrong study, black males were highly observed:

Stereotypical negative attitudes towards ethnic minorities and black youth in particular were more widespread and ranged from more extreme beliefs, held by a few operators, about their inherent criminality to more general agreement as to their being work shy, 'too lazy' to get a job and in general trouble. Given these assumptions the sighting of a black face on the streets of either Metro City or County town would almost automatically produce a targeted surveillance
(Norris & Armstrong 1999: 123).

Therefore, any study of actuarial justice at a local level requires the identification of whom the authorities and police view as a risk and these categories may change from region to region. In North Town, risk categories have been segregated into four groups:

- ❖ *Identification by residential address*
- ❖ *Identification by social status or 'scrote' dress*

- ❖ *Identification as petty offender or drug user*
- ❖ *Identification as a night-time reveller (this will be discussed in the second section under risk minimisation)*

Identification by residential address

Hudson notes that actuarial justice focuses on identifying high crime roads and pockets of areas (Hudson 1995: 1). This was strongly confirmed in the research where the very placement of cameras has been based on those areas considered to house North Town's most criminal. At the start of the observation, Golden Downs was introduced as a renowned area in North Town that contains several infamous roads such as Oak Road:

In Oak Road, nearly every house is a druggie house. They have been re-built and are still druggie houses, nobody will move into them because they're just full of druggies
(Interview with North Town CCTV Operative, 2000).

The operators in the unit automatically follow people from Oak Road, whether they have a criminal past or not:

14.01.00

11:45. As we scanned around the area of Oak Road the operator noticed a young male leave his house; the operator commented that it would be wise to follow him. The male got onto a bus, at which point the camera operator proceeded to watch his activities stating that they use the bus to swap drugs. Once the bus arrived in town, the operator followed the boy around the town until he entered a 'no-camera', zone, much to the disappointment of the operator.

14.01.00

12:02. Spots another young male outside North Town library, saying, I am sure he is from Oak Road. He is standing at the bus stop but, as he is from this particular area, there is an assumption he is probably not actually waiting for a bus. Finally, as the bus comes and he gets on the operator comments, well I wonder what he is up to? She finished the conversation noting that even if he was waiting for a bus he needed to be kept an eye on. I asked her a little later what this person had done in the past; she

replied that he had never, to her knowledge, committed a criminal act - she just knew he was from either Oak Road or Saint Matthews'.

Not only did the operators concentrate on these areas, but the overall ethos in the unit was that these 'bad' areas produced youths who were at the root of most crime in North Town. This ethos was illustrated on numerous occasions, for example, one evening it was announced on the radio that a burglary had taken place in the town. The camera was positioned on Oak Road with an expectant air that the burglars would return to this street (identifiable by their large swag bags!). Although I never observed this myself, an operator said that this had happened once before.

Undoubtedly these areas were a problem for the police and local authorities. Some of the houses had recently been demolished and re-built in the hope that this would improve the environment and, therefore, reduce crime. The authorities and the unit felt that Oak Road was calmer since the incorporation of the cameras, but even so, it was still problematic.

The residents were, of course, aware that they were on camera as they left their homes; they would often look up to see if the camera was looking. At times, when they suspected that they had our attention, mooning or physical forms of swearing would illustrate their obvious dislike of being observed, which then, of course, reinforced the operator's conception that they were indeed 'problem people'.

The idea of a 'place' containing high-risk populations was illustrated in the attitude of this police officer who distinguished single parents and those on income support as obvious 'problem' categories:

this area is a place full of single parent families and people on income support, and those young people who know they can get a flat here because no one else wants to. So, we need to be able to have differing ways of dealing with this element
(Interview with Police Constable, North Town Police 1999).

For this officer the camera was a positive way of observing troublesome youths because, 'it's good to get a picture of them when they come and go so that if an incident takes place we have an idea as to whether they were at home at the time' (Interview with Police Constable, North Town Police: 1999).

Those officers actually in contact with residents had a very different opinion of the general population in Oak Road and other problem areas. They saw the crime in these areas as attributable to a *small minority*, unlike other officers and CCTV operators, who viewed those areas as troublesome. The crime prevention officer of North Town described how on the opening day of a sub-police station in Golden Down (opposite Oak Road):

there had been riots of around eighteen to nineteen people protesting at the presence of a station upon their door steps, but we're talking about a minority who didn't want the station (Interview with Crime Prevention Officer, North Town Police 1999).

The opening of the station encouraged residents to secretly notify the police of any criminal activities. I asked the Crime Prevention Officer if the police got a lot of anonymous information:

Lord, yes we get loads of information from this kind of thing. If you have an estate and the minority are causing trouble, it is easy to deal with them by getting the information from their neighbours. You can't blame them they don't want the crap on their pavement they just want to get on with their lives and be able to mow a lawn without being frightened. We use their information to pin point people it's all intelligence you know - all of this goes to intelligence and we can work on it (Interview with Crime Prevention Officer, North Town Police: 1999)

CCTV is highly useful as a tool for intelligence-led policing. This enables camera operators to specifically target those considered a 'risk'. It is ironic that residents in

reporting those they fear are making themselves part of a risk category, because the greater the number of crimes the higher risk the area becomes.

It is a legitimate argument that residents are genuinely scared of the minority, and according to arguments of left realism their fears are quite real, because the crimes they fear, such as burglary or street crimes, are largely carried out by working-class males with whom they may well share a road or an estate (Young 1994). The realism of residents' fears is reflected in other areas where mothers have ganged together as vigilante groups to deal with drug dealers (Johnston 1997) or residents have joined in force to create Neighbourhood Watch. So the targeting of specific high crime areas may be viewed as a form of community protection - after all the Government sees CCTV as the 'friendly eye in sky'. With this we see the opening of sub police stations housing community officers,¹⁷ in the hope of building relations with 'decent' citizens e.g., Oak Road sub station has been placed next door to the local fish and chip shop, giving it an air of locality and friendliness.

But does CCTV actually aim to protect? CCTV has not succeeded in solving the problems in Golden Downs and the failure of CCTV is reflected in the fact that Oak Road, the worst road in this area, is to be demolished: this reflects more a policy of reducing crime by eradicating the worst areas and not aiding those who live in fear. Secondly, the attitude of camera operators towards Oak Road residents, or to those from other risk areas in North Town is not one of protection against victimisation, but observance of *all* residents as a risk (this includes those who have worked with the police to try and eradicate the minority), and this is purely actuarial.

Identification by social status or 'scrote' dress

Identification by social status refers predominantly to the underclass. Suspiciousness has always 'naturally' fallen upon this population, viewed as endemic with crime, illegitimacy and homelessness (Murray 1990: 23). While sociologists struggle with the use of this term, suggesting that there is no basis in which to put the unemployed and unfortunate into a class of their own, others have used the term to explain various

¹⁷ Johnston notes that community policing is a new form of accumulating information to assess risk categories (1997).

inequalities within society, including secondary work markets (Giddens 1973), those living under the poverty line or those morally deprived (Murray 1990: 2). Whether representing Left or Right Wing ideologies the underclass is largely treatable, punishable or solvable. With actuarial justice, there is little need for any of this theorising because it views the underclass as requiring classification and management and CCTV is the very epitome of such management. Why? Because it allows direct targeting of their activities, as this operator notes while observing the town centre:

05.01.00

10.45 Look at that scrote looking person [referring to a female], the operator follows her around town as she visits various shops on the outskirts of the shopping centre, including a card shop, a charity store, a video hire store and then into the shopping centre. I ask why he was suspicious of her? He simply replies, Well she's obviously a scrote.

His suspiciousness was based primarily upon the fact that he saw her image as poor. In other words, anyone who adopts the image of 'scrote' is perceived to be a member of the underclass and instantly viewed as a risk.

In this study, it appeared that the underclass were identified by a certain style of dress. Armstrong and Norris also noted that dress, whether sub-cultural or scruffy, was the basis for 31% of targeted individuals. This differs slightly from the North Town study where 'risk' dress was neither scruffy or subcultural, but was referred to as a 'uniform' as an operator explained, *you look for tracksuit bottoms, Addidas jacket, Addidas hats or a dut¹⁸ of some kind. It's a kind of uniform, a scrotes uniform.*

This was also illustrated in several interviews conducted with private security personnel. The following illustrates the 'typical' image of the 'types' security guards most frequently observe:

We can spot potential shoplifters, a lot of the time they will be the people wearing tracksuits and a scrunchie in their hair.

¹⁸ A dut is a wool hat minus the bobble.

Look at those two walking in,¹⁹ they are our typical type of person that we would follow with the camera and keep an eye on.

You cannot deny the fact that if someone enters wearing a tracksuit and scrunchie in their hair you will follow them

(Interview with Private Security Staff, North Town shopping centre, 1999)

Through styles of dress and particular types of clothing a code for 'dangerousness' has developed. Such stereotypes were very specific: only those conforming to the image of 'scrote' were paid attention to, while youths who have in the past gained attention through dress, such as punks (Cohen 1987: ii), were, in North Town, assumed to be members of The North Town College of Art, students of which, in the minds of the operators, are of no danger to public order.

It would appear that ideas of what 'high-risk' may be in appearance has 'naturally' taken the form of those whose style constitutes membership of North Towns poorest groups. Not everyone who conforms to this type of dress is criminal, but to wear the dress is to become part of the 'high-risk' group. The issue of the dress code worn by the 'high-risk' cannot be given justice here but it is worth considering a few points noted during the observation. First the dress code is almost unisex: the only item that distinguishes men from women was head wear, for the boys this was a cap or dut, for the girls the scrunchie. Of course females also wear sports caps, but on the whole the scrunchie was an identifiable piece of clothing and one that operators used to mark 'risk'.

For example, I asked the operator how he went about spotting what he called the 'toe rags':

Well, that's quite easy really, the bigger the scrunchie²⁰ the harder the boyfriend. If you see a girl with a really big scrunchie in her hair you know she's a toe rag, or a least going out with one

¹⁹ At this point the operator points to a man and a women, both wearing tracksuits.

²⁰ A scrunchie is a large piece of elasticated material used to put hair into a ponytail.

(Interview with North Town CCTV Operator, 1999).

It would seem that the scrunchie holds numerous symbolic meanings to operators, police and security officers; its use has become particularly significant because it relates to an image of something 'high-risk'. The job of the scrunchie is to tie hair away from the face, but the image of the scrunchie is enhanced by the fact that when worn by those who have no time or money to spend on themselves, it gives a 'hard' and 'experienced' look to certain wearers. The scrunchie would also appear to be a way of maintaining femininity for women, who lack the disposable income to purchase frivolous fashion items.

