

CAJ's submission no. S314

CAJ's Response to the Department of Justice's Community Safety Strategy consultation

April 2011

What is the CAJ?

The Committee on the Administration of Justice (CAJ) was established in 1981 and is an independent non-governmental organisation affiliated to the International Federation of Human Rights. CAJ takes no position on the constitutional status of Northern Ireland and is firmly opposed to the use of violence for political ends. Its membership is drawn from across the community.

The Committee seeks to ensure the highest standards in the administration of justice in Northern Ireland by ensuring that the government complies with its responsibilities in international human rights law. The CAJ works closely with other domestic and international human rights groups and makes regular submissions to a number of United Nations and European bodies established to protect human rights.

CAJ's activities include - publishing reports, conducting research, holding conferences, campaigning locally and internationally, individual casework and providing legal advice. Its areas of work are extensive and include policing, emergency laws and the criminal justice system, equality and advocacy for a Bill of Rights.

CAJ however would not be in a position to do any of this work, without the financial help of its funders, individual donors and charitable trusts (since CAJ does not take government funding). We would like to take this opportunity to thank Atlantic Philanthropies, Barrow Cadbury Trust, Joseph Rowntree Charitable Trust and the Oak Foundation.

The organisation has been awarded several international human rights prizes, including the Reebok Human Rights Award and the Council of Europe Human Rights Prize.

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Dear Sir/Madam,

Thank you for the invitation to the Committee on the Administration of Justice (CAJ) to make a submission to the **'Building Safer, Shared and Confident Communities'** consultation on a new community safety strategy. As you will know, CAJ is an independent human rights organisation with cross community membership in Northern Ireland and beyond. It was established in 1981 and lobbies and campaigns on a broad range of human rights issues. CAJ seeks to secure the highest standards in the administration of justice in Northern Ireland by ensuring that the government complies with its obligations in international human rights law.

As outlined by Minister Ford in the *Foreword* of the consultation, the commitment to evidence based solutions, the emphasis on partnership and the focus on local solutions to local needs, illustrates a more holistic approach to the issue of community safety than previous proposals. CAJ welcomes this approach and the potential it offers for developing a viable, well-supported and successful Community Safety Strategy (CSS). Below we highlight a number of general issues in relation to the Strategy as well as specific commentary on its constituent parts.

General commentary

A strategy is defined as "a plan of action designed to achieve a long-term or overall aim."¹ CAJ acknowledges the in-depth work carried out by the Department of Justice (DoJ) in relation to the development of this strategy, from consultation on the original proposals in 2008, the follow-up to this and the pre-consultation process around this current strategy. Given this level of work and consultation, we would have anticipated a concrete set of proposals for action.

¹ Oxford dictionary

However, we have struggled to identify a plan of action or actual proposals in this document to deliver the stated aims. Many, if not all, of the action points which are laid out at the beginning of each section, and then highlighted throughout the text document in bold and italics, make references to working with, continuing to work with, supporting, engaging or developing, with no actual proposals or detail on how all of this will be done as would be expected from a strategy or plan of action. As such, it is difficult to respond in a meaningful way.

Much of the document is in fact a scoping out of existing or ongoing initiatives with little accompanying analysis as to their success or impact, and particularly striking is the number of references to continuing with these. If the strategy is to simply continue with ongoing work, then the question arises as to why a new strategy is needed at all.

Guiding principles

- Evidence-based solutions

In the foreword by the Minister, in the introduction, and in several other places throughout the document, “evidence based solutions” are identified as one of the guiding principles underpinning the strategy. However, the document is lacking in actual analysis or evidence. Indeed, in the Discussion Paper on the Future Community Safety Strategy published in July 2010 (annexed to the consultation document), it is stated (page 13) that:

“In order to inform a future strategy, it was decided to carry out a scoping exercise within the Department to capture what initiatives are currently being delivered under the three consultation themes. This exercise highlighted the range and diversity of initiatives but didn’t fully evaluate their effectiveness at strategic level. However, we had already received as part of the earlier consultation exercise anecdotal evidence that these alternatives and diversionary initiatives were having a very positive impact.” (our emphasis)

To continue with existing initiatives without fully analysing or evaluating their success or impact is not an evidence-based approach. While anecdotal evidence is useful as part of an overall evaluation, it does not constitute in itself an objective and robust assessment as a basis on which to make decisions.

