

newstatesman

**Special
Supplement**

COMMUNITY JUSTICE

CONCEPTS AND DELIVERY



in association with

**FELLOWS'
ASSOCIATES**

A round-table discussion

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*Many congratulations to Brian Paddick on his promotion
within the Metropolitan Police since this event*

Community justice: concepts and delivery

12 November 2003

Introduction

The lines of responsibility and accountability for “community justice” are becoming increasingly blurred, requiring greater collaboration between public authorities and other organisations to develop and implement joined-up solutions. Demoralised communities living in run-down or neglected built environments characterised by vandalism and high levels of antisocial behaviour need to know that the broader social issues will be tackled.

To encourage high-level interactive debate around community justice, the *New Statesman* and Fellows’ Associates jointly organised a round-table discussion, held in Westminster on 12 November. The event took place with the kind support of Northgate Information Solutions.

The three central themes of the discussion were the differing and changing notions of community justice; how responsibilities can be recognised through public education and enforcement; and how, in a democracy, the community can genuinely be involved in promoting community justice.

The questions raised ranged from “What does community justice mean?”, through “What is the correct balance between help and punishment?”, to “What do we mean by community involvement, and what is the proper balance between centralisation and local control and accountability?”.



The discussion

John Kampfner My job is as a facilitator rather than “hogger”, so I will open up the discussion very quickly. There is a wide range of people here today – from the police, local authorities, the voluntary sector, politics – who are in some form expecting to deliver on community justice. Hazel, we have to start with you.

Hazel Blears Could I first say a big thank you to the organisers of this event. I think it comes at a really appropriate time, when we are beginning to explore the concepts of community justice. We have launched one pilot in Liverpool, a community justice centre. We have had some fairly extensive discussions with Greg Berman and the Centre for Court Innovation about the Red Hook Community Justice Centre in New York, and some ideas around that.

Before I had this job I was public health minister, and ▶

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► a large part of my agenda was how to get people to take more responsibility for their own health and well-being, and for the well-being of their community. I suppose I have the same drive in terms of the policing and justice system. I wrote a pamphlet published by the Fabian Society in July this year, entitled *Communities in Control*, which contains an analysis of why I believe you get better public services if you provide them in partnership with local people. I represent an inner-city, fairly tough, fairly deprived area in Salford. What we have found in



“The future concept of justice does not exist in isolation, but is part of a wider push to transform public services”

recent years is that the regeneration agenda – of which we have every single government initiative going – does not have sufficient impact unless it is driven, shaped and managed by local people.

For example, there are people who have designed two health centres themselves. They have established a formal, neutral, non-profit organisation, and now have three years of revenue funding from the primary care trust to employ health workers. That is a very different model of public service provision to anything the NHS would traditionally have done. I have no doubt that those centres will be better used, less vandalised and more accessible than the usual healthcare provision.

I think the same goes for the community justice centre. For two years in my local community we have been meeting as a group because there was a threat to take away our magistrates’ court. We had a big campaign to keep our court because it is a symbol of the community and of civic pride, and because we wanted local justice administered by local people.

I said from the outset that you do not get money from government to do the same thing; you get money to do new, innovative things. So we have been working on a scheme to build a new magistrates’ court which will in fact be a justice centre with people working together in

partnership. For me the next big step – and I have not yet convinced everybody – is to get that centre owned, managed and run by local people who talk about what the priorities are, how we administer justice, how they are connected to the system, and how they feel about what is happening in their deprived community, whether that be anti-social behaviour, theft or drug-related crime. Local people will be empowered by having some levers to make a difference in their neighbourhood.

The second really important thing for me

is to make sure that our judges are on board, that magistrates are increasingly drawn from the community they serve. In my inner-city wards, the magistrates come mostly from the suburbs and do not live next door to the problems we have.

If you can get people to have some sense of ownership and stewardship of the public assets in their community, I think that transforms their mindsets, their culture, the way they live as neighbours. I think the future concept of justice does not exist in isolation, but is part of a much wider push to transform public services so that they are owned by the people who pay for them through their taxes, who use them and who work in them. Having some kind of multi-stakeholder co-ops, mutual organisations, running our public services is a much better model than me doing it from Whitehall.