According to Simon:

The concept of an underclass, with its connotation of a permanent marginality for entire portions of the population, has rendered the traditional goal of reintegration of offenders incoherent, and laid the groundwork for a strategy that emphasis efficient management of dangerous populations
(Feeley & Simon 1994: 192).

Feeley and Simon note that if we are to work on philosophies of actuarial justice we have few options but to view the underclass as a 'permanent condition to be managed, rather than solved or eliminated, 'to the extent that this pessimistic assessment is accurate, actuarial justice may be regarded by a growing number of people as an obvious and practical response to an intractable problem' (1994: 196). As such, operators in North Town are being trained to recognise that following the 'scrote look' will inevitably provide results, which ironically, during the observation, it never did.

Identification as petty offender or drug user

When interviewed the Superintendent of North Town noted that his main priority for targeting was, 'street offences, drugs, thefts from the person and auto crime'. Therefore, those who partake in these offences are well known to the police and were made well known to the operators as petty offenders and/or drug abusers.

This differs from Norris and Armstrong's research where operators had little idea of their population's criminal history (1999). In North Town the police produce a 'rogues file' for operators to memorise. Most operators do not bother to do this as it is difficult to recognise a person on screen from a police identification photograph. Operators learn who the infamous criminals are from gossip around town, or more commonly from the police and their own experiences.

The concentration on known offenders was supported in an interview with a Chief Superintendent, who stated, that in North Town:

We are very focused, we know there are about 30 people in North Town who cause disruption and we focus on them. We have spot checks; we do make life difficult for them. If, for example, we know somebody is a drug dealer we will wait outside their house then they get fed up in the end. It's disruptive tactics really. We quite often go and pay them a visit. It's about being focused. If you've got a fifty pound a day heroin addiction and your unemployed what else can you do but steal the money. So all you have to do, if you want to influence our crime figures, is follow them.

(Interview with Chief Superintendent, North Town Police 1999)

The observations found that, on most occasions, when a 'known' suspect was spotted they would be followed in the belief that in time the operator would 'get a result':

14:22 The operator notices Simon Neil enter the town; he hangs out alone, sitting on a wall near the public library. He is obviously waiting for someone. I ask the operator, is it worth watching this guy hang out? He replies that since he hasn't caught a 'scrote' up to anything in the last two months he is determined that today he will. His theory was that if he sticks with this person long enough, something would happen. Simon met with his friend; they proceeded to walk together out of the camera range. This was, of course, disappointing for the operator who commented that he would probably get him tomorrow. In fact, Simon did return, but again, nothing happened.

(Observation notes, North Town CCTV Unit, 2000).

While the observation took place, there were several names and faces brought to my attention as 'known smack heads'²¹, scrotes or toe rags'. Most of these individuals were young males, however one female was brought to my attention in the following way.

As the operator scanned around the town he noticed Thresa Scully, so I asked him:

A. Why are you focusing on this person?

Operator. Well she bats for the other side if you know what I mean.

A. You mean the Welsh?

Operator. No - the other side (nodding his head to the left).

A. She's gay?

Operator. Yes! She's beaten people up and been in detention, so the police have requested she be kept a special eye upon.

(Observation notes, North Town CCTV Unit, 2000).

This operator may have been more concerned about the woman's sexuality than her criminality, but what is also significant is the police request for her specific observation. This happened several times during the observation when officers would visit the unit or fax details of particular persons they would like to be followed: at times these persons were recognised by operators and accordingly followed, however during the observation nothing came of these specific targets.

Apart from those specifically targeted for observation there was a category of individuals that were well known by the operators. Their faces and names constantly caught the attention of the operator. The following youths create the epitome of the targeted population in North Town.

21.12.99

*13:55. The operator notices, what he calls, three rogues one of these being **Paul Usher**, a well-known drug addict; the operator says that he likes it when he enters the town because he attacks all the others (drug addicts). The operator follows these boys but*

²¹ This term was used by operators to denote a person who used heroin.

nothing of interest happens so the operator leaves them and follows a call that is transmitted through the police radio.

(Observation notes, North Town CCTV Unit, 1999).

22.12.99

14:14. Notices Paul Usher, starts to follow him and realises he is heading for the shopping centre. Calls the security staff to let them know who ensure his entry is prevented.

(Observation notes, North Town CCTV Unit, 1999).

30.12.99

13.45. The camera operator starts to scan the town and notices Paul Usher outside the town library. He meets with two known drug offenders, the operator calls to notify police of this occurrence. Police are at the scene within minutes. All boys are searched and the police find syringes in one boy's pocket. We view from the cameras their clothes being searched in public, their hands forced behind their backs, placed in handcuffs then pushed into the back of a police van by officers whose bullet proof vests give them an air of 'military' rather than 'officers of the law'.

(Observation notes, North Town CCTV Unit, 1999).

05.01.00

13.12. Operator notices Paul Usher going into a drug clinic to obtain clean needles. The clinic is housed in a terraced building surrounded by other residential homes; it has an air of homeliness, hanging baskets, a nice garden gate and a mowed lawn. Surrounded by the normality of a suburban street at certain times of the day a constant barrage of young men and women parade up and down the garden path for clean needles. On this occasion, the operator calls central to ask if there is a warrant out for this person's arrest. Central were not at all interested and told the operator to stop bothering them! In the end central apologised and agreed to send an officer out. This did not happen and we observed Paul get on a bus and go out of the camera's range together with his clean needles .

(Observation notes, North Town CCTV Unit, 2000).

The shopping centre is out of bounds for these 'known' individuals, one of the reasons being that the public lavatories in the shopping centre is a place people use to take, and deal in drugs (this is known by the physical objects discarded by drug takers such as syringes). The public library, which provides free entertainment for children, free internet access and a quiet place to read and study, remains well used for drug crimes, although to say that activities in this area are totally ignored would be unfair, as events on the 30th December showed the police do at times react to activities taking place. This is in line with techniques of actuarial justice, which aims to reduce crime by targeting specific places at specific times to reduce overall crime levels. Alternatively, Reeve's study infers that there is no place for certain groups in an environment for consumption (1996: 3) and their known label gives legitimacy to removing their freedom of movement around town.

22.12.99

13:34 Notices drug dealer John Cole. Watches his movements until he goes out of range of the cameras

(Observation notes, North Town CCTV Unit, 1999).

30.12.99

13:55 Operator notices John Cole, he calls central to see if there is a warrant for his arrest. The answer is positive, there is. However, the police are too busy to respond. Warrant due to theft and broken bail

(Observation notes, North Town CCTV Unit, 1999).

05.01.00

13:26 Operator notices John Cole walking towards the shopping centre, he immediately notifies the security in the centre who are already at the door to prevent his entrance, the operator comments that they probably saw him coming

(Observation notes, North Town CCTV Unit, 2000).

It is common practice for the operators to call central²² and request if there is a warrant²³ 'out' for a person's arrest. The answer was often positive, but the police were rarely

²² Central is based at police headquarters and is the centre where 999 calls are directed; they have their own monitor that the operators can pass pictures to if necessary; the centre is staffed by civilians.

interested in actually 'picking' these people up.²⁴ From the observation it appeared that the police were really fed up with the constant concentration of these individuals, to the extent that even when they were wanted under a warrant, they were often ignored. The problem for the police was that operators would not allow those with warrants to be ignored, constantly calling the police and insisting on some kind of action, which often did not occur. Cohen's argument with regard to net widening may well be appropriate here because CCTV allows for the reach of the social control nets to be widened and the mesh strengthened and thinned (Cohen 1985). In North Town, the same suspects are indeed being caught in the net of the criminal justice system, to the extent that even the police want to be able to ignore them, perhaps because, at the end of the day, we are talking about petty offenders committing petty offences: At the same time, when considering an actuarial justice the management of this population does not require constant police attention, if somebody like John Cole was really wanted by the police he would be fairly easy to find. Perhaps the system of control over people such as John is so tight that the police do not need to constantly interfere in their daily activities, they can be left and observed from a distance until their activities exceed what is acceptable, or until the police choose to concentrate upon them.

15.12.99

15.32. Andrew Knox is spotted by the operator getting off bus follows him until he loses interest. I asked him why he didn't carry on following this man. He commented that following these people was a waste of time because all they wanted was to get their drugs and get home and at the end of the day so long as that is all they do the police will rarely react

(Observation notes, North Town CCTV Unit, 1999).

05.01.00

13.25. Andrew Knox goes into the job centre. The operator places the camera on the front of the building awaiting his exit. He follows him until eventually he enters a no-camera zone, much to the disappointment of the operator.

²³ A warrant for a person's arrest means that among other things they may be wanted by the police for suspected offences, not attending a probation meeting or failing to attend court.

²⁴ At one point an officer refused to collect a person standing outside the police station!

(Observation notes, North Town CCTV Unit, 1999).

Andrew Knox was frequently mentioned as being a problem: if an operator noticed him in the town, they would not only observe his activities, but real-time record his activities. He is targeted as an individual, but the main point is that each one of the above is treated as being part of a group, membership of which required high appearances in police statistics, along with other risk categories such as parent's criminal activities and place of residence.

The treatment of these people further emphasises the aim of actuarial justice, not to solve deviant vices, but to provide strategies that will minimise the chances of these vices being enacted (Simon & Feeley 1996: 221). Andrew Knox has a prominent position within the 'known' risk category. Andrew's membership is based on several 'risk' categories. First, he is a heroin addict, which in itself does not produce automatic membership, but he is also a resident of Saint Matthew's estate; thirdly, his family members are 'well known' to the police. Lastly, he has been caught and committed for numerous offences including burglary, criminal damage and assault.²⁵ The authorities and the police have not ignored Andrew, and they are very aware of his family history:

Andrew came from a very bad home. His mother and father had domestics every weekend, some of which I was involved. Andrew's father disappeared some years ago. Andrew was not brought up, he was dragged up. If he had of been given a chance he would have been a great kid, very talented I think. But he has experienced things that a kid just should not. At the end of the day, I am not a social worker - he may have problems but that does not excuse his victimization of others

(Interview with Police Constable, North Town Police 1999).

²⁵ Information on this person's criminal past was obtained from the crime net file.

Andrew's life with regards to health, education and parenting has greatly disadvantaged him. The police officer acknowledged Andrew had problems, for example, he cannot read and write well, but these are not considered the business of the police, as this officer commented, we are not social workers. This is not to say that no authority has ever attempted to aid Andrew - he had been assigned a probation officer and undergone community service. However, philosophies of actuarial justice do not focus on understanding the 'problems' related to criminal behaviour: such issues are dealt with less and less, while management of behaviour increases. So long as Andrew stays within acceptable boundaries, so long as his drug taking activities do not spill into the shopping centre or more affluent residential areas, his behaviour, though criminal will be tolerated and from time to time when he goes too far he will be arrested. This was proven on several occasions as I witnessed Andrew involved in a drug transaction at the front of North Town Library and then walk, looking suspicious and nervous, to the back of this building to (we assume) take the drugs. There were times when he tried to hide from the public, but the cameras could still view parts of his body making the actions of a drug taker, his arm raised, with his back arched, and then a few minutes later walking back to the front of the library looking confident, happy, even cocky.