- Partnership working

CAJ welcomes the principle that community safety is more than the responsibility of the Department of Justice, that it requires a strategic approach

across the Executive and with partners, and involves addressing underlying risk factors. However, while it is acknowledged that areas facing significant community safety problems are exacerbated by economic and social disadvantage, very little analysis or reference is made to the links between crime and socio-economic deprivation, or initiatives to tackle this. A genuinely strategic, holistic and partnership approach should involve departments such as the Department of Education, OFMDFM, Department of Employment and Learning, Department of Health, and Department of Social Development who have a responsibility to address the underlying social and economic disadvantage.

This is particularly notable in the section on environmental crime where it is stated that the physical appearance of a neighbourhood can have an impact on levels of crime and cites ongoing initiatives around “clean up” and the use of artists. Communities with a poor physical appearance are largely deprived communities which need more than cleaning up or artistic input, but rather strategic and co-ordinated efforts across departments to invest in these communities and tackle issues of educational achievement, unemployment, health problems and income so to address the social-economic conditions which contribute to both the appearance of communities and crime and community safety.

Furthermore, much reference is made to the role of communities themselves in contributing to community safety but without committing to resources and investment in communities that would be necessary to enable them to make this contribution.

- Local solutions

While CAJ commends the DoJ’s commitment to seeking local solutions to local problems, we believe that there is value in also considering what has been done elsewhere. The UN, among other bodies, has produced internationally recognised standards in relation to community safety and crime prevention. This includes recognition that crime prevention and community safety includes tackling the root causes of crime, such as poverty, see for example the *United Nations Economic and Social Council Resolution on action to promote effective crime prevention 2002/13*.² CAJ notes that the consultation and strategy make little mention of human rights beyond stating that a goal of the strategy is to build shared communities “where everyone’s rights are respected” (para 3.3),

² http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf

thus failing to outline how the DoJ is meeting their international and domestic human rights obligations in the context of the strategy.

Consultation process

CAJ commends the DoJ's efforts to actively engage with the general public. With reference to the comments and opinions captured at these public events, we would welcome information on how these will be fed into the consultation process.

CAJ notes the use of pre-consultation engagement in the development of this Community Safety Strategy. While CAJ takes no direct issue with this approach, we advocate the need to be fully transparent and inclusive, by listing who was consulted at what stage, so that we are able to evaluate how the policy was influenced and developed.³ Despite being a respondent to the original consultation, CAJ was not invited to participate in any of the follow-up to this.

Although they are available on the DOJ website, it would also have been beneficial and more strategic to attach, at least in the electronic consultation paper, the additional related papers (Annexes A, B and C and the two Equality Screening Forums), which are important in understanding the Strategy's development and the DoJ attitude toward, and response to, their Section 75 equality duties (para 4.4). These materials are necessary to refer to in order to give a coherent and informed response.

CAJ understands that the DoJ has used focus groups as part of the consultation process. Again, CAJ has no specific issue on the use of focus groups as long as the participants are representative and that their selection has been balanced, objective and inclusive. The fact that the participants selected in the process were recommended by Community Safety Partnerships (CSP) does potentially give rise to concerns over the selection process. As with other aspects of pre-consultation engagement, CAJ encourages greater transparency in this area and the use of a range of sources potential focus group participants.

³ For example, information on who was consulted in the pre-policy consultation, a summary of the pre-policy consultation responses and the proposals arising from the pre-policy consultation was clearly laid out in the 2010 DOJ **Consultation on the statutory special measures to assist vulnerable and intimidated witnesses give their best evidence in criminal proceedings** and proved to be very insightful and helpful. In relation to the present consultation, although the discussion paper which had been circulated to a range of organisations, as well as a brief summary of responses can be found on the DOJ website, a list of the organisations consulted for the pre-consultation discussion paper is seemingly not available.

CAJ is encouraged by the positive and concerted engagement with children in this consultation process via the Participation Network. Our submission to the Northern Ireland Office (NIO) consultation on community safety in February 2009 highlighted, among other issues, our serious concerns that the proposals would contribute to the increased criminalisation of children. While our particular concerns relating to children in the current strategy are addressed further on in this response, we commend the recognition that children should contribute to the consultation process, and not only points to best practice, but acknowledges the state's obligations under the *UN Conventions on the Rights of the Child* (CRC).

