

# scottish justice matters

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## POVERTY, INEQUALITY AND JUSTICE



**THIS EDITION** of *Scottish Justice Matters* focuses on poverty: its impact on the well-being and life chances of young people; its complex links to crime and place; the ways in which it is both experienced and reproduced; and suggestions about how best to tackle its pernicious consequences.

The edition is timely in the context of the current political debates on the nature and impact of austerity and the choices being made by the UK Government on where to make cuts in welfare. It is also timely in the context of long term debates within Scotland about the efficacy of criminal justice process and ways of preventing offending and victimisation.

In almost all policy debates about justice, poverty is acknowledged as the backdrop to inequalities (as, for example, in health or education) and a persistent factor in the lives of the vast majority of those who come into contact with the criminal justice system, but yet successful transformation of both its causes and consequences remains elusive.

#### Overview of the edition

We have commissioned papers from practitioners and academics at all stages of their careers: from outstanding PhD scholars to senior Professors; and asked them each to focus on a dimension of the poverty-[in]justice nexus. Importantly, the research that is presented here draws on a range of methods and disciplines: from human-centred design and in-depth interviewing to large-scale survey methodology and geographic analysis of crime patterns and trends. We have also undertaken a focus group with women who are involved with the Serenity Café in Edinburgh (run by and for those in recovery). Taken together, the diverse contributions to this edition provide a strong evidence base that poverty matters!

#### Key themes

##### The voices of people in poverty are silenced

Two of the papers (Nugent and McAra [M.]), explore the experiences of children and young people who are living in the context of extreme deprivation. Nugent found the young people in her study (drawn from a group that had had contact with Includem's Transitional Support service) were extremely vulnerable but 'too full of pride' to seek help; whilst having low expectations they nonetheless were keen to find work (challenging the assumptions of certain politicians, about feckless or workshy youth). McAra worked creatively with a group of older children in a Princes Trust Class, who had been identified as being at risk of NEET status (not being in Education, Employment or Training). She found that the young people initially had a low estimation of their own abilities, which was only challenged through taking a democratic and collaborative approach to artistic practice. A key insight from these research projects is that ways of breaking down barriers to self-realisation come only when the young people are able to feel in control (McAra) or when the circumstances in which shame is internalised are transformed (Nugent). By respectively using interviews and artistic practice as

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**Lesley McAra, Susan McVie and Maggie Mellon**



methods of engagement, Nugent and McAra have given voice to a demographic that is rarely listened to or heard.

Significantly the women in the focus group from Serenity Café also highlighted the issue of 'voice' in their response to questions on poverty and injustice. A common view was that they were not listened to by agencies. The systems (justice, health, benefits) which they encountered tended to label the women in rather narrow ways (as offenders or victims, as mentally ill, as benefit fraudsters), failing to understand and address their complex needs in a holistic way. As one participant commented, when asked how things could be made better:

'No "you are this, and that", just listening and support'.

### **The justice system entrenches people in poverty and exacerbates crime**

The paper by McAra [L.] and McVie, which presents new findings from the Edinburgh Study of Youth Transitions and Crime, reinforces and further illuminates the problem of poverty. This large scale quantitative study found that poverty formed a touchstone against which the identities of young people were honed, resulting sometimes in violence as a conduit to empowerment and status. Poverty also functioned as a kind of stigmata, shaping agency responses to young people's conduct, such that those who came from the most deprived backgrounds became the focus of criminal justice attention, something over which young people have no control. A critical finding from the study is that the practices of agencies of youth and adult criminal justice, rather than lifting young people out of poverty, served instead to entrench them in poverty and thus reproduced the conditions in which violence could flourish.

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Similarly, Mellon in 'Just care?' points to the impact of acquiring a long term criminal record from the children's hearing system. Paradoxically the system's focus on needs as well as deeds acts to expose mainly poor children and young people to, not only, the iatrogenic impact of involvement in justice processes, but to a very avoidable long term criminal record that immures them in worklessness and poor outcomes.

The skewed consequences of state intervention are not only confined to Scotland. Based on a review of international evidence on poverty and crime, Webster argues that political choices to restrict benefits for the under 25s and labelling young men, in particular, as the 'most undeserving of the undeserving poor', were likely to exacerbate criminal offending. Similarly, Christaens sets out the ways in which the Belgium system of youth justice reconstructs the problem of poverty as an individual problem, highlighting the ways in which educational interventions function neither to empower nor emancipate.

### **Crime and victimisation are concentrated in deprived neighbourhoods**

Two of the papers explore the complex relationship between the characteristics of deprived neighbourhoods and patterns of crime and victimisation. McVie, Norris and Pillinger found that factors associated with poverty (such as living in social housing) may be linked to experience of chronic victimisation. Bringing together data from the Scottish Crime and Justice Survey and the Scottish Index of Multiple Deprivation, they found that those who are multiply victimised, tend to be concentrated in areas characterised by low educational attainment and poor health (which provides some potential for targeted intervention).