Are these scenarios actuarial?

There are a number of techniques noted in the above scenarios which can be singled out as actuarial. First, the *identification* of these people as a 'risk' is obtained from statistics, which are tabulated into a log of measurable data, providing for the police an idea of what and whom poses the greatest risk to social order or to the criminal statistics in a particular area, as this Superintendent explains:

every police district in the country will have a log that lists anything interesting that has happened over the past twenty-four hours, then we can look back on anything that is likely to cause us damage or anything that will generate a lot of public attention, anything that is likely to effect our ability to do our normal job on a daily business. We also look at what the picture of crime has been over the past twenty-four hours.

(Interview with Police Superintendent, North Town Police, 1999).

This information is then passed onto the CCTV unit via daily faxes. As the fax below illustrates the police on this particular day, as they were on most days during the observation, keen for operators to keep an ever-present eye over Oak Road and the 'known' characters of the town.

- i. Information has been brought to our attention that persons unknown may be using the guise of a pram or a pushchair to hide their drugs or stolen goods, and openly deal on the street, or exchange property. While there will be a lot of legitimate persons pushing families around, if operators could scan for 'suspicious' or 'known' people who may be using such methods to carry out their activities. These people are believed to be from the Mead area.*

- ii. Operators please continue to scan Oak re drug activities (Fax content from police station to CCTV unit).*

The problem with the use of statistics, of course, is that suspects tend to be those who are most frequently convicted (Norris 1999: 150). In reality we know from self-report studies that criminal statistics do not provide a proportional representation of the criminal fraternity, 'agencies control crime statistics; they control our notions, knowledge of crime and, moreover, its threats' (Manning 1977: 122). In North Town, it was clear that populations most concentrated upon were petty offenders (shoplifting crimes) and the poorest of criminals.

Secondly, in line with actuarial justice, there was little evidence in North Town of trying to integrate these offenders back into the community. Instead I observed individuals banished from certain areas of the town, in effect becoming social outcasts to be *managed*, observed and occasionally 'picked up' by the police to be re-released, with a caution, for the cycle to start again. The view of young men and women being allowed to sit outside of the town's library, waiting for their daily 'fix', inferred that the technique of management rather than eradication of crime had taken a strong hold.

As Simon has already noted it may well be the case that we are pushed into categories with people that we have little in common with, other than by our bank balance, place

of work or residential status (Simon 1988). The treatment of all residents as one population means that innocent citizens may live as part of an aggregated population with members that commit crime against their own population. Therefore, for those living in areas such as Mead and Oak Road perhaps the greatest weakness of actuarial justice is not merely the sharing of a population they may have nothing in common with, but being treated in the same vein as those they fear.

ii. Prevention and risk minimisation

The second feature of actuarial justice is that it seeks prevention of future offences. This is not the social crime prevention that aims to change the environment and the motivations of offenders (Hughes 1998:20) such prevention may well focus on those most at risk of committing crime, but their intentions in changing the mood and thought of the person through, for instance, youth programmes or employment and training programmes (Ibid: 83) takes it well outside the remit of actuarial justice. According to Feeley and Simon, actuarial justice presents 'purer forms of prevention' (1994:178) i.e., a move away from socialised prevention, towards prevention that targets the crime or eradicates a need to change the person (incapacitation). The epitome of such prevention is situational crime prevention (Clark 1994); it fits well into actuarial practices because its concern is with the deterrence of crime through management, design or manipulation of the environment (Crawford 1998:18).

'More importantly, however, prevention is aimed less at halting proscribed activities than reducing the likelihood and seriousness of offending' (Feeley and Simon 1994: 178). By this, Simon is referring to risk minimisation, the idea that through prevention crime is reduced rather than eradicated. To explore Feeley and Simon's assertions, two case examples will be taken from the empirical research. First, the management of drug offences will be explored to illustrate the methods by which crime is reduced rather than eradicated. Secondly the management of people using North Town's pubs and nightclubs will be explored in order to illustrate that risk minimisation through management has enhanced a culture lacking in notions of public safety.

Risk minimisation, prevention and the management of North Town's 'Smackheads'

Part of the government's drive towards tackling street level drug crimes can be understood by considering the Home Office circular *Policing Drug Hot Spots (1999)*.²⁶ In this publication the police or those in charge of community drug problems are told that 'the identification and analysis of drug hot spots is a necessary first stage of any operation. The implementation of situational initiatives is dependent upon thorough knowledge of the *geographical locations*' (emphasis added Jacobson 1999). Once a technique of identifying groups or areas has been achieved, practices can be employed to reduce the incidence of drug related crime. Jacobson suggests that practices of 'covert surveillance, test purchase operations, highly visible patrols, police raids and sweeps', will minimise crime in identified areas. Regardless of other initiatives that the government may have invested (drug rehabilitation), it is clear from this publication that practices of actuarial justice are being encouraged by government in an aim to control street level drug crime.

As illustrated in the research CCTV was used daily, as a surveillance tool, to target what the police had identified, through risk analysis and intelligence, as a high profile location. Interestingly not all drug activities whether buying or selling led to police action. This supports Simon's assertion that actuarial justice seeks only to *minimise* crime, because police attendance was found to occur only when the situation was different to the 'norm' (in an area considered unsuitable for drug taking); the police were specifically trying to target drug activity in that location; or it was a 'quiet' time allowing the police to respond.

When particular houses were suspected places for buying drugs the police would request a specific observation of the house, to see who was coming and going. One house in North Town was under constant observation during the observation, the items that operators collected for officers were 'known' names and car registrations, this information was then collated by the police and used for intelligence purposes. I was told that when activities were believed to be 'out of hand' the police would arrange a search of the premises.

²⁶ Published for the Crime Prevention Unit.

Individuals who bought and sold drugs in North Town centre were also well known to the operators, but their activities were monitored not as a way of necessarily stopping the buying or selling of drugs, but as way of ensuring that this behaviour did not spill into safe areas. Operators could even tell from a person's body language whether they had had their daily fix: those who were in need of their drugs looked wary, frightened, almost paranoid, they walked with their heads bowed, as if not wanting to be noticed. After 2.00pm it appeared as if most drugs had been consumed because the same persons walked around the town, confident, their bodies straight, ready to 'take on the world', which in front of the camera they never did. After their fix, individuals would leave the town and not be seen again until the next day. Operators even knew which times of the day to specifically observe certain areas because those taking drugs on the whole did it the same time every day, and if their patterns were different to the rest this was also known, as this operator noted when I asked him what he was doing? 'Well nothing really it's too early for all the local 'smack heads' apart from Ian Hearing, he gets in early then you don't see him all day' (*Observation notes, North Town CCTV Unit, 1999*). The knowledge that operators had of known drug takers was quite phenomenal, including names, addresses, times they liked to take their drugs, the drugs they took and the shops they preferred to steal from to pay for their drug habits. The following gives an example of the types of activities observed by the operators on a daily basis:

10.12.99

13:15 Noticed local 'smack heads', started to record immediately. These two met with another two young males, one of whom the operator knew the name of. They went into Kwik Save, the operator commented that they had probably gone in there to steal something, when they came out they were holding what looked like a bottle of spirits. They passed this bottle to a tramp. The tramp then passed to them what appeared to be money, although we could not be sure of this. The operator commented that this would probably go towards their daily drug habit. The youths were followed but they entered a non-camera zone and were lost.

(Observation notes, North Town CCTV Unit, 1999).

10.12.99

14:15 Noticed well-known drug user sitting on a wall outside North Town library, the operator commented that, he previously used the shopping centre (before it was

redesigned) now he prefers to buy his drugs outside the library and use the library lavatory to take the drugs. An older man then approached the young male, their hands crossed as if to shake, we assume at this point that a transaction was made but we cannot be sure, the older male then walks off immediately out of view of the camera and the young male heads for the library lavatories, exits around five to seven minutes later and walks out of view of the cameras.

(Observation notes, North Town CCTV Unit, 1999).

The operator did not at any moment call the police. Operators, more often than not, reacted to 'dangerous' individuals when they entered a zone where they were not welcomed. For example, it was acceptable for the drug users to utilise the back of the public library or the residential roads opposite the library. When the operator believed that an actual transaction was taking place they would react more positively, calling police headquarters, but the police only once responded while I was there.

The use of CCTV to combat street level drug offences appeared a waste of resources, primarily because people could pass anything to each other without the camera being able to see. The only way that operators could stop a transaction or incident occurring was to call the police and for their arrival to be quick enough to make an arrest. But arresting these individuals also appeared generally wasteful because once in custody there was little that the authorities seemed able to do, as one operator noted:

*They are arrested then back on the streets the same night,
sometimes even putting their fingers up to us as if to say 'balls'*

(Interview with CCTV Operator, North Town, 2000).

If we are to accept the partial existence of actuarial justice, this perhaps helps to explain what we witness, because here is the product of a regime adopting, at least, a minority of actuarial techniques. Drug users and sellers have in effect been allowed to become part of North Town, its culture and its street life and this situation could be suggested as highly convenient for the police who then need to rely less upon criminal justice philosophies, such as rehabilitation or just deserts, and more upon their own managerial resources that react to crimes dependent upon statistics, risk and levels of acceptable offences. So, we see the target of a particular house when it is believed their activities

are 'getting out of control'. With this, actuarial practices of incapacitation (Feeley & Simon 1994) support the police's techniques of management by incarcerating those high-risk offenders, whose perpetual offending may further increase criminal statistics.

Risk minimisation, prevention, and the management of North Town's Night Time Revellers

During the observation there was one other group whose members were treated as an almost given risk category. Namely the night-time revellers of North Town.²⁷ The argument I wish to propose is that the people within this population are treated as violent individuals who partake in violent acts as part of their evening's entertainment. The consequences of this is that the innocent may become victims of violence with little help from CCTV operators or the police, whose role has become one of managing this category in order to ensure violence is contained rather than eradicated.

In describing the night time economy Hobbs and Lister note:

The reality is that the night-time economy is a largely unregulated zone of quasi liminality awash on a sea of alcohol. For the night-time economy is a largely unregulated zone of venture capitalism whose relentless logic excludes from its ever expanding portfolio any innovation that is not oozing with profitable potential
(Hobbs & Lister *Receiving Shadows: Governance and Liminality in the Night-Time Economy 2000: 16*).