Brian Paddick Community justice should be about tackling things that are of concern to local people. The difficulty with centrally imposed targets is that they may or may not be relevant to local people. Furthermore, it is currently believed within certain sections of the police service that there are so many central targets that there is not enough leeway or capacity to tackle issues that are important at the local level. On the other hand, it is argued that

there has to be some sort of central control or you will have postcode enforcement of the law and there will be no consistency across the country. I think it comes down to the extent you trust local people and local police to be reasonable about setting their own agendas and priorities.

I think the most important thing – whether you are talking about policing in particular or justice in general – is that it appears and feels fair, reasonable and proportionate not just to the victims of crime and the wider community, but also to the perpetrators. Experience shows that if an offender feels the punishment or the restorative element of the way their case is dealt with is fair and reasonable, the chances of that person reoffending are greatly reduced.

I think the issue of punishment versus prevention of repetition is very important. Parts of our society, and certainly of the media, seem obsessed with punishment for crime rather than being obsessed, as I think we should be, with the prevention of reoffending. It is particularly important in difficult urban areas where victims of crime are fearful of reporting matters to the police because they think the perpetrator will be punished and, as a result of



“Parts of our society seem obsessed with punishment rather than prevention of crime”

this punishment, will seek retribution against them. This is another very good reason why – and the government is obviously taking this on board – we are moving forward with restorative justice, despite all my contacts in the media telling us not to touch it with a bargepole because it is a real vote loser.

Genuine consultation is what it is about, I think, rather than decision-making. It is about listening to and taking on board different people’s views, but perhaps leaving the decision-making to the professionals. This is a very important distinction. There are particular difficulties with the concept of community justice in urban areas, where there are collections of distinct communities, some within streets of each other, as opposed to a homogeneous

community such as you might have throughout the county of Surrey, for example. So when you are talking about community justice, which community are you talking about?

Nigel Druce In Falmouth, there is the Beacon estate. Six or seven years ago, it was as bad as you will find anywhere in the middle of London or Manchester. It was a no-go area. There was mass unemployment and it was very deprived, an estate where the police always went in pairs and cars raced through. The housing authority had neglected it for years and the youth club had been burned down twice. Two health visitors were so distressed by what they saw that they decided to do something about it. They went around commandeering local champions and they came across a man who had been disabled for many years and had time on his hands. Working with him, through him, over the next two to three years, they were able to transform that estate. The Highways Agency put humps down, the housing association used grants to paint the outsides to make the place look bright and clean, and the youth club is still there. The level of crime and disorder is now what you would find in the best parts of Cornwall. This demonstrates what a few people, respected among the community for the work they are doing, can achieve.

Marjorie Wallace At Sane, we have a thousand callers a week of all kinds, but many of them feel totally excluded. One-third of people who seek help for mental health ►



were behind it, believed in it and supported it.

John Burbeck I have been wrestling with integrating criminal justice agencies and, as a result, have given some thought to what we are trying to achieve and what environment we are trying to achieve it in. I believe one of the problems facing us is that, as a country, we do not have a community, we do not have a common sense of values or an agreed set of expectations and outcomes. And if you do not have some sort of framework of common values, then concepts of justice vary dramatically.

We need to establish whether we are trying to work justice in a

patchwork of small communities, rather than across the country, because you would go about achieving this in a very different way.

Frances Lawrence There is either justice, it seems to me, or there is not justice. I am not quite sure about the idea of having an adjective in front of it. When you are talking about community justice, which community are you talking about?

In the area we are talking about, it seems that new initiatives are driven from the top down, and I feel that young people in particular will never come on board, never participate, if they are not at the centre of this. Just looking round the table now, no one is terribly old, but there are no very young people here. I do wonder how we can have conversations about a major part of our communities without the young being involved.

David Meaden Northgate is very interested in looking at the citizen and how he or she receives services. We think that if you are going to have community justice, then it is very important that people have rights as well as responsibilities. I think it is important taking steps to ensure that people receive all of their entitlements, and that all the health services of the community that they exist in are available. We are also interested in how community justice sits alongside the criminal justice system and making sure there is continuity between the two so that people understand very clearly what they can expect in terms of punishment if they breach

► problems are turned away, with the result that they deteriorate and get caught up in what we call the criminal justice system. With the forthcoming mental health bill, there is a great controversy over whether people with severe antisocial personality disorders should be brought under the health service or whether they should be kept under the criminal justice service. We at Sane have been among the few who have said it should be a health issue.

