Cultures and Crimes

So that however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom; for liberty is to be free from the restraint and violence of others, which cannot be where there is no law; and not, as we are told, *a liberty for every man to do as he lists*. But a liberty to dispose and order freely as he lists his person, actions, possessions and whole property within the allowance of those laws under which he is, and therein not to be subject to the arbitrary will of another, but freely follow his own.

John Locke, *An Essay Concerning the True Original Extent and End of Civil Government* (1690)

Dedicated to

Audrey Dennis
Julia Jane Hodkinson and Robert and Sarah
John David Dennis and Max

Children and grandchildren to be proud of
A wife beyond compare

Cultures and Crimes
Policing in Four Nations

Norman Dennis
George Erdos

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Authors

Norman Dennis was born in 1929. He spent his childhood in various working-class neighbourhoods during the depression years in Sunderland, at that time a town famous for its ships, marine engines, glass works and colliery. A crucial and benign year was spent at the beginning of the 1939-45 war as an evacuee with one of his three brothers in a coal-miner's family in the small pit village of Leasingthorne, County Durham. Admitted from Bede Grammar School, Sunderland, to Corpus Christi College, Oxford, he preferred to study at the London School of Economics of Tawney, Popper, Ginsberg and Laski. He has been a Ford Fellow, Rockefeller Fellow, Leverhulme Fellow, and Fellow of the Center for Advance Study in Behavioral Sciences at Palo Alto, California. At the Universities of Leeds, Bristol, Birmingham, Durham and Newcastle upon Tyne, since the nineteen-fifties he has carried out participant-observation and survey research into the changes taking place in working-class communities against the background of wider cultural changes, paying special attention to the four countries England, France, Germany and the United States. He is currently a colleague of George Erdos in the School of Biology (Psychology) at the University of Newcastle upon Tyne. He has been a member of the Labour party since the mid-nineteen-forties, when he joined the Sunderland Labour League of Youth.

George Erdos is senior lecturer in the School of Biology (Psychology) at the University of Newcastle upon Tyne. He is a chartered occupational psychologist. He is currently studying the cultural and community relationships that have been relatively successful, comparing one society with another, in producing personal freedom, mutual trust, willing co-operation and an adequate and secure standard of living for all participants—the central concerns of English ethical socialism as articulated by R. H. Tawney. Dr Erdos is intimately acquainted with the repressive systems of both national-socialist Germany and communist Hungary. With Norman Dennis, he argues in this book that England is a nation that, compared with most others in the past and today, has enjoyed in its various communities and associations a culture and practice of relatively high levels of freedom of expression and low levels of coercion. The greatest internal threats to personal liberty originate with law-breakers in the state and violators of rules of good conduct in neighbourhoods and organisations.

Foreword

A few years ago Norman Dennis wrote that crime had been growing unchecked in this country since 1955. The reason he put forward for the rise was the collapse of a multi-faceted culture of civic harmony, not least the dismantlement of life-long monogamy as the basis of child rearing and the core of adult duties. He followed Burke in arguing that, if a society is to continue in existence, a controlling power upon the will and appetite must be placed somewhere, and the less there is within, instilled by a society's culture, the more there must be from without, enforced by a society's police. From the mid-1950s to the early 1990s both the 'power within' and the 'power without' were diminishing. While cultural constraints were being discarded, in relation to the number of crimes they had to attend to, police numbers were not keeping pace and police powers were declining.

Dennis attacked the widely propagated view that to the extent that material standards rose and equality of material outcomes was established, neither the inculcation of a culture of law-abidingness nor the presence of a preventive police force would be necessary. But it was not until July 2004 that Prime Minister Blair publicly recognised that the problem of law and order was cultural as well as controlling and material. In introducing the Labour government's policies to recreate 'confident communities in a secure Britain' he said that the five-year plan marked 'the end of the liberal, social consensus on law and order'. He said that the post-1960s society of different lifestyles had 'spawned a group of young people who were brought up without parental discipline, without proper role models and without any sense of responsibility to or for others'. 'Here, now, today', he said, 'people have had enough of this part of the 1960s' consensus'. People did not want a return to old prejudices and ugly discrimination. But they did want 'rules, order and proper behaviour'. They wanted a community where 'the decent law-abiding majority' was in charge.[1]