North Town fits this description well, the regeneration of the town led to many of North Town's older building being sold to private enterprise, the two most infamous of which is one of North Town's oldest churches that became the Weasel Nightclub²⁸ and another old building, previously used as a House of Fraser store, become club 'TOW'²⁹.

²⁷ By this I mean the users of North Town's pubs and nightclubs.

²⁸ Pseudonym.

²⁹ Pseudonym

With the opening of these nightclubs have been several problems, including an abundant selling of alcohol to schoolchildren. On one occasion, the local paper reported that Club 'TOW' on a special promotions night had allowed seventy underage drinkers, to partake in a 'mega booze binge'. The club consequently had its licence revoked, but the Justices soon returned it on a transfer to two new managers and one of the ex-managers (Ibid). The club once again stands vacant and is looking for new investors.

To set the scene: it is 10:00 pm, I have been observing for an hour and already several calls have come over the police radio:

22.00 These calls reporting several domestics, including a boy pinned on the floor by his father with a knife, a wife beaten by her husband, and a son attacked by his stepfather, the camera has no place in aiding these calls so they are ignored completely by operators. Instead, various moans and groans come from the other side of the room from an on duty warden (wearing her tartan fluffy slippers), moaning about the attire of the females 'about town'. The male operator tells her to "stop going on", commenting that they're just youths enjoying themselves. At the same time he brings to my attention the bouncers, who as the camera focuses upon them, slip back into their doorways so as to be hidden from sight. He then tells me about one nightclub in the town (The Weasel), which is causing a specific worry for the police, because the bouncers have been taking young men around to the side of the nightclub and beating them (Observation notes, North Town CCTV Unit, 2000).

The police response to this has been to ask the unit to keep a special eye upon the front entrance of the nightclub and observe the bouncers' behaviour. It was noted by the operator that this is probably a waste of time because the bouncers will not do anything in front of the cameras. On Monday evenings the Wesley organised a teen disco, where it was believed that individuals were trying to sell drugs to the youths inside and outside the nightclub:

18.35 Tonight the Wesley was holding a youth night, which included youngster's aged 11-17. The club opened at 6:30, however people were queuing an hour and half before the start to ensure they could gain entry. The children queued in an orderly manner and as they did so two older men walked along the queue, the operator commented that

he recognised the 'scrote' as a drug seller, they spoke to one boy in the queue then continued walking until they reached the top of the queue, they then spoke a few words to one of the bouncers and walked away.

(Observation notes, North Town CCTV Unit, 2000).

There is no proof that the operator is right and it was difficult to see if a transaction was taking place. The only evidence is that most operators knew who the drug sellers in the town were and their knowledge had been quite accurate up to that point. As the evening progressed the youths began to spill out into a square outside the nightclub:

17:45 At this point the bouncer came out into the square (who had been talking to the suspected drug seller) and began to push a young boy around (who looked around 13 years old). The boy would not fall or move away, so the bouncer kept on pushing and pushing, until he hit him hard enough for him to fall. The operator commented that he (the young boy) was a toe rag in the making and he's obviously given the bouncer a load of cheek.

At no point was the behaviour of the bouncer commented upon, instead he was viewed as a 'disciplinarian' of those he was 'baby sitting'. This scenario conflicts with the Chief Superintendent of North Town who noted that:

Through CCTV we can nip things in the bud if you look at body language outside a nightclub. It's like watching one of these nature programmes when you look at behavioural trends coming out a nightclub you can actually see someone who might be in trouble

(Interview with Chief Superintendent, North Town, 1999).

However, during the observation it seemed as if those in trouble were afforded little protection through the camera. It could be suggest that within the realm of clubs and nightclubs whether they are for children or adults, those who use them are a category who must accept a certain amount of victimisation. This would appear to be because the treatment of this category is that of viewing violence as part of an evening's entertainment.

1:50am A gang of boys are standing outside a night club two of the boys begin to fight, one bouncer from the night club comes out and stops the boys by pointing to the camera, they move around the corner and resume their fight in an area they believe to be out of sight of the camera, they are still as visible from another camera in the town. The fight goes on and others become involved, in the end they part looking shaky, dusting themselves and wiping their faces although no blood is visible, all asserting an air of confidence, some shake hands, I ask the operator why they would bother to shake hands after a fight? He comments that it's to let each other know there's no hard feeling, so when they meet again all is 'cool'!

(Observation notes, North Town CCTV Unit, 1999).

The attitude to this scene is that the boys are allowed to get on with their Saturday night fight and that to interfere was considered unnecessary, unwarranted and something that might push fights into no camera zones, where they could not be monitored. It was commented by the operators that although they try not to involve the police in fights, if the incident gets out of hand (out of hand meaning many joining in the fight) then the operators notify the police, who have vans ready on the streets to pick people up who are causing trouble. Not all violence observed appeared 'amicable', for example, the following field notes illustrate one incident I was privy to:

2.30am A girl is walking along the street with a male companion. It is around 2:30am and the street is full of people cooling off after their night's entertainment. Suddenly another girl runs up behind them and grabs the girl by her hair pulling her to the floor. The operator watches for a while, then decides to notify the police when he realises the fight is not breaking up. The attacker is so animalistic in her actions that the victim has little chance of hitting back. Her male companion stands back and allows the fight to continue; in fact nobody steps in to help

(Observation notes, North Town CCTV Unit, 1999).

When I asked the operator why the boy had stood back, he replied that, boys nearly always do when their girlfriends get into fights, if they join in, the violence becomes serious, and maybe even weapons become involved. Not only did the boy stand back as the girl was beaten but so too did the operator, and even if he had reacted immediately and so too had the police, by the time they arrived the attack would have been over.

Brown developed this theme in her research, investigating the leisure habits of women using Middlesbrough town centre, where she noted that very few women felt safer with the incorporation of CCTV: they still refused to use the town centre in the evening and preferred instead to use a small suburb of Middlesbrough containing 'safe' restaurants and pubs (Brown 1996). The operators themselves noted that CCTV had changed their own behaviour:

*I wouldn't pass the library, I wouldn't catch a bus outside the library, I would rather walk down to the next bus stop
(CCTV Unit Manger).*

*I wouldn't go into town at night not after the things I see on here
(CCTV Operator) .*

Such comments infer that not only is this part of the town a dangerous place, but that staff are aware that the camera is unable to defend victims, or perhaps the operators would use these areas in the knowledge that their colleagues would be there to the rescue. It is clearly more realistic to recognise the camera as a crime management tool rather than a tool to 'protect the public' or a 'friendly eye in the sky' i.e., the truth is that when entering a camera zone we may only be slightly more protected.

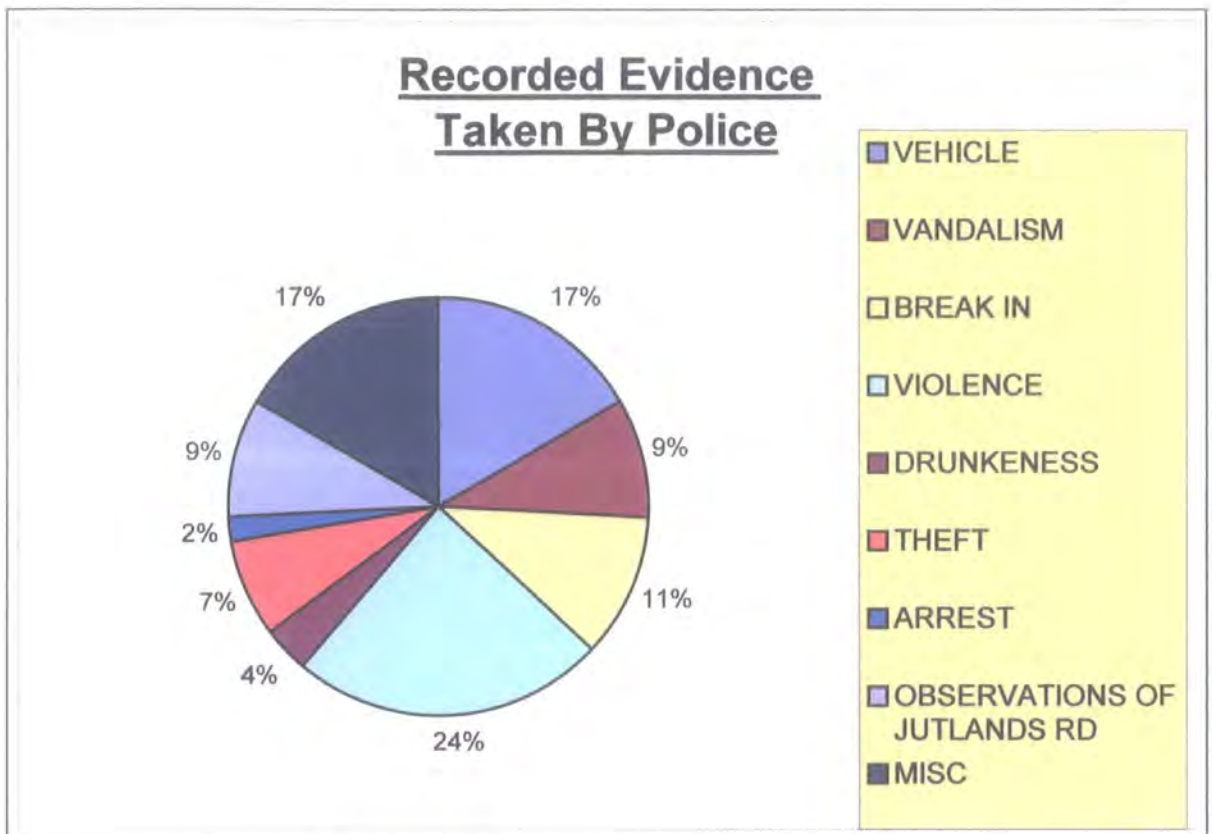


Figure 11. Statistics obtained from 'police evidence file' CCTV unit

CRIME CATEGORY	NUMBER OF INCIDENCES
VEHICLE	9
VANDALISM	5
BREAK IN	6
VIOLENCE	13
DRUNKENESS	2
THEFT	4
ARREST	1
OBSERVATIONS OF JUTLANDS RD	5
MISC	9

The chart covers the period between August 1999 and January 2000. Acts of violence occur most frequently as offences to be taken to court by the police and the advantage of CCTV in this respect is that that pictures provide substantial evidence for the crown prosecution. The figure of 24% is also significant because it denotes that between August and January many people were victims of violent crimes from battery to malicious wounding and in every incident the camera may have aided an individual by the operators calling the police, by spotting the trouble and sending the police to break it up (Fyfe & Bannister 1996:16). However, while the ethos of crime control remains within the remit of management, discussions of effectiveness will relate to minimising crime and to minimise crime is to accept that in any given district there *will* be victims.