Another great controversy is the growing problem that the majority of young men who are getting mental health problems are also making heavy use of the new high-THC (tetra-hydrocannabinol) cannabis, and that is changing the whole geography of health and criminal justice services.

Michael Hastings What is required alongside consultation and partnership is leadership that has expertise. I think the government is frightened of leadership in the criminal justice area that can deliver change. Hazel said that money comes from government for new ideas. I think money should come from government for new ideas and great ideas – some great ideas will be long-held ones that work well and some will be brilliant new ones.

If we are going to take the leadership model seriously, there needs to be investment from government and communities so that people who want to lead and who choose to lead are backed in doing so. This is what works well for policing, for head teachers in schools, for hospitals and in politics. If leadership is critical in implementing effective justice and changing communities, then it is about time we

the rules of the society that we agree we want to live in.

We are also interested in joining up public services. Citizens often do not understand the barriers that exist between public service agencies and we get quite heavily involved in bringing together local authorities, the police and various parts of the health community to provide services seamlessly to the public. As I visit chief constables, chief executives of health trusts and so on, one of their main questions is: how do we continue to join together our services and balance national versus local requirements?

Lord Woolf Community justice can mean various things, but the community justice I have seen in Red Hook is centred around a court, and that is an important feature. The significance of community justice is that the court stretches out to the community and the community welcomes that action and co-operates in response. Another very important feature of Red Hook, which does not currently exist within the British system, is that all the services the community has to offer are made available at the court.

Youngsters are very much involved in the Red Hook system. But I am afraid the leadership element to which Hastings referred has to be provided, and is provided at Red Hook by the judge. That is what I feel is very important about this concept and I do believe it will make a contribution here in the future as it is already making a contribution in Red Hook.

John Kampfner Greg, tell us about the Red Hook project.

Greg Berman One of the projects that the Centre for Court Innovation has created is a neighbourhood-based court called the Red Hook Community Justice Centre, located in a low-income area in Brooklyn which historically has been home to drugs, crime and disorder. What we are trying to do in Red Hook, and have been doing for the past three years, is reorient the criminal justice system and the court away from a focus just on processing cases and getting through the day, and emphasising instead that the purpose of going to court should be to solve people's problems.

Two themes predominate at Red Hook. The first is problem-solving: trying to link individual offenders and litigants (for example, in landlord/tenant and family cases); and trying to link litigants and offenders to the types of services – drug treatment, healthcare, counselling, job training – that will prevent them coming back



to court over and over again. The second theme is to marshal the energies of the criminal justice system towards preventing crime before it happens – for instance, through community volunteer projects and Neighbourhood Watch schemes.

What you have already heard today and what you are seeing in the States is a broad continuum of projects under the banner of community justice, from stuff that, to me, feels like window dressing – “Oh, let’s send some cops to a couple of community meetings” – to agencies that are really trying radically to reorient the criminal justice system. I would put what my agency does somewhere in the middle of that continuum and say that my definition of community justice (to borrow some language from Brian) is about partnership, about communities coming together to solve discrete problems and to promote greater legitimacy in the eyes of the public.

Imran Khan I want to start by saying something I don’t often say – that I agree with the representative of the police

“We need to expand the definition of community justice so we are talking about a holistic approach”

service here who said we have not yet defined what community is. I think that is a huge problem. Who are we trying to service when we talk about community justice? The people who are most in need of community justice – the most disenfranchised, dispossessed and the ones I think do not have a stake in society – it is those who have to be brought in. ▶



► My argument would be that we need to expand the definition of community justice so we are talking not simply about dealing with predictable low-level offences but, as has been suggested, about a holistic approach to the problems. If the court is at the centre of it, then so be it – I am not bothered about what is at the centre, so long as we have a holistic approach.

