Crime Prevention and Security Management

Series Editor: Martin Gill

Titles include:

Paul Almond

CORPORATE MANSLAUGHTER AND REGULATORY REFORM

Rachel Armitage

CRIME PREVENTION THROUGH HOUSING DESIGN

Policy and Practice

Joshua Bamfield

SHOPPING AND CRIME

Mark Button

DOING SECURITY

Critical Reflections and an Agenda for Change

Daniel Donnelly

MUNICIPAL POLICING IN THE EUROPEAN UNION

Comparative Perspectives

Paul Ekblom

CRIME PREVENTION, SECURITY AND COMMUNITY SAFETY USING

THE 5IS FRAMEWORK

Janice Goldstraw-White

WHITE COLLAR CRIME

Accounts of Offending Behaviour

Bob Hoogenboom

THE GOVERNANCE OF POLICING AND SECURITY

Ironies, Myths and Paradoxes

Daniel McCarthy

'SOFT' POLICING

The Collaborative Control of Anti-Social Behaviour

Kate Moss

BALANCING LIBERTY AND SECURITY

Human Rights, Human Wrongs

Kate Moss

SECURITY AND LIBERTY

Restriction by Stealth

Tim Prenzler

POLICING AND SECURITY IN PRACTICE

Challenges and Achievements

Jan van Dijk, Andromachi Tseloni and Graham Farrell (editors) THE INTERNATIONAL CRIME DROP New Directions in Research

Adam White THE POLITICS OF PRIVATE SECURITY Regulation, Reform and Re-Legitimation

Crime Prevention and Security Management Series Standing Order ISBN 978-0-230-01355-1 hardback 978-0-230-01356-8 paperback (outside North America only)

You can receive future titles in this series as they are published by placing a standing order. Please contact your bookseller or, in case of difficulty, write to us at the address below with your name and address, the title of the series and the ISBN quoted above.

Customer Services Department, Macmillan Distribution Ltd, Houndmills, Basingstoke, Hampshire RG21 6XS, England

'Soft' Policing

The Collaborative Control of Anti-Social Behaviour

Daniel McCarthy
Department of Sociology, University of Surrey, UK





© Daniel McCarthy 2014

Softcover reprint of the hardcover 1st edition 2014 978-1-137-29938-3

All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

No portion of this publication may be reproduced, copied or transmitted save with written permission or in accordance with the provisions of the Copyright, Designs and Patents Act 1988, or under the terms of any licence permitting limited copying issued by the Copyright Licensing Agency, Saffron House, 6–10 Kirby Street, London EC1N 8TS.

Any person who does any unauthorized act in relation to this publication may be liable to criminal prosecution and civil claims for damages.

The author has asserted his right to be identified as the author of this work in accordance with the Copyright, Designs and Patents Act 1988.

First published 2014 by PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

Palgrave® and Macmillan® are registered trademarks in the United States, the United Kingdom, Europe and other countries.

ISBN 978-1-349-45272-9 ISBN 978-1-137-29939-0 (eBook) DOI 10.1057/9781137299390

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

A catalogue record for this book is available from the British Library.

A catalog record for this book is available from the Library of Congress.

Typeset by MPS Limited, Chennai, India.

Contents

List of Tables Series Editor's Preface		viii
		ix
Αc	Acknowledgements	
1	Introduction	1
	'Soft' policing	3
	Early intervention and the politics of	
	anti-social behaviour	8
	Case conferences and multi-agency	
	collaborations	10
	Structure of the book	13
2	The Institutional Governance of Anti-social	
	Behaviour	15
	Legislative responses	15
	The Coalition government and the continuation	
	of the Labour legacy	18
	Contractual governance of anti-social behaviour	20
	Anti-social behaviour powers in action	22
	Age	22
	Social class	23
	Race and ethnicity	25
	Gender	25
	Mental health	28
	Shifts and resistances in the uses of ASB powers	29
	Institutional structures and occupational cultures	30
	Multi-agency working	36
	Summary	43
3	The Organisation of Decision-making	44
	The setting	45
	Case referrals	49
	Situating the case conferences	52
	The illusion of consensus in case conference meetings	53
	Scripting	57
	Managing group size and structure	58

vi Contents

	Proving commitment	61
	Stage management roles	62
	Jokes, teasing and the strategic uses of humour	66
	Preventive working and partnership relations	68
	Caring paternalism	73
	Summary	75
4	Becoming Anti-social: The Nexus of Welfare/	
	Juridical Control	77
	Care and control: the functions and operations	
	of tutelage	79
	The political imperative to intervene early	81
	The first signs of risk	82
	The 'hunch' of identification	91
	Formalising the informal	94
	Balancing the competing demands of 'welfare'	
	and 'juridical'	95
	Contractual injunctions: blurring care	
	and control	98
	Summary	105
5	Dealing with the 'Irredeemable': Negotiating the	
	Failings of Reform	107
	Failings of benevolent zeal	108
	A note on total denunciation	111
	The 'non-engaging' client	112
	Narratives of 'non-engaging'	118
	Denunciatory and benevolent case processing	118
	Banishment: 'moving them off our patch'	124
	Moderation, self-control and punishment	126
	Summary	131
6	Policing in a Benevolent Cloak	133
	Reframing policing	135
	Doing soft policing differently	137
	Powers of influence and the status of	
	soft policing	148
	Reconciling the benevolent cloak	154
	Summary	157
7	Conclusion	159
	Governing through the social	161
	Soft policing, partnerships and punishment	164
	1 5 1	

	Contents vii
The flexibilities of police culture	166
Towards climatic predictions	168
Appendix: Details of Interviewees	171
Notes	173
Bibliography	176
Index	188