CCTV cannot protect, it may only record, and the role of courts in an actuarial regime become one of last resort for those whose victimisation is 'outside' acceptable boundaries.

While some argue that crime is healthy for society, as a way of strengthening moral boundaries (Durkheim 1964), actuarial justice accepts crime for altogether different reasons: there is no functionalist aim in actuarial justice, rather a view of crime as only capable of being managed, minimised and thereafter accepted.

Conclusion

The characteristics of actuarial justice include the targeting of specific risk groups and areas, utilising the camera to 'manage' groups and areas rather than 'solve' any kind of crime 'problem'. The empirical research established that CCTV operators are encouraged by police and managers to concentrate on specific individuals. This differs to Davies' ideas of the camera that suggests surveillance tools are the preserve of protecting those who can afford the technology (Davies 1996). This may well be the future of surveillance in North Town, because if crime continues to be capped and reasons for criminality are given second place, there is a chance that risk categories will grow and protection for those who can afford protection will become imperative. At the present time in North Time, however, the aim of security initiatives was directed towards 'risk populations'.

The concentration on these categories is more than the tradition of stereotyping: its existence is organised, backed up by statistical data, and justified by techniques of risk. In the retail sector risk has become a popular technique for security managers as it provides data on areas, times and even types of shoppers most likely to cause loss. In the community such philosophies have, to a certain extent, also been adopted in ensuring statistics are kept within acceptable boundaries and, risk notions have been adopted to recognise dangerous spots and people. In North Town those who are viewed as dangerous are those most convicted, those who appear in the criminal statistics and those who the police have most contact with. Since policing has always concentrated on street crimes and since these crimes are perpetrated mostly by those of lower-socio economic status it stands to reason that such individuals become the ones to be most targeted as a 'high-risk'. Those categorised as being dangerous are not only stereotyped

but also specifically targeted by control agencies, to be managed. Stereotyping under actuarialism is more than behaving in a prejudiced form, it specifically targets this group in order to minimise their activities. As the research illustrated targeted populations were free to a certain extent to go about their everyday activities, including drug buying, taking or selling. Such activities were acceptable so long as their consequences did not create further disorder. Reaction to these populations comes when their activities 'spill' onto protected areas, such as the local shopping centre or 'respectable' residential areas.

At first it may appear quite logical to target those who are proportionately higher in the criminal statistics. However, as mentioned previously there are fundamental flaws to the practice of utilising criminal statistics to represent ideas of dangerousness. Those whom we perceive as being the most dangerous are vindicated under a culture, which assesses certain deviances as a more significant threat than others. Coleman suggests that the advantage of focusing such tremendous attention on these groups is clear for the police and authorities, who suffered a severe crisis of legitimacy in the early 1990's (Coleman & Sim 1999: 23). Focus on these groups aids in resurrecting notions that the police can control crime.

Furthermore the ethos of actuarial justice rather than 'problem solving' is more cost effective to implement, it is characterized by low cost, no thrill methods (Simon 1989) of dealing with crime. Actuarial tools enhance the protection of privileged groups while providing surveillance to those of high-risk, and finally it acknowledges deviance as a phenomenon to be accepted, removing blame from the state to blame upon the individual. The thesis does not propose that we have entered into a purely actuarial era, but that certain actuarial practices are being utilised in the management of crime and CCTV can be seen to be at the forefront of managerial tools.

Part III

Final Remarks and Appendix

In an aim to understand the technologies, techniques and practices of actuarial justice, this thesis employed the theoretical works of Simon (1987, 1988) and Feeley and Simon (1992, 1994). In turn, the research sought to identify the reality of their claims and in doing so developed a number of common themes. Foremost of these is the recognition that the actuarial techniques, found in strategies of community crime control, are targeted towards the poorest members of society. Furthermore, the effects of these techniques have created serious erosions of personal privacy for members of the actuarial community. This thesis also advances an understanding of actuarial justice by identifying the techniques and practices of actuarial justice that are being utilised by local authorities suggesting that communities targeted with practices that aim to change individual thought still remain bound in strategies of actuarial justice.

Theories of Actuarial Justice, Risk, Prevention, Practices, Politics and Privacy

In chapter one, a focus on the theoretical works of Simon (1987, 1988) and Feeley and Simon (1992, 1994) provided a description of actuarial justice. From this, a discussion regarding the employment of insurance and risk techniques highlighted Simon's 1988 paper. Dependent upon the commercial need, this paper noted that insurance techniques populate individuals into specific groups. For example, marketing companies will target married couples with children and those without children with very different products and services. The understanding of an individual is as an aggregate to their peers. The result of this is that social and individual identities are lost because members of populations formed through insurance techniques have little in common other than their statistical variables.

Simon (1987) states that increasing uses of insurance techniques are reducing the exercise of morality. In its place risk management and facts regarding fault aim to omit any need to change human thought and instead put practices in place that prepare for the inevitable. This point was disputed in the chapter to propose that risk based techniques require, to a certain extent, the need for moral reasoning. The chapter suggests that moral judgements of an individual's lifestyle help to identify risk groups. To demonstrate this point the chapter considered Reeve's arguments regarding crime control strategies in Oxford Town Centre. Town centre managers made judgements regarding those encouraged and discouraged to use the town dependent on their commercial value (i.e. the homeless have no commercial value). The making of a moral

judgement leads to the specified population receiving more attention than other non-identified groups. The data entries of private security guards, public policing and CCTV operators provide enough information to statistically verify the group as a risk.

Morality remains a significant mechanism in aiming to deter crime. The point in chapter one was to highlight that morality has become a tool utilised within actuarial justice to not only identify groups that may pose a risk to the social order but to help reduce high level crimes such as drink driving. Finally, the chapter suggests that practices of actuarial justice have encouraged a move towards situational prevention; this requires individuals to be responsible for their person and their property. Moral reasoning is utilised to control the individual because those who do not abide by safety initiatives become contributory to their own victimisation. Contributory negligence is commonly utilised in Tort law but its 'unofficial' adoption into community crime control is changing the way that we interact and choose to live our lives. If we do not change our routine accordingly, (i.e. stop going out after dark) we must be willing to accept the consequences.

The second part of the chapter considered the meaning of technologies, techniques and practices. The aim of this discussion was to explore the importance of economic rationalism within strategies of actuarial justice. Feeley and Simon suggest that the technologies, techniques and practices of actuarial justice have moved into strategies of crime control almost unnoticed. This they attribute to the fact that actuarial justice is more efficient. The works of O'Malley (1992) are utilised to illustrate that actuarial practices have not necessarily increased because they are more efficient but because it fulfils particular political goals. The chapter agrees with this but simplifies the argument to suggest that the organisation of crime control is influencing the adoption of actuarial techniques. Where once the Home Office had sole responsibility for the control of crime now local authorities have to reduce crime with given budgets. Feeley and Simon argue that economic rationalism and actuarial justice do not always go hand in hand. As an example, the chapter considered their comparison of deterrence and incapacitation. Incapacitation is inherently actuarial since it looks only to 'hold' the person without trying to change their mindset, in comparison to deterrence this may not be the most cost effective alternative. Although we cannot suggest that actuarial justice is necessarily a representation of pure efficiency, we may observe that the techniques

and practices of actuarial justice have been popular with local authorities and the police because they provide the opportunity to statistically evaluate the cost effectiveness of potential practices. Furthermore, social crime prevention depends on the development of the individual; therefore, funding such schemes is difficult to plan. Situational crime prevention is advantageous because it provides the opportunity to calculate costs and benefits. Local authorities are now given the power to tackle crime in their areas, they have also been given the responsibility of keeping crime figures within 'acceptable boundaries'. The chapter suggests that the result of crime minimisation is the over targeting of poor communities. The residential community that once held a reputation for housing a few 'rogues' now becomes a subpopulation of risk dwellers where *all* residents become aggregates of the people they share an address with.

Finally, the chapter considered the adoption of crime prevention into practices of actuarial justice. O'Malley's work was used to suggest that actuarial justice and situational crime prevention compliment each other well. Situational prevention is not concerned with the individual or the causes of crime but simply with opportunity reducing practices such as CCTV. This discussion suggests that actuarial justice may also adopt social crime prevention practices to help reduce crime. For example, aims to reduce youth related crimes have led to the adoption of youth workers. This infers that we must widen our perspective of actuarial justice to understand it as a set of features that includes, identification, classification and the management of risk groups. The use of these techniques to identify sub-populations and their subsequent management is enough to understand modern forms of crime control as the partial implementation of actuarial justice. The minor use of social crime prevention in the management of these populations does not detract from this position.

In chapter two, the thesis turned to the social consequences of actuarial justice by linking this to a discussion of privacy. Utilising a number of works (Westin 1979, Rosen 2000, Hogg 1994) the chapter identifies the meaning of privacy in modern society and suggests that individuals require a certain degree of privacy for their mental and physical well-being. Without privacy comes the destruction of intimacy, the lack of space to share private jokes and a reduction of solitude for the purposes of private thought. The theoretical works that suggest an increase in modern erosions of privacy do not connect these erosions to an increase in actuarial practices. They look instead to

the rise of modern consumerism, and convenience culture that aims to provide 'quick' services such as instant credit, Internet shopping and telephone banking. The advent of these services requires companies to have access to personal details for the purposes of risk assessment. The chapter suggests that the public accept a number of invasions for the convenience of these services.

The second part of chapter two aims to compare privacy with actuarial justice to suggest that the techniques of actuarial justice including identification, classification and management of risk populations are forging greater infringements into personal privacy. By utilising liberal-based privacies, the chapter illustrates how actuarial techniques and the practices of surveillance that derive from these techniques are decreasing individual privacy. First, the 'right to be left alone' highlights the importance of having power over one's space. In aiming to manage populations of risk, practices of actuarial justice employ a significant amount of security and surveillance tools. The chapter suggests that the employment of these tools infringes an individual's privacy. As with many actuarial practices the surveillance of a whole population is a technique that originates in the commercial sector. The chapter utilises the works of Rosen (2000) and McCahill and Norris (1999) to illustrate that a loss of privacy in the workplace is now commonplace in an aim to introduce methods that will reduce loss. The consequence of this is the feeling of resentment amongst employees, while practices such as CCTV are implemented under a banner of safety and protection it is probable that employees will feel anxious at the constant observation they experience. Hixon (1987) notes that individuals must have enough control over their space to be free from manipulation or domination. In taking these theories into the community, we see very similar effects. The second and third liberal-based privacies are the erosions of intimate space and confidentiality. The statistical verification of sub-populations has provided authorities with the ammunition to invade even the privacy of the home. The invasion into the home is not viewed as an erosion of intimate space or confidentiality, but as a necessary method of crime reduction. A concierge is employed in the affluent apartment block to service the building, while the same service is provided in the risk-managed estate to monitor residents exiting and entering their homes. Since it is only the poorest of communities that are viewed as 'communities of risk' there is little outcry but an acceptance that high-risk requires maximum surveillance.