Problem-solving is critical, but problem-solving is not going to occur unless there is real partnership. I have past experience of partnership between police and local communities, yet that partnership has not been a real partnership because there has never been a level playing field: the police have taken information without giving anything back. We have to have a level playing field, and that means the partnership must have members from every part of the community.

Talking about local and central I think that, on the difficult issues of the day, it is necessary for there to be leadership whereby the norms of society at any given moment in time can be imposed, rather than decisions being made from the bottom up.

The important thing is, first, to define community in the sense that it requires inclusivity rather than exclusivity,

and must include as a prerequisite those who are dispossessed and disenfranchised. There must be real partnership and real dialogue, and the ability of that partnership to bring about change is fundamental. There is no point sitting round a table discussing things when, at the end of the day, those things cannot be changed. Finally, I think certain words that have come out of the Lawrence inquiry are as applicable to this as anything else – that is, transparency and accountability. Without those, I think there can be no sense of community because people will not feel they have control over what is being done in their name.

John Kampfner Julia, what is your take on the police's role in community justice – is it taking information rather than giving, as Imran Khan said?

Julia Hodson I don't think I can speak for the whole service, but I am happy to speak for Lancashire Constabulary. My specific responsibility is to deliver community engagement. Community justice for me is the missing link in the delivery of a bottom-up approach in our communities that will lead to better accountability, better community ownership and so on. We struggle a little with the

definition of community, and certainly our starting point is that communities are not just geographic – we have to be a lot more creative than that or we will constrain our thinking. We are committed to giving up some power and are determined that our communities will shape the service that we deliver to them.

John Kampfner Reverend Nims Obunge, what is your view of community and how it is played out in Haringey in north London?

Reverend Nims Obunge The interesting question about community is whether there is one. I believe that community can be defined as where people come into unity upon given issues. They might come into unity on values. You have a football community, a geographical community, an ethnic-based community, a faith-based community – so communities are very diverse. Yet we must be very careful when we say we represent a certain community, as there can be divisions within communities. As a typical example, if I say I represent the faith community, not every single faith organisation knows I am here today. Certain communities feel they are consulted by certain agencies but not by others.

Community justice is more of a discussion point in areas of deprivation than in very affluent neighbourhoods because that is where we have issues – it is not an urgent concern in Hadley Wood as it is in Haringey, Tottenham or Hackney. So maybe we need to look beyond the problem-solving partnerships and ask how we can enrich these communities. Crime statistics are closely linked to deprivation and poverty. Let us not ignore that, otherwise we will continue to stigmatise communities such as mine where you have a lot of black and ethnic minority individuals who end up populating the prisons.

Paul Cavadino If we want to know what causes crime, a good place to start is the prison population. A couple of years ago, the chief inspector of prisons, then David Ramsbotham, produced a review of young prisoners which showed that more than half of them had a history of being in care, more than half had been permanently excluded from school, most of them had no education or qualifications and, among those of working age, two-thirds had not had a job before they went into custody. A

Nacro survey of people in young offenders' institutions came up with very similar figures. We drew up a list of 11 risk factors associated with offending – for example, physical abuse, sexual abuse, parental neglect, a history of family conflict, problems of addiction to drugs and alcohol – and found that, on average, young people in custody had six of the 11. This emphasises that reducing crime ultimately has to be about social inclusion, about tackling the factors that otherwise push people to the margins where they are far more likely to commit crime and to reoffend.

Providing effective support for families under stress reduces the likelihood of delinquent behaviour and children going into care. Tackling issues of truancy, exclusion and under-achievement at school and providing youth activity programmes reduces the chances of children offending. Certain types of work with offenders can help reduce crime and reoffending, including measures to increase their understanding of the impact their actions have on victims. If offenders get and keep a job, their likelihood of reoffending goes down by somewhere between

a third and a half. So there is a range of things we can do to prevent crime and reoffending. Many of them are social, and we cannot possibly deliver a programme that would tackle those things effectively without the involvement of the

“Reducing crime has to be about social inclusion, tackling the factors that push people to the margins”

community – individuals, community groups and organisations, employers, training bodies, housing providers and so on.