List of Tables

3.1	Attendance at case conferences by area – 9/2006 to 9/2008 – Shore Acres	46
3.2	Attendance at case conferences by area – 9/2006 to 9/2008 – Hobarten	47
3.3	Distribution of agencies referring individuals to case conferences – 2006–2008	50
4.1	Overall cases of young people referred to the case conferences (9/2006 to 9/2008), n=144	84
4.2	Illustration of interventions given to males and females (aged 10–17) by area	100
4.3	Multiple interventions (2006–2008)	103
App	endix: Details of Interviewees	171

Series Editor's Preface

In this book you will learn a lot about the multitude of powers used in response to anti-social behaviour, not only about the Anti-social Behaviour Order (ASBO) and the Acceptable Behaviour Contract, but also about the political and social context in which decisions about responses to crime are made. ASBOs were favoured because they provided an opportunity to intervene early and in theory provided a support-oriented philosophy, helping young people to adopt better behavioural traits. At the same time they represented a less severe response than had been in evidence under New Labour. You will read about some of the real problems in making ASBOs work. These include offenders who saw them as a badge of honour, resentment against agencies (especially the police) for the role played in their management, the families of those subject to ASBOs who suffered eviction from their homes, and mothers who suffered intimidation at the hands of their offspring. ASBOs had their appeal, but they were not an unqualified good.

The author spent two years attending case conference panels and has produced an ethnographic study, looking at referrals of those up to 18 years of age who might have multiple needs requiring the involvement of a variety of experts, albeit with the limited engagement of mental health services. Ethnography provides the methodological framework; the work of Goffman guides the theoretical interpretation of what was evaluated and found, while case studies provide a means of reporting the findings.

As the author notes, just as welfare agents have increasingly become agents of control, so the police have become engaged in welfare issues and this makes for some interesting partnership working. Initially, the police saw this as a challenge to their authority, but a variety of influences eased a transition to a less inherently conflictual way of making decisions, including the generation of trust between individuals, the use of humour, and group work. From Goffman we learn about 'offensive face work' techniques and 'dramaturgical discipline'. There have been problems and contradictions. For example, some of the ways girls were treated were problematic in terms of castigation based on class and gender. Also, the police role involved actively chaperoning young people around to various appointments; while supportive, it prevented these

young people from making their own decisions and held back their opportunity to learn and progress.

This book also provides important insights to the subject of police culture, and Daniel McCarthy has much to say about the impact of culture on behaviour. Critiquing the somewhat rigid interpretations of some previous research, he highlights instead a variety of different influences, including the fluid nature of police work, as well as the rather varied roles that exist in policing. Policing is characterised by a variety of very different cultures, some of which are conducive to, and indeed justify support for, 'soft' policing. So while the macho image associated with much police work clearly exists, it tells only a part of the story. This is a significant point; indeed, policing has always placed an emphasis on human engagement as well as crime-fighting and all that this implies. In this book we are reminded of the very real skill-sets needed to make the softer approach work, not just in delivering action for those with ASBOs but in managing the contexts in which decisions are made.

Daniel McCarthy's book is timely. As he notes, we are entering a new era in which there are challenges to establishing trust relations between agencies. His work invites consideration of a range of issues that are likely to be important if what emerges is to be effective and if we are to make proper use of the lessons from the past.

Martin Gill

Acknowledgements

This book started to take shape in 2004 following a short period spent working for a local authority during the early implementation of the anti-social behaviour and neighbourhood policing agendas. My role, amongst other things, was to conduct small-scale research projects to help identify local crime and disorder issues. During this time, I became closely acquainted with the rather messy and complex terrain of local politics and practices of multi-agency working, especially the individual professionals and their various beliefs and values. Although this book has taken almost a decade to come to fruition, these early experiences provided the basis for many of the ideas found in it.

I would like to thank my supervisors at the University of Surrey, Martin Innes, who supervised my MSc work, Nigel Fielding and Paul Johnson, who supervised my PhD. My PhD cohort made life a very collegial and enjoyable affair. In making the step into the big wide world of academia, colleagues in the Department of Sociology have been great at helping me make the transition as a member of the faculty; many of the ideas explored in this book have been developed or revised as a result of conversations with them. Beyond Surrey, my thanks also go to Megan O'Neill and Carlie Goldsmith, who provided some insightful guidance on particular chapters of the book. The series editor, Martin Gill, and the anonymous reviewer of the manuscript also deserve my thanks for their useful comments.

Reflecting on the cross-border implications of the research was enhanced by a period of time spent at the University of Washington, Seattle, towards the end of 2008. Steve Herbert and Katherine Beckett served as honourable sponsors, linked me up with other like-minded scholars, and gave up their time to provide some valuable feedback and guidance for this project. Although too short, this experience was highly important for me intellectually.

This research project would not have been possible without the access granted to me. My thanks also go to the gatekeepers – Kate, Rosa, and Mike facilitated access for me to conduct this research and did so with patience and with much banter throughout. All of the professionals who took time out of their busy schedules to be interviewed and quizzed during the research also deserve my appreciation. Many

admitted to enjoying being interviewed by me, which certainly helped appease some of my guilt for asking naïve questions!

Thanks also to Julia Willan and Harriet Barker at Palgrave Macmillan, who saw the book through to publication. I also thank the anonymous reviewers for their feedback on the original book proposal and steering the text towards some interesting areas and connections.

Some of the ideas contained in this book were explored in articles published in peer-reviewed journals including The British Journal of Criminology, Critical Social Policy, Policing and Society and Criminology and Criminal Justice.

Finally, my parents deserve some recognition for supporting my unconventional career choice of an academic, including its anti-social tendencies and bouts of excessive narcissism. As a sociologist I would blame the institutional environment, but in these neo-liberal times I have to concede some degree of individual responsibility.