In chapter five, when an empirical study of CCTV took place it was clear from this study that erosions of privacy were occurring. Chapter two also considered the theoretical works of Robertson (1991) and compared this to a number of other theoretical works regarding CCTV. Robertson's three definitions of privacy rights are considered including: freedom from outside busybodies, freedom to be treated with privacy and freedom to indulge in harmless activities. The invasion of these privacies is apparent with CCTV because the camera is capable of intruding in the most intimate of spaces, including the inside of homes, gardens and cars. These are not the same intrusions that we experience from the people we pass on the streets or our neighbours as they pass by our front gardens. With infrared technology, the camera is capable of zooming into the most private of spaces. Worse still is the fact that a public member intruding into our personal space can be seen, a camera cannot. We would expect the state to treat members of the public with decency and dignity. This is obviously not the case, people under the gaze of the camera lose their human worth, they become part of a monitored population. Individuals who should be free to indulge in harmless activities in the privacy of their homes, cars or gardens find themselves under the gaze of the camera.

The theoretical arguments in chapters one and two established the foundations to study the use of actuarial justice in the community. First, it was noted that actuarial justice is a conglomeration of insurance and risk based technologies and techniques. Second, we would expect techniques of actuarial justice to adopt a number of non-intervening practices that look to managing crime from a distance rather than changing individual thought. To illustrate this the adoption of situational preventative schemes were considered that had been introduced under actuarial justice. However, it was noted that actuarial justice, under strategies of community safety, might utilise techniques of risk assessment to undertake a number of social crime preventative schemes. It was further noted that actuarial justice targets the poorest communities, which infers that the practices utilised to control crime in poorer communities are very different to those used in areas that are more affluent.

The techniques and practices derived from actuarial justice have led to severe erosions of personal privacy. This has occurred for two reasons, first actuarial justice requires the accumulation of large quantities of data this data is then analysed and processed for

the creation of risk assessment. Secondly, actuarial justice has encouraged the employment of practices that physically intrude within a person's private space as well as their behaviour in public.

Chapter three utilises the example of modern day policing practices to illustrate how policing has moved from policing the dangerous to policing communities of risk. Manning's (1977) work is used to show that policing in the early eighteenth centuries had to change. This was mainly due to an increasing population and the social conditions that poor people were living in. The putrid smell of poor areas created an image that they were deviant. There was a fear that social order would break down so policing was implemented to ensure that unlike the French state the British maintained their authority and power.

The types of crime that the police first concentrated their efforts upon, including strikes, political demonstrations and the development of street cultures made it obvious that the working classes were the target of the new police's control. The chapter compares the 19th Century policing of the dangerous populations to the policing of the actuarial community. It was found that there are great similarities. First, Manning introduced the idea of 'policing at a distance' from 1858. The same technologies were not available but the police were still asked to keep records of criminal acts. This is comparable to the vast quantities of information held on individuals in police intelligence units. Second the poor and the dangerous classes were easy to define since their living conditions were so low. Improvements in social conditions has changed the living conditions of the poor but they remain an obvious target.

The next part of the chapter identifies the importance of understanding the consequences of risk; it takes the works of Beck (1996) to understand the extent to which techniques of risk are effecting social organisation. Beck's works are transformed to the poor's experience of crime. The chapter argues that the use of risk techniques for the purposes of population management is dangerous. Beck recognises that those who have the finances to avoid them can avoid risks. The poor, however, are left to experience the worst of living conditions. This is an argument transferred to the experience of being part of the actuarial community. While wealth accumulates with

those who experience less crime (Levi 1997), victimisation congregates with the poorest of communities.

Chapter four aims to explore the extent to which government policy from both Labour and Conservative Administrations have helped to push policies of crime control towards actuarial justice. Both Conservative and Labour Administrations have utilised actuarial techniques, but this does mean that they are encouraging similar policy. While Conservative crime control policy looked towards dealing with populations through situational crime control the Labour Administration had changed the ethos of crime control in the community. Labour advanced the notion that the root causes of crime must be addressed before low crime rates could be fully achieved. By looking at the works of Brownlee (1997) we see that Labour has attempted to implement a number of policies that look to identifying root causes of crime. However, Labour has also aided the transition of the new penology partially by concentrating on Left Wing policy initiatives that aimed to reduce the fear of crime. This in turn has meant a huge push towards greater policing in high crime areas and more security and surveillance. The Labour Administration have looked to incorporating less of a purely situational crime prevention approach and more of a community safety approach. This has helped to a certain extent to increase a policy focus on the root causes of crime.

In the second part of the chapter, community safety and its strategies are identified within East Town, the research allows for these strategies to be compared to actuarial justice in an aim to recognise whether actuarial justice is actually existent within community crime control. The employment of actuarial techniques has been in the literature of Feely and Simon and O'Malley as being strongly connected to Situational Crime Prevention, however this chapter plans to advance the discussion to suggest that community lies with actuarial justice equally as much. It was suggested that community safety is a prerequisite of actuarial justice. The works of Gilling (1997) suggest that that while community safety appears liberal it is very authoritarian. While it supports the majority, the voice of this majority is questioned. The potential is that the usual dominant voice will demonise youth street cultures homeless and beggars.

Chapter five looks at the use of CCTV, this is viewed as a tool to actuarial justice since it is focused purely on the targeting of chosen populations, while it aids non-risk

populations to protect itself from 'outsiders'. It does not look to changing the person and can utilise risk-defined data to ensure its efficient use. This chapter takes the main features of actuarial justice to identify whether CCTV can be identified as an actuarial tool and how it is utilised. First, it is established whether members of actuarial communities are the targets of power and secondly whether CCTV aims at prevention and risk minimisation.

Actuarial Justice in Strategies of Community Crime Control

Within the fieldwork sections, there are several clear accounts of actuarial justice and its adoption into strategies of community crime control. To present this final discussion the features of actuarial justice will be considered with the corresponding evidence including:

- *Information gathering and risk assessment*
- *Population management*
- *Prevention and minimisation*

Information Gathering

Information gathering includes the techniques of identification and classification. Chapter three provided evidence of these techniques in South Town's police intelligence unit. By collecting small pieces of data from sources such as Neighbourhood Watch, beat officers, the public and informers, identification of risk was achievable. Techniques of risk assessment (classification techniques) employed in the unit calculated 'hot spots'. This related to an area with a high incidence of crime and tended to include residential areas and high streets. The unit also classified populations of risk in which individuals with nothing in common other their behaviour found themselves grouped as one of South Town's risk communities. The identification of data for the purposes of classification is an entirely computerised process. The unit in South Town relied primarily on CRIMIT and a computerised mapping system. While CRIMIT held data on particular crimes and individuals including details such as friends, family and offences committed. The system used for mapping took this individualised data to create maps on 'hot spots' and high-risk communities. The identification of populations of risk was achieved by accumulating addresses from CRIMIT.

In chapter four, it was evident that information gathering was central to strategies of community safety. It was noted in the chapter that the relationship between the police and the council has significantly changed primarily because the Crime and Disorder Act (1998) has provided the police with the power to supply the council with information from CRIMIT and crime mapping. This is significant because it allows the local authorities to identify high-risk populations in the same manner as the police. Moreover, this chapter discovered that East Town local authority had its own 'mini' intelligence unit to calculate populations or areas of risk. The empirical research with East Town council discovered risk populations classified in a very similar method to North and South Town police intelligence unit. First classification of a 'high-risk' takes place if the area contains a significant number of residents with criminal convictions or is 'known' to the police for their involvement in criminal activities (drug use). Second, each area has their populations of risk; the members do not share residential postcodes but behaviour, criminal records friends or family.

Both chapter three and four identified a number of problems with the techniques of identification and classification. First, CRIMIT requires significant amounts of data to allow the process of classification to take place. The problem with this situation is that the more information collected on one area the higher risk the area becomes. Secondly, identifying a risk community based on information gathering is problematic because data collection and processing changes from station to station. This means that interpretation of 'hot spots' may change from district to district and be dependent on the 'locals' interpretations of risk. Finally, the classification of risk is based on information that is accumulated by a number of people including police officers, the public and informers. The problem with this is that a piece of information considered valuable by one person is irrelevant to another. The reporting of information is arbitrary because it depends on people's perceptions of right and wrong. Since society is quick to view the poor as untrustworthy, it stands to reason that their misdemeanours will be more visible, furthermore the visibility of working class crimes is also a disadvantage. The collection of information for the purposes of classification is therefore biased and arbitrary.

The consequence of this is that those who are sent to 'hot spots' to minimise crime often find themselves in the wrong place. In chapter four both the crime prevention officers and crime reduction officers working for South Town council noted that they did not take a lot of notice regarding 'hot spots'. They understood that these areas contained a

few people with criminal records but were not areas whose citizens deserved the label of 'risk'. The crime prevention officers admitted that they could not do their job without CRIMIT but then admitted that once arriving in a 'hot spot' they would use this area to find out where the real crime was taking place.

The classification of risk populations is also problematic because data entered into CRIMIT is not necessarily about a criminal act but is often merely the reporting of the person in a different area or coat. Each piece of data that is entered, however trivial, ensures that the individual remains part of a risk group, it is only after a period of time when no reports are made that the person metaphorically loses their status.

Population Management

The purpose of empirically studying CCTV was to illustrate that this was an actuarial tool that helped to manage populations of risk. During the research for chapter five an observation was made of CCTV operators targeting a number of different risk populations. First, certain residential zones were recognised as requiring surveillance. The evidence to treat residents within these areas as a potential risk came from the local police intelligence. Using the same classification methods referred to in South Town's station high risk residential zones were risk classified for the number of residents living in the area that were 'known' to the police; Oak Road was an example of this. The second population of people treated as a risk category were those who belonged to North Town's general risk population. These were members of a risk category because of their identification as being 'known' to the police. Being 'known' to the police does not necessarily infer a criminal record but the conduct of behaviour that has come to the attention of the police. The targeting of individuals in this context is the logical observation of individuals suspected of being likely to commit crime. The management of these people while utilising a tool such as CCTV is the very act of population management, because each individual person becomes the utilisation of methods to reduce crime in this manner ensuring that no individualisation is necessary. Rather the interpretation of these people is as aggregates to the population they belong, they are equally deviant, or perhaps equal in their potential to be deviant.