“Enforcing responsibility” means we have a right and duty to enforce offenders' responsibility for their actions and to behave better in the future, but the other side of the coin is ensuring that society meets its responsibility to provide opportunities for offenders to do that – in other words, to promote social inclusion.

John Kampfner It seems that enforcing responsibility, enforcing justice, is defined by and requires the involvement of “the community”, which brings us back to the question: what exactly do we mean by community? Paul has given a list of social partners and organisations; others look at it differently. I wonder if we could get two further views from the police service?

Chris Fox What concerns me is that we keep hearing what works – as in Paul's excellent exposition – and we ►



“We have to be careful that we are not raising expectations beyond what we can deliver”

► are in a position to do something about it, and yet seem incapable of replicating it. That, to me, is the central challenge. If citizens are to have confidence in their lives, they need to see things supporting them, systems making their lives better, which they do not see at the moment. That tends to be dumped on the local police officer who, at the end of the day, has to work with both the victim and the offender, and these responsibilities should be much more jointly owned.

I disagree with one comment Reverend Nims Obunge made, which was that this is not an issue in affluent areas. People in affluent areas are frightened of different things. It is not perhaps as critical, because they are more capable of organising their lives, but the fear exists and they still feel semi-detached from justice. They do not think the court system, police service, and so on, supports them.

Matt Baggott Community justice, in my mind, is defined as “order creation” as opposed to “order control”. “Order control” is a justice system that delivers stability through the imposition of power and authority, whatever

that looks like. The extreme of this is a draconian way of maintaining order: it just keeps the lid on. I think community justice is much more fundamental.

I think there are a few themes running through the concept of community justice. Fundamental is the issue of guardianship in the public sector – the idea that you are in the public sector to be dissatisfied with the status quo and how life looks for people, and to be self-critical and challenging. For example, from the day a police officer joins the service, they need to be inspired by leadership, told that they are there to make a difference, and as they progress they should be measured by their delivery of change, not simply by numbers of arrests.

The second issue is that, when you get that concept of guardianship, you have to be locally focused. If you are not at the heart of communities, you do not know what their needs are. If you put people at the heart of the community – be they social services staff, housing officers, police officers – and give them that sense of impatience, they will draw networks around themselves as a matter of course.

To make a difference, it is vital to have the right concentration of numbers in the right places. It is utterly pointless having one police constable working on an estate in Peckham, south London, if victimisation and vulnerability, and the complexity, mean that you need 50. I can give you dozens of examples where good people have not been allowed to be inspirational because the numbers are not sufficient. And you also have to keep the services there long enough to build relationships.

I think justice itself, and its delivery, needs to be consistent and ethical but open to judgement. We do not use words like “wisdom” and “discernment” very much in the public sector, but if you do encourage wisdom in judgement and proportionality, and then open it up for discernment by external scrutiny, it becomes self-fulfilling to some degree. One other thing you need is some flexibility, and I think we have structures that will deliver this. If we get it right in terms of the public sector culture, in terms of local focus and the right numbers, and we get flexibility into the system, then order creation becomes achievable rather than simply keeping the lid on things.

There are some dangers. For example, we have to be careful with the community’s agencies that we are not raising expectations beyond what we can deliver. I have seen many communities damaged over the years by well-meaning people who have not delivered their promises. We should also be careful about targets, even though we all need accountability. In successful areas, policing is sometimes delivering change over the long term. To measure



against targets after three months and then start looking at it is not going to deliver sustainable policing. By investing in communities in the way I have, crime rises for a year or two because of extra reporting. I do not want intervention because of that; I want a lot more discernment.

Dan Corry People have used phrases about empowering communities in very different ways, and there is a big difference between getting the community more involved – consultation and so on – and devolving decision-making. I think we have to be careful that what we call “new localism” does not slip into communitarianism or parochialism.

Community justice is not a familiar phrase to many. I tested it out before coming here on a number of intelligent people and they were absolutely lost – to them, it sounded like vigilantes. The real question is: if we devolved down some concept of community justice, would we get better outcomes? If we let punishments be decided more locally, would people come up with more sensible ones than those decided on a national basis, which are often driven by national media and end up being cost-ineffective and daft.