In the 132 pages of the government's five-year plan to 2008, *Confident Communities in a Secure Britain*, the conception of 'culture' is thin in the extreme. All research shows that the key element in keeping children and young people from crime and disorder has been, and is, their being born into and brought up by a family of their own biological parents, who before the conception of their child were in a self-chosen and socially approved and sanctioned relationship of life-long monogamy. *Confident Communities* itself points out that, as contrasted with two per cent of the general population, 25 per cent of all prisoners were in local authority care as children,[2] their parents having failed to provide, or never having created, a marital family home.

But the word 'family' appears in *Confident Communities* only where 'family' can only mean any household arrangement of a single adult or partners in any relationship, together with children of whatever provenance—in such clichéd phrases as 'families and communities', 'the well-being of individuals and families', 'support for families' etc. *Confident Communities* says that children are protected from the temptations of crime if they enjoy the benefits of a 'secure and stable environment with role models and constructive activities'.[3] But a secure and safe environment is a very general set of circumstances. The Home Office concedes no preference to the safe and secure environments created by the family of marriage operating as *a privileged cultural institution*. Children's Centres, not the family home, are mentioned as giving the child 'the best start in life'.[4] 'Marriage' is mentioned only once—in a negative reference to it. 'More checks will be made on suspicious marriages' to ensure that rules of entry are not abused.[5] The words 'parent' and 'parenting' appear only in connection with failed parents—'mentoring schemes', the expansion of 'parenting support', 'parenting programmes', 'Acceptable Behaviour Contracts' between young people, their parents and local agencies, 'parenting orders for those who cannot or will not face up to their responsibility', 'family group conferencing' and so forth.[6] Many youngsters who get into trouble with crime had 'the bad example of a parent who had offended'.[7]

'Civil society', 'active citizenship', 'proactively strengthening communities', 'community cohesion' are all terms that in the context in which they appear in *Confident Communities* give no hint that spousehood and parenthood were and are still the social roles central to any neighbourhood that actually functions as a community, and to the fulfilment of practical civic responsibilities. Traditionally, *Confident Communities,* says, the Home Office refrained from 'proactively trying to strengthen the communities in which problems of crime appeared'. Since 1997, however, the Home Office says that it has seen 'active citizenship and more cohesive communities as essential parts' of its 'core business'.[8]

While one explicit objective of the five-year law-and-order plan is 'creating stronger families',[9] and 'families' are placed by the Home Office 'at the heart of' the partnership effort to reduce crime,[10] Home Office action conspicuously excludes promoting marriage, as does the 'family-supporting' actions of other government departments.[11] The

Government had earlier considered emphasising the importance of the family based on marriage, but the champions of that view were defeated by those who argued that the Government should not ‘interfere with lifestyle choices’, as if taking no responsibility for your own children were on a par with opting for a holiday in Spain over one in the Lake District.

The reason put forward by Norman Dennis to explain the separate problem of why the rise in crime proceeded unchecked from the mid-1950s to the early 1990s was that it was almost universally dismissed by England’s public intellectuals as a fable created by ill-informed people in the throes of moral panic. The problems of the growth of crime had not been faced, he wrote, ‘because it has been systematically and successfully denied that there were such problems’. But he saw many signs in 1993 that the ‘pernicious consensus’ of denial was beginning to crumble under the sheer weight of inescapable brute facts. If his book played any part in hastening its collapse, he wrote, it would have served its purpose.[12]

Whether or not *Rising Crime and the Dismembered Family* itself had any influence, the fact is that the ‘moral panic’ consensus no longer exists among public intellectuals, though its pallid sibling ‘the exaggerated fear of crime’ still stalks the corridors of the Home Office and an occasional column of the quality press, or sits sipping coffee in university common rooms with forlorn veterans of the student movements of the 1960s.

In place of moral panic we have something almost as bad, a wholesale, ramifying and perhaps in part fabricated confusion in and about the crime statistics. This fact on the one hand makes it possible for almost anyone to secure a respectful media hearing for almost any case he or she, in good faith or bad faith, chooses to put. On the other hand it feeds a generalised apathy about the search for better data and the rejection of worse data on crime, and tempts the layman to choose the safe simplicity of indiscriminate cynicism about all statistically-based arguments.