The treatment of individuals as one population was further emphasised in chapter five by the population management of two other risk categories; drug users and revellers of

North Town's nighttime economy. Concentrating first on the drug users of North Town there was little doubt that they were a risk to criminal statistics and their own safety. Observations were made of individuals shop lifting then selling the goods and going straight to their suppliers to purchase the 'goods'. The North Town police noted that the reduction of drug crimes was their top priority. The dealing of this priority consisted of primarily ensuring that the drug 'problem' (largely the use of heroine) was kept within certain areas of the town, as the research illustrates the back of the library was an acceptable area for drug users and sellers. At times when the police were not busy, operators would notify them of a drugs transaction. The police would then come and arrest the individual; the next day the same person would be out around the town partaking in the same activities. The important point to note is that the use of heroin on the streets of Hartlepool was acceptable within certain limits.

The treatment of drug users is comparable to the users of North Town's nighttime economy. The treatment of this population was such that operators expected to view members of this population in fights and committing acts of violence against each other. Although the operators would sometimes call the police if extreme dangers were obvious, the slow police response times deterred operators from bothering. Equal fights did not catch the attention of the operators. In a similar vein to the drug users, the observation of the nighttime revellers occurred in an aim to ensure their activities did not get out of hand. Operators only really responded when large gangs began to form, at this point the police were informed for the purposes of dispersing the individuals.

There is an acceptance that these populations will commit crime, it was interesting to see that operators would only react when they believed a situation to be beyond acceptable limits. There are a number of problems concerning the management of crime in this capacity. First, North Town had few schemes to target drug rehabilitation. Instead, techniques of management reduced the incidence of this crime and CCTV was central to this managerial regime. Part of the managerial regime was to stock drug clinics with clean needles to minimise the spread of drug related diseases. Those individuals who used the nighttime economy were less aware of their risk status. They saw themselves as customers of a thriving economy, but their understandable naivety placed them in a dangerous situation. The acceptance of violence around the town meant that those who were attacked could not expect to receive help; the operators

admitted that a person would have to be in obvious trouble before they would notify the police. The danger of this is that the implementation of CCTV encourages people to believe themselves as 'safe'. In reality, the safety of a person is relative to their classification. Those who belong to a risk population do not afford the same protection as those not affiliated to a risk group. Operators admitted that an attack on a shopper made during the day would automatically create a response.

The research found that the implementation of council led CCTV had occurred only in the town and the poorest communities in North Town. The use of CCTV for the purposes of population management infringed upon personal and public privacy. Residents of risk communities lived with the camera over their gardens and certain cameras were capable of viewing inside people's homes. The result of this was that residents appeared very angry about the cameras and would often show their displeasure with hand signals.

Prevention and Minimisation

In the above, CCTV is recognised as a managerial tool that aimed to prevent and minimise the incidence of crime to acceptable levels. Techniques of prevention and minimisation are important techniques and help to epitomise the underlying aim of actuarial justice. Under strategies of actuarial justice, crime prevention is largely concerned with situational methods of crime control. These methods fit into the ethos of actuarial justice because they do not aim to change the person but look to reducing the incidence of crime, especially opportunity crimes. As chapter four notes crime prevention is not a new phenomena, within a study of actuarial justice what is significant is the employment of these techniques for the purposes of crime management and minimisation. The research in chapter four focused on the increasing practices of community safety. A move towards this form of community crime control has resulted in a considerable move towards partnership policing. The research refers to the estate 1, a 'hot spot' that has been targeted by the partnership. In an aim to reduce crime and the fear of crime it was noted in the chapter that a number of preventative schemes had been implemented onto the estate. The majority of these schemes are from a situational approach including CCTV, cleaning the area by the removal of burnt out cars and greater numbers of police officers on the streets. Community safety is concerned with more than situational prevention; it also includes strategies of social crime prevention.

In the areas of estate 1 a number of social prevention schemes have been implemented including drug rehabilitation, youth clubs with qualified youth workers and parenting clubs to help support parents with education, nutritional information and parenting skills. On first appearance, it might seem contradictory to argue that social crime prevention is growing under techniques of actuarial justice. However, the research found that an increase in social crime prevention, an increase that has incurred since the election of a Labour Administration, was insufficient to view actuarial justice as in decline. Moreover, its employment is specifically within areas of risk. Social crime prevention has become a tool to help minimise crime within specific areas of risk. This infers that individuals remain treated as aggregates of the community they belong to. An example of this was illustrated in the application of techniques in East Town's Youth Offending Team. A statement made in East Town's crime prevention literature infers that these teams will help guide young people away from crime by a variety of schemes including counselling, retraining projects and employment projects. In reality the manager of East Town's youth offending team was adamant that techniques derived from risk assessment must take priority.

The reduction of crime through techniques of minimisation was found throughout the research. For example, in East Town the Drug Action Unit noted that their goal was to reduce drug crime by 1%. By accepting success as the minimisation of crime, local authorities are able to minimise their budgets and present improvements to the public. There is logic in accepting crime as inevitable but the consequence of this acceptance is that those who become part of a risk population must also accept an increasing chance of being a victim of crime.

Overall, this thesis has established that actuarial justice underlines strategies of community safety. This is because community safety requires the targeting of high crime areas, referred to in the thesis as 'hot spots'. Community safety also employs techniques of risk assessment to classify populations of risk. Populations targeted with crime reducing strategies will largely experience practices of situational crime prevention. Since the election of Labour in 1979 and the implementation of community safety, practices of crime control have widened their ethos to include techniques that will reduce the fear of crime, social crime prevention and greater moves towards a partnership approach. This in turn is encouraging a shift towards the targeting of the

root causes of crime such as educational attainment. This is a positive move, however, the foundations of actuarial justice remain firm to the extent that should a change of Administration take place a move to purely situational preventions would be achievable.

In the locations studied for the purpose of this project, it would also appear that actuarial justice has risen along with the state's move to provide local authorities with the responsibility for reducing local crimes. The reasoning being that local crime requires local knowledge. The thesis suggest that this move has increased the acceleration of actuarial practices into community crime control because actuarial justice provides the techniques to mathematically calculate where crime is worse and who commits the most crime. In turn, actuarial justice provides practices that can be implemented with specific budgets, for example CCTV although costly provides councils with a definite practice in which to provide an appearance of solving crime. Social crime prevention is not only costly but is difficult to calculate. Moreover, it provides councils little visible evidence to illustrate investments in crime control.

Finally, the thesis demonstrated that techniques of risk assessment legitimises the image of the economically deprived as criminal. This is because actuarial justice targets the crimes specifically connected to the poor such as robbery and burglary. It also bases notions of risk not on criminal acts but on perceptions of criminality. The poor have always been the targets of police attention but now the legitimisation of these targets is possible by tabulating their guilt onto statistical tables. This allows local authorities and the police to target the economically deprived with any number of crime prevention techniques. The result of this is that the economically disadvantaged find themselves targeted for the implementation of crime prevention practices that have seriously eroded their personal privacy.

Looking forward, we might envisage a future that is concerned with social exclusion and increased stratification. Actuarial justice has legitimised a significant amount of crime control on what it believes to be dysfunctional communities. It would be unfair to suggest that a Labour Administration has only looked to methods of situational crime control. As the thesis observes Labour is in the process of implementing a number of schemes that look to tackling the root causes of crime. For example, Labour are presently aiming to increase the educational opportunities of young people, especially

those who leave school with little education. With the changes occurring within education it may be interesting to finalise this thesis with a brief comparison of trends in educational opportunities and the management of crime through population management.

In the 1960s 1970s and the early 1980s all classes had the opportunity to go to university. Students were provided with grants, housing benefit and these were paid according to a parent's income, therefore those children with only one parent, low income or who were brought up in foster care were provided with grants that meant an economised form of living but made university entrance possible to all. During this time apprenticeships were a well-respected alternative that provided society with skilled workers (carpenters, engineers, brick layers) that earned 'respectable' wages for being well trained in a specialist area. The situation was of course far more complicated than this, during the 1970's coalmines were closing down and workers who had earned very good wages for working the mines found themselves forced into factory jobs for much lower wages. University was also considered something that the middle class experienced even those working class who gained good exam grades may not have felt that university was an option for them.

Before the 1970s, the bulk of the population left school at 16 years and entered the labour force as fast as possible. By their early or mid-20s, depending on the level of unemployment, most people had settled into a long-term job (Moynagh 2003). Today, the normal pathway is to leave school later, and in many cases, to enter higher education. As more people have stayed at school and gone to university, traditional apprenticeships have declined. As the numbers remaining in education have increased, the vocational route is becoming an option for the academically less able. Moynagh argues that this has created severe shortage of skilled workers. A skills shortage already exists in several sectors from health care to construction – and could get worse if more workers quit at today's normal retirement age, and fewer young people enter the workforce. To deal with the skills shortage the Learning Skills Council (LSC) has replaced the Further Education Funding Council and the Training and Enterprise Council. Public funds for sixth-form and Further Education sector colleges find themselves now channelled through the LSC. With their billion pound fund their primary aim for the next seven years is to bring greater coherence to the sector, so that

individuals have a wider choice of learning, moreover they wish to decrease the gap between vocational and academic subjects.

The result of these changes have not yet occurred, less than 5% of 16-21 year olds not in full time education are in modern apprenticeships at any one time (Moynagh 2003: 8). However, vocational training is growing as are the training organisations implemented throughout communities to cater specifically for vocational training. The young people these vocational courses are the youths, who due to their lack of formal education, feel that they have failed school. There are positives to this, for those young people who have slipped through the net training organisations provide them with an opportunity not only to get vocationally trained but to improve their literacy and numeracy skills as well as their own personal skills such as confidence building, communication and interview skills.

Returning to the opportunities available in the 1970s we can see that universities may still hold the same appeal but many potential students are fearful of entering this system due to changes in the grant system, primarily that grants have become loans that must be repaid. This is not the place to discuss the rights or wrongs of this, however the reasons for the removal of free access to university is quite evident. Apart from the rising costs of further education, it is evident that we have too many graduates and not enough skilled workers (Moynagh 2003). To deal with this problem the government has made university an expensive option while those joining training organisations and undertaking a vocational NVQ course are rewarded with a weekly allowance of forty pounds.

The result of this is clear, for those who were previously unemployed and unable to enter any educational system their situation has improved because they have access to training and the opportunity to acquire employment. For the members of the working classes, especially the middle and upper working classes, who may have ordinarily chosen a university degree the attainment of this is becoming more difficult. Instead we see that they are carefully being pushed towards the skills that society requires in the construction industry, office jobs, hotel, cleaning, security, postage services, restaurants and personal services such as hairdressing. The creation of a set of unrelated policies may result in solving the problem of too few skilled workers.