I think the crucial issue is whether more resources would be released. If the justice system was more locally based and it was clear that you needed more police, probation officers or whatever, would the local community cough

up the money? I am not sure about that. Indeed, it might go the opposite way, particularly in the case of redistribution across local geographical boundaries.

An interesting point was made about the US experiment. It sounded to me like it was an attempt to join everything up, but the person in the middle of it was a judge. That strikes me as completely wrong, though exactly who should be in the middle of it I do not know. In the community I work with a lot, local government members think they should be in charge because they are elected. Or perhaps it should be a “local strategic partnership” or something. Either way, the idea it should be a judge leaves me uncomfortable.

Zandria Pauncefort We all belong to many different overlapping communities. They may be based on geography or on the things we like to do, and they can be international or very local. We are very concerned, in the Institute for Citizenship, about what we call disengagement in society. Whatever communities people are in, it seems they are in some way turning their back on the big picture, turning their back on society. Communities can be very inward-looking. The question is, how do you look out, and is citizenship the social glue between different communities looking out from one place to another? ▶



Business has a big role to play, and must be enrolled as partners. We see ourselves as a community of people who work together, and we are a global community. As a drinks business, we are good and bad in this debate. We are good because we understand community better than anybody since what we do is about community – some people do drink alone, but by and large drinking is about community. But we also have the problem that people misuse drink and we are the cause of a disproportionately large number of the police service's customers – if I may put it that way.

John Kampfner This has so far been a very disparate but very exciting discussion. A lot of it has been on community as distinct from community justice. I would like to ask Reverend

► After ten years of working in the health service, I feel the priority should be to prevent ill health if you can and, if you can't, to diagnose and treat it very quickly. That seems to be the sort of solution we need to bring to a whole lot of things. We need to prevent malpractice, crime or antisocial behaviour if we can. If we cannot, we need to deal with it very quickly. I am not sure we do those things in that order as effectively as we could. If you went round this table, I think you would find heaps of disparate projects here, there and everywhere, trying to deal with this problem. I think what we are all saying is that we need to find a way to grasp the big issue and deal with it.

Ian Wright I think it is the first and last time I will ever be in a room with five senior police officers and a judge, and I hope I get out on my own! Something Matt suggested is pertinent, which is that successful policing is about redistributing wealth. That redistribution of wealth can happen only with the consent of those from whom the wealth is being redistributed.

The success of community justice will rest on the nature of inclusion, and people with reasonable amounts of wealth need to be included just as much because they are just as disaffected.

Nims Obunge to talk a little more about empowering communities.

Reverend Nims Obunge First, I just want to clarify that I do not deny there is a need for community justice in affluent areas, but the experiences of disadvantaged communities are what make the headlines, and it would be wrong for us to deny that deprived communities have a lot of issues within the criminal justice system.

What I would like to say about my experience in Haringey, in the context of empowering communities, is that the more I understood the challenges within our local community – the issues of drugs, guns and knives, and having to bury young people who had been shot – I started to engage and look for solutions. We began to hold breakfast meetings and invited members of our communities – police, councillors, people who would not normally engage with us – to come and tell us about the problems and help us to find solutions collectively. It was out of that that the Peace Alliance came into being.

To empower communities, we need to encourage them to understand the issues and then motivate them to engage. Playing on the terminology, we need to provide the necessary resources to empower communities to be

engaged. The partnership between public and private agencies is very important. For too long the private sector has not been engaged – it has been the missing partner – and it has much to contribute to issues of community justice.

Imagine a five-step ladder. The bottom of those steps is parenting. A step up would be the educational context, and not just education in schools, but a wide context of what education is. The third step is achievement – the unsung achievement of people within a community. The fourth is community. People do not feel engaged in the community, so communities need to be engaged in celebrating the achievement of young people. The fifth step is enterprise. I believe we need to restore a sense of civic pride within our communities.

John Kampfner Unfortunately Hazel has to leave because there is a division bell. Hazel, what thoughts will you be taking back with you?