There are two sets of crime figures, those of ‘police recorded crime’ and those of the British Crime Survey. The figures of police recorded crime have been published annually since 1857. The annual volumes note in detail the effects on the figures of changes in the description of incidents that are recorded as a crime. There is now no way of discovering what differences existed over time in the recording practices in one police force compared with another. It is inherently unlikely, however—in practical terms, impossible—that a trend of generally rising crime could have been either concealed or exaggerated over all police forces in any particular year, or over a series of years. It is virtually certain, therefore, that whatever the defects of figures as a measure of the absolute volume of crime, they fairly represent the growth or diminution of crime over the years. There was a slight break in the police-recorded crime series in 1997/98, when the first of two new sets of counting rules were introduced. The difference was that they were 4,598,327 crimes on the old system, and 4,481,817 on the new system. The figure 4,598,327 is part of the series running back, with some interim adjustments of the same kind, to 1857. The second of the new sets of counting rules, introduced in April 2002, but begun to be implemented in some forces before that date and not fully implemented in some forces after that date, made a larger difference. Using this second new recording system, the National Crime Recording Standard (NCRS), the number of police-recorded crimes in 2003/04 was 5,934,580, instead of the 5,341,122 that the first new set of counting rules would have shown. The figure of 5,341,122 is part of a consistent series running back to 1997/98.[13] Because the figures are defective as a measure of the absolute volume of crime in any given year, that does not mean that they are defective for all purposes. And although there have been breaks in the series, the figures retain their value as measures of the trend of increases and reductions in crimes over the years.

In this volume Norman Dennis and George Erdos look at these police-recorded trends in the crime rate. Supporting the Prime Minister's remarks about the importance of culture in controlling or engendering crime is the fact that, in the England and Wales of 1955, poor, unequal and uneducated by present-day standards, fewer than 500,000 crimes were recorded by the police. By the end of the 1960s there were over 1.5 million. By the end of the 1970s there were 2.7 million.[14] The steeply rising trend in crime predated the Thatcherite 1980s by 25 years, and proceeded in its upward course as relentlessly through times of low unemployment as through times of high unemployment. Throughout the period, of course, the standard of living was steadily improving, and educational opportunities were expanding rapidly.

The police-recorded crime figures peaked at 5,591,717 in 1992. The falling trend preceded the election of a Labour government by five years. But in 2003/04 there were still well in excess of five million crimes on the low count, and just under 6 million on the high count.

The British Crime Survey (BCS) has produced crime figures based on a sample survey of between 11,000 and 38,000 adults living in private households, who have reported to investigators on the incidents of crime of which they personally or their homes have been victims in the previous year. The series has been annual only in this century. The BCS does not take account of crimes committed against under-16s, sexual offences, fraud or so-called 'victimless' offences such as drug dealing.[15] On the basis of the samples, the estimate was that 11,041,000 BCS crimes were committed in 1981. In 2003/04 the estimate was that 11,716,000 were committed. BCS crime, like police recorded crime, had peaked in the mid-1990s (19,353,000 in 1995).[16]

While all these figures are perfectly useful, in the most important context for public discussion today, the brief radio or television interview, the scope is considerable for being confused, or inadvertently or deliberately sowing confusion, or both. A random example suffices. The following is the verbatim account of the discussion on the BBC's Today programme of the newly published crime figures for the year 2003/04.

The discussion centred on the rise of 12 per cent in the year in all violent crime, according to police records, from 991,603 cases to 1,109,017 cases. It did happen to be the fact that almost all of it was a paper and not a real rise, explicable by the change in what incidents had to be recorded as violent crimes. To pursue the 12 per cent rise in the year specifically in violent crime, as distinct from categories of crime that had risen in frequency, was therefore to pursue a pure red herring. And to restrict the discussion to changes since 1997 was to adopt an entirely misleading perspective. The falls in the high volume crimes, and thereby the fall in the overall crime figure, owed little to the police, even less to local authorities, and hardly anything at all to an improvement in morals, the main causes of the fall in crime in the nineteenth century. They were the result mainly of increasing the prison population from 1993 onwards (a Conservative policy not reversed by the Labour Government after 1997), a less trusting attitude towards property and personal safety, and improved security devices installed by householders in their homes and by manufacturers in their cars. Those parts of the discussion that did not deal with the crime figures have been deleted.