Returning to the subject matter of actuarial justice and a look to the future it is evident that the future for the actuarial community may not be all doom and gloom. Populations of risk under Labour's Administration are beginning, if slowly, to be targeted for a number of individualised programmes. A significant part of this targeting is getting youths at risk into organisations that will provide training to those who have failed to develop in the school system. Those working class youths who wish to go to university but cannot afford to do so have few options other than to take the vocational route. Those working class youths with good 'A' level grades will probably have greater choices and develop their careers in the more popular fields of business administration or hotel and tourism. It is significant that along with the managerial regimes within the community the state is also organising the management of skilled workers. This is an example, once again, of the economically disadvantaged being managed into areas they may not wish to belong. This further stratifies the poorer classes, primarily because policies that treat people as a total population do not allow for individuality and therefore social mobility becomes even more difficult. The result of regimes such as actuarial justice is that the poor get the raw end of the deal. They are forced to live in areas where crime policies fail to protect because concentration is placed on management skills and only the minimisation of crime. Moreover, this thesis has suggested that being part of the actuarial community removes an individual's freedoms and privacy rights to a significant extent.

Appendix

Before conducting the fieldwork for this study, three things had stuck me in reading the various theoretical accounts of actuarial justice. First how little of this work is backed up by empirical evidence. Many research projects have touched on the practices and techniques of actuarial justice but few have actually related their research to actuarial justice. For instance, a number of researchers have produced studies regarding prevention, CCTV and policing with a focus on risk studies.

From a number of readings it became apparent that actuarial justice was a set of features, all of which needed to be present to prove the existence of actuarial justice. Feeley and Simon (1992 1994) had illustrated to a significant extent the implementation of actuarial justice within the criminal justice system. However, studying actuarial justice within the community was going to be very different, by concentrating on different methods of crime prevention the aim was to gain an overall understanding of actuarial justice. The choice of this research project was first based on a personal interest in modern forms of surveillance. In approaching the subject this way I felt able to contribute something 'new' to the discourse of crime studies while also following a personal interest.

Research Design

When deciding the research design I had two aims in mind, the first was to discover the extent to which actuarial justice is present within strategies of crime control. Secondly to incorporate this aim into a study of modern forms of crime prevention, I therefore decided that proving the existence of actuarial justice required research in the community, by this I refer to crimes that take place on the streets and at home. I decided that the police and local authorities should be interviewed and after some discussion with my supervisor (and a reading of May 1997) I realised that any worthy facts that could prove the hypothesis needed to be gathered in a context that minimised the need for interpretation. At the same time I was keen to use interviews as a way of judging people's attitudes, beliefs and knowledge about the jobs they were undertaking. I therefore decided that the research required a mixture of interviews and observations,

while conducting observations I discovered the importance and usefulness of documentations, so this resource also became part of my methodology.

Due to work commitments, locations for the research had to be practical and within a close commute to my place of work. I decided that the demographics of the area had to be large enough to attract an implementation of actuarial justice into local strategies of crime control. I have ensured anonymity for all chosen locations and people involved in the research.

Policing in South Town

Research for the first chapter was conducted in a town that will be referred to as South Town. This was not the chosen location for this research project. Originally, the observation was to take place at a Metropolitan intelligence unit based in the City. However due to the events of 11th September the observation and interviews were cancelled. Unfortunately, notification of this was given when I arrived in England (at the time, I was living abroad and had specifically come to England for the purpose of this research). This problem became quite significant since I had specifically planned my research and living arrangements around this location. After telephoning a number of different forces and constabularies South Town station finally agreed to let me have access to their intelligence unit and allowed me to conduct some interviews. Since the notice given to conduct this research was very short, South Town could only allow me minor access. This destroyed my original plans of undertaking a fifty-hour observation of the unit. Consequently, I feel the research for chapter three is far weaker than that conducted for chapter four and five and this is reflected in the results. I do however feel that the research is strong enough to illustrate the use of risk techniques in South Town intelligence unit. South Town was an interesting study. It houses a number of extremely affluent areas and a number of very poor areas. South Town's house prices have benefited from its thirty-minute commute time to a main city centre.

Community Safety in East Town

This research was conducted in a place I have chosen to call East Town. The focus of this research was community safety, since community safety represents a partnership approach in applying methods of crime prevention. I decided that both local authority departments and the police required investigating. As chapter four describes East Town

is an area of many contradictions. While property prices are exuberantly high, East Town also suffers from high unemployment and racial tensions. East Town covers a large area and therefore the numbers of projects taking place in this area are advantageous to a researcher.

CCTV in North Town

Chapter five considers CCTV and to fully conduct this study I required a location that had a substantial CCTV system. The chosen area had a well-established system that was in the process of expansion. It also housed two shopping centres that had employed CCTV. To develop some ideas I interviewed a CCTV operator from one of the shopping centres. During this interview I was given the opportunity to view the workings of the camera. I also visited North Town hospital and observed for one day the operation of the cameras in this environment. These opportunities provided the practice required before I conducted the proper interviews with the police, local authority employees and an observation at North Town CCTV unit. As well as housing a number of CCTV schemes, North Town was an interesting choice because at the time of the research it had received a significant amount of investment to improve the social and economic situation of the town. The implementation of CCTV was part of this regeneration project.

The Ph.D. had to be completed on a part-time basis therefore the planning of the research was important. I made the decision that the research should run consecutively with the literature review and the writing of chapters. This had two advantages; first, it meant that a longer period conducting the field research was possible. Secondly, this ensured that as the writing developed the research influenced its content. To strengthen the quality of the empirical evidence I decided that each chapter required its own separate research. This also helped to simplify the approach to the research and help deal with it in manageable parts.

As the research developed two themes began to emerge:

First it appeared to me that people living in actuarial communities were losing their rights to privacy in far greater proportions than non-actuarial communities. This was because the practices employed to reduce crime in these areas were largely focused on

management techniques that required the accumulation of risk data. For example, council-employed security guards have the task of not only deterring crime, but also gathering potentially useful information on residents. This then allows their supervisor to place them in areas where the risk of crime is greatest. It was decided that this issue should be addressed through a theoretical chapter, during this chapter a few minor points are utilised from the empirical research gathered from chapter five (on CCTV). Second, it became clear during interviews that staff saw their task as controlling those who are traditionally seen as police property, the research design therefore included a recognition of actuarial justice as increasing stratification.

Methodology

The purpose of the observation was to witness the technologies, techniques and practices of actuarial justice. This would help to identify actuarial justice and it would help to assess the extent to which it was being employed in strategies of community crime control. The observation also provided the opportunity to identify other crime prevention strategies taking place within the community. This proved to be an important exercise because certain practices of social crime prevention were noted and from a methodological view they provided a good comparison to practices of actuarial justice.

In North Town the observation was completed over a four-week period, in total fifty hours were completed (the observation room and activities are described in chapter five). In South Town the observation took place over two full day periods and several other shorter visits. Before conducting the research, I interviewed a CCTV operator from one of North Town's shopping centres. During this interview I was given the opportunity to view the workings of the CCTV camera. I also visited North Town hospital for one day and observed the operation of the cameras in a different environment. These opportunities provided the practice that I required before conducting the proper interviews and observations with the police, local authority employees and North Town CCTV unit. Owing to this experience, I decided that a 'complete participation' would be impractical. I, therefore, thought it best to be a participant observer that could join in and help when required. This was possible because the task of camera operator was extremely simplistic – requiring only minimum training. The unit was also short staffed so they welcomed a spare pair of hands (or

rather eyes). Although I wanted to mingle so that staff felt comfortable with my presence I also needed to take on the role of participant observer. This was important because the aim of the research was to observe the methods of which operators used their knowledge, who they targeted and why. Moreover, seeing first hand, the people that operatives target and furthermore listening to what they say as they target these people allows for a comparison between stereotypical attitudes and the use of CCTV as a tool to manage populations of risk.

I took notes while in the unit but only briefly so that my behaviour was not differentiated from the others. In the South Town observation I took extensive notes because of the technical nature of the observation. I typed notes within forty-eight hours. When I first arrived in the unit the staff were friendly but extremely suspicious of whether it was safe to speak to me (in both North Town and South Town). It only took a few days to 'break the ice' in North Town, both observations took place at Christmas and this helped create a more relaxed atmosphere. The observation at South Town was too short to allow any relations with staff to build up. This was unfortunate as I am sure greater time spent in the police station would have been useful, especially in observing the crime prevention techniques of the intelligence unit.

There were certain times during the observation in North Town CCTV unit when I stayed at the unit until 3.00am. The reason for doing this was to observe the how the operators covered the users of Hartlepool's night time economy. These sessions proved to be extremely useful. During the observations a number of informal conversations took place, these were treated as field research notes in comparison to the semi structured interviews that took place. The best times to talk to the staff in the North Town unit was when the manger had gone home for the evening, at this point the staff were far more relaxed.

Twenty-five one to one interviews and two group interviews were conducted. Interviewees were chosen because I needed to know how people viewed the work they did especially so from their own perspective. This was particularly important in viewing the extent to which an ethos of actuarial justice had infiltrated the mindset of those involved in crime control.

Semi structured interviews were chosen because these provided the opportunity for interviewees to voice their opinion, it also gave me the opportunity to probe further when items of interest were mentioned. All research projects used semi-structured interviews but the research in East Town, apart from documentation, relied heavily upon interviews. This was mainly because the research aimed to consider methods of crime control and policy initiatives, this allowed interviews to be more fact based than opinion based. Furthermore when I attempted (on several occasions) to do an observation with East Town council (with the drug action team) this was not welcomed.

Interviews were tape-recorded and transcribed as soon as possible. Few interviewees asked not to be taped but for those who did I took notes and wrote them up after the interview. I tended not to use these interviews for quotes, in fear of misquoting someone.

During the observation at North Town CCTV unit I discovered the benefit of collecting as much documentation as possible. This resource enabled me to conduct minor pieces of quantitative research, it also acted as support evidence to what was observed and heard in interviews. Interestingly much of the documentation gathered in East Town – including safety information leaflets and policy briefings – mentioned terminologies that are related to actuarial justice, including ‘risk’, ‘minimisation’ and ‘harm reduction’.

The observations sought to investigate CCTV, policing methods and community safety strategies. These subjects were chosen for different reasons. CCTV has already been referred to as actuarial by Johnston (1997). Since it appears as an obvious tool to crime management it seemed an obvious way of investigating the practices of actuarial justice. The police intelligence unit was chosen as it was hoped that this would highlight the use of risk assessment techniques, which it did. The choice of community safety practices was a little more complex but it was thought that if actuarial justice is to be proven within the community this mechanism must be examined. Community safety is an eclectic set of practices, but observations of actuarial in some of these techniques was patently obvious.

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