Hazel Blears The emphasis should be on prevention rather than treatment, people changing lives, and agencies working together. I would like to get a well-being workforce for the public services in this country, making community justice not another initiative but putting it in the mainstream of justice services. I think there are big risks about protecting minority interests, the role of elected representatives, and balancing competing interests – and that includes national standards, more flexibility and freeing up some space for people to innovate. I entirely take Nims’s point that what we are trying to do here is almost normalise some of our communities, and what frustrates me constantly is we have to do special things for poor people when in fact the challenge should be to give people in poorer communities the things that the rest of us take for granted.

John Kampfner Lord Woolf, what will you take back with you from this discussion?

Lord Woolf I will certainly take back with me the fact that there are parallel situations but, as I said before, I came here with the idea of what is meant by community justice very clear in my mind. I see community justice as being provided by a community court.

We have been concerned about what we mean by a community. I think there is no one thing that we mean by a community – it depends which position you come from. For me, a community is the area that could be suitably served by the type of court I am thinking of, because I have

found that a court which does the things that are done in Red Hook is better able to deliver a form of justice which that community needs than the ordinary courts we have here. First of all – and probably most importantly – it acquires the confidence of the community. At the moment, our courts are part of a national system and are organised in exactly the same way across the country: you get consistency, yes, quality of service should be the same, but the courts do not serve the community in the way I believe they could.

In our standard courts, we have family courts and criminal courts. The criminal courts recognise they have to deal with youngsters in a different way to how they deal with adults, and so we have youth justice. However, what our approach does not tackle – and what a community court as I see it would deal with – is that it is often problems in the family that result in the youngsters entering the criminal justice system. Then some areas have severe problems with regard to drugs. A community court as I see it has the resources really to tackle the problems of substance abuse. It is able to provide genuine help to the community so that what is tackled is not the crime but the problem. In Red Hook, they tackle the drug problem before they deal with punishment for an offence, which

“Because the court was reaching out to the community, the level of confidence in it rose”

makes it possible to work out the appropriate punishment for the offender: if you find that they are responding well to the help being offered, you can take a different view from the one you would take if they made no attempt to avail themselves of the service. Often with offenders, there is a small time-frame in which something can be done, and a community court can deal with this.

What is really significant to me is that the Red Hook community was surveyed about what they thought of the court at the outset of the project and again as it became more and more deeply rooted in the community. Because everybody at the court was reaching out to the community, the level of confidence in it rose quite dramatically. Then a court is really working, it seems to me. You have to have a different sort of system for train or bank robbers, but there is a layer of crime that causes us so many problems which can be tackled in a different way by adopting a community approach. I suspect that is also true of the health service ►

► (indeed, many public services): if you focus on what people need in localities, you achieve better standards.

Greg Berman A vision of what an effective neighbourhood looks like seems to be emerging. It is a neighbourhood that has a good hub, that has strong families, where there is a strong connection between citizens and government, perhaps with a good football team. I think the question for us as policy-makers is: how do you move communities from a state where they do not have those things to a state where they do? The challenge that community justice poses is whether criminal justice agencies – police, probation services, courts – can play a role in stimulating healthy communities. I would argue, in response to Dan’s point, that courts are in fact particularly well placed to play that role because every day they see hundreds of people with social problems. The problems are in the courts and I think turning your back on that would be a real failure.

“Currently we do not intervene with support services early enough or as much as we could”

Brian Paddick I wonder whether there is any sense in what might be called justice communities, groups who are bound together by a locally delivered criminal justice system where they are part of that system rather than subjected to it, and within which there are diverse communities that are protected and able to enjoy their diversity. No disrespect to Lord Woolf, but any judge should be of an elected variety rather than the British type. The system should be accountable and transparent, and administering justice should be seen as legitimate by victims and perpetrators, based on genuine consultation and partnership which is seen to be part of the community rather than imposed upon it. That is particularly important in those areas where the community does not agree with the way in which criminal justice is delivered at the moment.

Marjorie Wallace We have not taken note of the fact that a lot of the problems that come before the courts start with mental health problems. I do not think we can have community justice until there is the fallback of a proper community. Most of the things that happen are failures of community care.

Nigel Druce I would just like to go back to children. A lot of teachers in years five and six already know the youngsters who are going to end up in the courts. If we know that, I find it inexplicable that we do nothing about it. I am quite attracted to the idea of developing something in which a community is involved and has the resources to bring about change rather than leaving it until children get to 14 or 15. At the moment, we do not intervene with support services early enough or as much as we could.