Bates' research reinforces the links between crime and place. From analysis of the police recorded crime data contained in the Scottish Neighbourhood Statistics, she found that there was a strong overlap between neighbourhoods (mostly in urban settings) with high concentrations of crime and unemployment as well as poorer health and educational outcomes: factors which persisted over time. For Bates, the explanation for such overlaps links both to the routine activities of the people living in the area and to the lack of community cohesion stemming from the structural deficits within the neighbourhood. She concludes by arguing that solutions to the spatial concentrations of crime and poverty require approaches which target both the situational and structural factors at play.

### **What is to be done?**

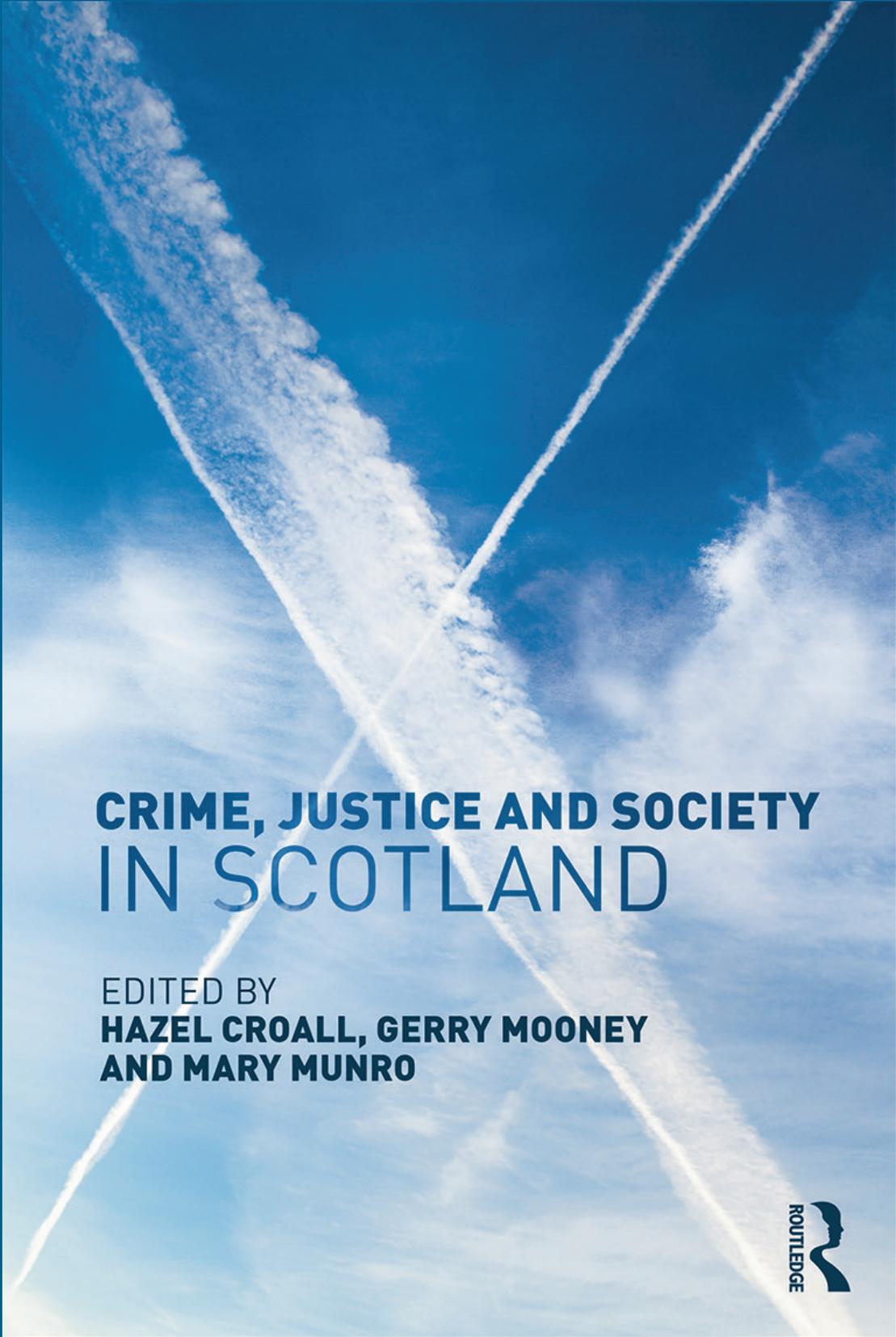
The research which informs this edition makes for difficult and stark reading. That systems which are set up to reduce crime and victimisation, to support health and welfare, are failing to address the needs of those made subject to their tutelage, serving instead to label and stigmatise, and to exacerbate rather than diminish poverty and violence.

Taken together the research would suggest five immediate steps to transform the state we are in:

- ❖ More resource for educational interventions which empower and enable
- ❖ More employment opportunities and overhaul of the benefits system
- ❖ Reform of the system for disclosure to employers of childhood convictions
- ❖ Reform of decision-making practices across systems to address the pernicious consequences of labelling and provide real and meaningful multi-agency practice
- ❖ Stop making criminal justice the default response to poverty and focus the attention of the law and of government on redistribution rather than retribution

All the contributions to this edition demonstrate that poverty is justice denied. We end this editorial by echoing the words of one of our early career contributors: 'This needs to change'.

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# **CRIME, JUSTICE AND SOCIETY IN SCOTLAND**

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