Definitions

The consultation document defines community safety as 'an approach to reducing crime, fear of crime and anti-social behaviour which balances the need to provide local solutions to local issues with addressing priority issues on a regional basis'. This is in contrast to the definition used by the DOJ's Community Safety Unit (and the various Councils across Northern Ireland) which states: 'preventing, reducing or containing the social, environmental and intimidatory factors which affect people's right to live without fear of crime and which impact upon their quality of life. It includes preventative measures that contribute to crime reduction and tackle anti-social behaviour.'⁴ CAJ would welcome clarity on how this new definition was decided upon and confirmation that this definition will now be applied across government departments and agencies. As we have said previously, it is important to recognise that for the criminal justice system to be more accessible and easier to understand for stakeholders, it is necessary, for example, that consistent terminology is used.⁵

We question whether the term 'environmental crime' is the best way to define 'graffiti, signs of vandalism, poor street lighting and broken windows'. The term 'environmental crime' more commonly refers to illegal dumping of chemicals and illegal trade of endangered wild animals, for example. It is unclear who would be criminally responsible for "poor street lighting" for example – the local council? As a minimum, it should be made explicit that although significant and important for communities and individuals, these are not always crimes or are at least *minor* environmental crimes.

⁴ www.communitysafetyni.gov.uk/documents/.../CSU%20Strategy%20Doc.pdf

⁵ See CAJ's submission to the Department of Justice *Consultation on the statutory special measures to assist vulnerable and intimidated witnesses give their best evidence in criminal proceedings*. May 2010 and CAJ's submission to the NIO pre-consultation *Special Measures Policy: an evaluation and review* May 2009.

Building confidence

CAJ has long advocated the need for increased confidence in the criminal justice system. There is little analysis in the strategy of the links between effectiveness, transparency, accountability and confidence, or acknowledgment that confidence is built through the delivery of an effective criminal justice system.

It is stated in para 7.4.1 that “the main reasons people give for not reporting crime are that the police could not have done anything or would not have been interested.” To address this more information needs to be given, and actions proposed, on the effectiveness and ability of the police and criminal justice system to deal with crimes that are reported, rather than simply encouraging greater reporting. In relation to hate crime for example, figures are cited in relation to levels of reporting, and the focus appears to be on increasing reporting of hate crime rather than improving detection and prosecution. In contrast, no information is given on the even lower levels of detection, clearance or prosecution. This approach places the burden and responsibility on communities rather than on the criminal justice system itself. Confidence in the criminal justice system, that will lead to increased reporting and ultimately the prevention of criminal behaviour, will be only achieved by a policing and criminal justice system that effectively deals with crime.

Working with the ‘Third Sector’ and resources

CAJ acknowledges the very significant work carried out by the community and voluntary sector in the area of community safety. Often such organisations are leaders in their field and have developed innovative solutions to problems. However, it is particularly important that such organisations are properly resourced, and an awareness shown of the difficulties currently surrounding funding for the community and voluntary sector. CAJ is also concerned that references to the community and voluntary sector overly focus on their potential role in service delivery, and fail to adequately acknowledge and give space for the important contribution they have to make to the development of policy and their role in relation to advocacy on behalf of those they represent.

The Strategy indicates at various points (paras 2.4.5, 8, 8.5.5, 9.2.3) that funding will be ‘levered’ from various partners. However, the Strategy does not indicate the nature of this funding or the identity of the partners. CAJ would welcome further information on this issue. As highlighted in our response to the recent Northern Ireland Court and Tribunals Service (NICTS) consultation on the Access to Justice, which was carried out by a Review Team, the justice system, even

when in partnership with the voluntary sector, should remain the financial responsibility of the government.

Children

CAJ, together with other respondents, previously raised concerns at the potential of the NIO consultation (2008) to lead to the criminalisation of children and young people. We note that the summary of responses from the DoJ discussion paper on a future community safety strategy indicated that there should be an emphasis on protecting children and young people 'with their safety highlighted as a key priority for succeeds in a new Strategy'. This point seems to have been ignored in the subsequent Community Safety Strategy. This is disappointing as mention is made of other vulnerable groups such as ethnic minorities and older people. The recent Youth Justice Review, as well as other submissions on the need to protect children and minimise their criminalisation, should be carefully examined by the DoJ so this oversight can be corrected. We particularly look forward to initiatives which engage young people in a positive manner i.e. not just 'keep them out of trouble' and which acknowledge the particular vulnerability of children both to crime and within the criminal justice system itself.

Equality

We note the DoJ's comments with regard to equality, namely that a new equality scheme is being devised as requested by the Equality Commission ('ECNI'). However, given that devolution occurred over a year ago, we are disappointed that the DoJ has not yet finalised a functioning equality scheme. Indeed, the DoJ is even late in consulting upon its current draft equality scheme. Despite the ECNI's official request to the DoJ on 1 November 2010, the DoJ draft scheme's consultation period will not end until 10 June 2011. This will clearly not allow for its submission to the ECNI within the six month statutory period, as required by Schedule 9 para 3(2) Northern Ireland Act 1998.