Michael Hastings Going back to Paul’s list of the causes of crime, number one is the insecure basis so many children have which then leads them to institutional care, which then leads them out of the back of the foster home into the prison via the court, in one way or another. That root issue is so critical. We all accept there is a lot that the state, the private sector and individuals can do about, say, education, but when it comes to the issue of stability, of secure relationships, the state backs away for fear of being accused of moralising. A state that worries about supporting its families will, at the end of the day, continue to pay the high price of pushing them through the criminal justice system and then into the prisons.

Imran Khan I think the problem with the Red Hook model, and Lord Woolf’s argument that the court should be central, is that they rest on the wrong assumption that this is the point at which we tackle the issue. I want the situation to be that people never get to the point of the court. How do we prevent a young person developing a drug problem or finding themselves in the community court? If they have got there, then something, another part of the institution, has failed. That is what we need to look at. I would advocate that there should not be a community court – as much as that would assist me as a lawyer – but that there should be some other process by which a holistic approach is taken, so that we are looking, for example, at social services and housing. The point is that we need to stop the process by which people get caught. That is fundamental in terms of community justice.

Matt Baggott I just wanted to raise a couple of points about expectation. I am very concerned about the whole debate being over-philosophical, which in turn may lead to wonderful new consultation structures and more talking. I have a real sense of déjà vu from what the police service went through in the Scarman report, and what came out at the end of that in terms of true change.

I think there is a lot of practical stuff we could do now within the existing structures. If you take the community

court idea, the system is there, we just don't make it work in terms of community focus. You can make the court system work by adding to what we already have. There is a lot we can learn from Red Hook, but we need to be careful we do not make promises we cannot keep. I know the resourcing level of Red Hook and I would like some of that. Some of it is about the right philosophy, but it is also about the level of resourcing.

On the partnership side, why cannot a strategic partnership say it is going to pick up the 500 persistent offenders in Leicestershire before they become persistent offenders? You do not need community from the bottom up – you could actually do it if you bring the right people together and make it happen. What gets in the way is how the Crime and Disorder Reduction Partnerships operate, and everything is about something other than flexibility. I think one of the critical areas is making structures work.

David Meaden Just to pick up on a couple of points that Matt, and indeed John, made earlier. We have talked a lot about communities, and if you want actively engaged communities then really you have to deal with people on a fair basis – people have to have access to solicitors, they have to feel they are getting a fair crack of the whip. We have also talked a lot about communities as individuals and sometimes communities are victims as well. When minor things go unpunished or unheralded, people do not

“We have discussed communities as individuals; sometimes communities are victims as well”

become engaged citizens: they feel disenfranchised by the system, they feel let down, and the whole sense of community disappears.

I think there are certain things happening at the moment that are indeed practical and bring us back to the point about resourcing. The antisocial behaviour bill will give people new powers to tackle problems, and I think that a joined-up approach to administering that type of activity will release resources – of the police in particular – to deal with more serious offences. I think it will also mean people are kept out of the court system.

I think that Red Hook is a very welcome example because it allows people to see that justice is being engaged and I think that is what makes people active



citizens and creates the kind of community we want to see.

Chris Fox I agree absolutely with Imran – for people who pitch up in court, we have failed. We need a court like the one in Red Hook that deals with people who are coming through the system now, but we should also be looking ten years down the line and breaking the cycle. The problem with that is, the results are not going to come through quick enough. It is not glamorous enough and it is rather long-term. That, to me, seems to be a major problem in this and I am not sure how we break it.

John Burbeck It is necessary for key people in society to stand up and talk about citizenship in a way that means people helping each other, which means everybody is contributing to making things better for others – that is, the better off are going to have to help those who are less well off. I do not hear much of that in society at the moment.

John Kampfner I'm afraid our time is up. I would like to thank Northgate for making this event possible and Fellows' Associates for organising it. I will not attempt to summarise our discussion because we would be here for another half an hour. All I would like to say is, if you go away from this discussion with a few more useful questions, if not with any answers, then it will have been worthwhile. Thank you all very much for attending.

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