John Humphrys Crime has fallen. We've had the biggest sustained fall in the number of crimes committed since the seventee … er, the nineteenth century, down nearly 40 per cent (*sic*) over the past nine years … That's one way of reading one set of figures being published today. But other figures tell a different story and violent crime—and that's what worries some people the most—has risen. It's up by 12 per cent—and that's because of drink.

Stephen Green, Chief Constable of Nottinghamshire Well, the general consensus is that the *figures* say that violent crime is falling. In our view go to any town or city centre and the problem is there, visible before your eyes. Town and city centres are being denied to most members of communities because they are now the domain of young people who are under the influence of drink and are misbehaving …

Humphrys … What do you make of these figures, Mr. Davis?

David Davis, Shadow Home Secretary Well, they are as confusing as we're used to getting from the Home Office. But the raw truth is, as you've already said, violent crime has gone up by 12 per cent—up above a million now. The British Crime Survey, which the Home Office prefers to use, doesn't include murder; doesn't include crimes against under-16s—some of the fastest-growing crimes, mobile [phone] muggings; doesn't include drug abuse, up 16 per cent; doesn't include rape, up seven per cent; doesn't include shoplifting, double. So, it's a silly survey to use. The real figures are the recorded figures. And these show, as you said, a very large increase in violent crime.

Humphrys But most of it is accounted for by kids pushing and shoving each another when they're drunk on Friday and a Saturday night, if we are to believe the figures …

Davis Well, no. That doesn't add up either. I mean, serious wounding is up by eight per cent. That's not pushing and shoving. Racially-aggravated wounding up 11 per cent. Sex offences up eight per cent. Rape up seven. These are not minor issues. They're very important. And people listening to your programme will just simply not recognise this picture the Home Office is trying to put out of violent crime going down.

Humphrys It's not what the Home Office is trying to put out. It's the British Crime Survey—which in the past, incidentally, has often shown quite the opposite. They have shown more crimes than the official figures have shown.

Davis Well, the reason the British Crime Survey was set up was in order to try to indicate whether there has been under-reporting, and often you find that with minor crimes. And, I think, you know, there may be an argument for that with something like harassment, for example. But the primary, major crimes and violent crime, where people are *not* not going to report them, the recorded crime is the most important. …

Hazel Blears, Home Office Minister … But let's get the story straight here today. We've got a five per cent fall in crime, 30 per cent fall since 1997. You know, this is pretty good work by the police, the people out there on the front line. And if you look at the British Crime Survey, which David says is a silly survey, it's actually the way we have counted crime for decades in this country. If you look at that and the recorded crime figures in terms of burglary, vehicle crime, robbery—all of them down. There's actually half a million fewer people getting burgled than there was a few years ago. So credit where it's due, you know. These are pretty good figures … Stephen Green is right … The figures today are extremely good —crime down five per cent last year and down by a third in the last few years.

Humphrys But you know—you quote Stephen Green a lot and he said, ha, he said that people are not going to recognise the picture from these figures. If you can't go into your town centre on a Friday or Saturday night because of drunken yobs making life absolutely impossible for you, what kind of society are we living in?

Blears Well, exactly. And I think this is the responsibility of all of us. It's not simply a matter for government. It's about our own attitudes. … But the story today—let's just not get away from this—is actually very good crime figures. Crime down five per cent. Burglary down 42 per cent over the last few years. Vehicle crime down as well. And domestic violence down 12 per cent again. So this is good news. And I just want to give a bit of credit to the police out there and people in local authorities working really hard to try to make communities safer. There's more to do … But let's give them a pat on the back and say, 'Well done!'[17]

There is no way to clear up this confusion in a few phrases or to place our problems of crime and disorder in a proper perspective with a sound bite. But here, in *Crimes and Cultures*, Norman Dennis and George Erdos try to keep complication and contention over the figures to a minimum by concentrating on one category of crime, robbery. Their historical accounts of crime and policing widen the time perspective. Their studies of crime and policing in the United States, Germany and France widen the perspective geographically. Their studies of culture take us beyond the usual discussion of crime and poverty. And they compare the information provided by crime and police statistics with the reports of social observers and with what can be inferred from contemporaneous novels, poems and other sources of information on how people conducted themselves at the time and in the place.

The book is a gauntlet thrown down to the received ahistorical, provincial and materialistic wisdom and fashionable scepticism of the criminological establishment, especially in government.

David G. Green

Preface

One of the first and firmest things taught to students of criminology is that the official figures of police-recorded crime are misleading. Definitions of what does or does not constitute a crime or misdemeanour have changed from time to time. New crimes have been made possible by technical progress—there was no car crime in the middle of the nineteenth century. The proportion of unreported crimes, the 'dark figure', is high for some offences, such as shoplifting, lower for others. The proportion of all crimes committed that are reported to the police has changed over time. In the case of particular offences, the proportion of victims reporting them to the police have gone up considerably. There have been changes in the formal rules that lay down what crimes reported by the public should be recorded by the police, as well as changes in the informal practices of particular police forces and particular police officers.

All these are empirical matters. Some of them can be taken into account easily, some with difficulty, some not at all. But the impression that we have gained from our everyday discussions with colleagues, and others, is that the necessary statistical scepticism of experts has consolidated itself further afield into something of a social axiom or general state of mind: that the official figures of police-recorded crime are totally defective.

This axiom, as such, absolves those who accept it from getting to know what the record actually shows; it can be taken as a dispensation from making any effort to find out what effect particular changes or practices have actually had on the police-recorded figures of overall crime, or on the figures for particular offences. In some cases the axiom leads straight to the blatant and lazy *non sequitur*, that because the raw recorded figures cannot impeccably prove there has been a steep increase in actual crime in the past half-century, this impeccably proves that there has *not* been a steep increase in actual crime in the past half-century.

In spite of the widespread disposition to dismiss the police-recorded figures as for all purposes fatally flawed, we shall nevertheless start by using them. Examining the credence that they can be properly accorded will be a large part of the work of this book.

The figures of crimes recorded by police forces in England and Wales show a remarkable break from about 1955 in the country's history of law and order and policing.

From 1857 until after the Great War it was rare for recorded crimes in England and Wales to breach the barrier of 100,000 a year. The trend line of Figure 1—the broken line—shows great stability around the figure of 90,000 a year. The population of the country was rising. This represented, therefore, a substantial fall in the crime rates per 100,000 population—or as in those days they used to calculate it, per million population.

Figure 1
Crime figures lie between 80,000 and 105,000 for 65 years
All crimes recorded by the police, 1857 to 1921

Source: Judicial Statistics England and Wales; Criminal Statistics England and Wales

Figure 2 is on the scale of millions, not the thousands of Figure 1. It relegates figures as small as 100,000 to the depths of the graph. The scale of millions used in Figure 2 means that variations of a few tens of thousands from one year to another are not registered, only the general upward movement of the line. But at the time, the responsible authorities in all areas of national life were deeply worried by what was to them, on the official figures, a perturbing increase.

Figure 2
Between the wars crime rises from its stable level of about 100,000 to 300,000
All crimes recorded by the police, 1919 to 1939

Source: Criminal Statistics England and Wales

After the Second World War, however, it looked as if the widespread expectation would be fulfilled, that the country would return to its century-long normality of civil peace and (in the belief that the figures broadly represented reality) low crime rates. In the early years of Keynesian full employment, renewed programmes of slum clearance and council house construction, social security benefits and a National Health Service, the annual figures of recorded crime stabilised, and indeed tended to fall. (Figure 3.)

Figure 3
In the late 1940s and the 1950s there were about 500,000 crimes a year
All crimes recorded by the police, 1948 to 1957

Source: Criminal Statistics England and Wales

But then, alarming at the time, the figures doubled in a decade. (Figure 4.)

Figure 4
In the 1960s crime more than doubles
All crimes recorded by the police, 1960 to 1970

Source: Criminal Statistics England and Wales