In the absence of a DoJ equality scheme, we welcome the engagement with the ECNI and DoJ's efforts to comply with its duties under s75 Northern Ireland Act 1998 ('s75') for the purposes of the Community Safety Strategy consultation. However, confusion arises from comments (paras 9.1.3 and 9.1.4) with regard to the 'audit of inequalities'. The completion of an audit of inequalities does not prevent the full application of s75. It is a complement to s75, to help achieve the fullest consideration of underlying data, which should be done regardless.

We acknowledge the awareness shown by the DoJ of the importance of equality and good relations, as demonstrated by both the screening of the new proposals

and the commitment to screen individual policies as they are developed. It would be useful to include the results of the initial screening (para 9.3.1). It is not clear why only two equality screening forms for specific aspects of the Community Safety Strategy proposals have been included. Screening should be carried out on each proposal within the Community Safety Strategy, or on the Strategy as a whole, instead of cherry picking proposals within it. Or perhaps, in light of our comments above on the vagueness of the proposals, there are only 2 specific policies emerging from this strategy?

With regard to the next stage of screening (para 9.3.4) reference is made to the 'impact of implementation on the participation rates and the specific needs and requirements of the community.' This is welcomed, as universal application of a policy, even where intended to achieve positive impacts, can inadvertently result in differential or adverse impacts. We are therefore encouraged by DoJ's reference to objective need as a criterion for intervention. However, we are confused why 'work being done to reduce the vulnerability and impact of hate crime' would need to be mitigated (also at para 9.3.4). We believe such a measure could, in itself, promote equality of opportunity.

Specific issues

Scope of the Strategy

We acknowledge the need to focus the Community Safety Strategy down to certain types of crime. However, the definition of this crime as that 'which affects people's quality of life' (para 4.2) is not particularly constructive and fails to take into account the devastating impact that all or any crime can have on a particular individual or community. It would be better to phrase this definition as 'low level crime' or 'all crime excluding violent, serious and organised crime', thus avoiding any comment on the impact of crime.

Anti-social behaviour

CAJ notes the decline in anti-social behaviour and the commitment by the DoJ to further encourage this decline (para 5.2.2). It would be useful to know why this decline has happened; for example, was it any one particular initiative or approach or just part of a wider decline in crime?

The use of ASBOs in Northern Ireland has been controversial and CAJ opposed their introduction. The fundamental problem with "anti-social behaviour" is highlighted in para 5.3.1 where it is stated:

“Anti-social ^{Promoting Justice / Protecting Rights} behaviour can mean different things to different people, with understanding of what constitutes anti-social behaviour (ASB) influenced by a number of factors including the context, location and quality of life expectations. As a result what might be considered as ASB by one person can be seen as acceptable behaviour by another. This subjective nature can make it difficult to identify a common understanding of anti-social behaviour.”

Despite this evidently subjective and unclear framework, anti-social behaviour can result in a criminal record. This was highlighted by the UN Human Rights Committee in its most recent examination of the UK government’s compliance with the International Covenant on Civil and Political Rights (ICCPR):⁶

“20. The Committee is concerned that despite anti-social behaviour orders (ASBOs) being civil orders, their breach constitutes a criminal offence which is punishable by up to five years in prison. The Committee is especially concerned with the fact that ASBOs can be imposed on children as young as 10 in England and Wales and 8 in Scotland, and with the fact that some of these children can subsequently be detained for up to two years for breaching them. The Committee is also concerned with the manner in which the names and photographs of persons subject to ASBOs (including children) are frequently widely disseminated in the public domain.”

The Committee went on to recommend that:

“The State party should review its legislation on anti-social behaviour orders (ASBOs), including the definition of anti-social behaviour, in order to ensure that it complies with the provisions of the Covenant. In particular, the State party should ensure that young children are not detained as a result of breaching the conditions of their ASBOs and that the privacy rights of children and adults subject to ASBOs are respected.”

CAJ strongly advocates a review of the need for and use of ASBOs in Northern Ireland, and argues that this strategy should provide the perfect opportunity to discontinue their use and seek instead genuine and human rights compliant alternatives to preventing crime, and working with and encouraging rather than criminalising young people.

We hope that the Community Safety Unit takes on board the outcomes of the ongoing Youth Justice Review as the issues raised there are extremely pertinent. We note the particular relevance of the submissions to the Youth Justice Review by the Children’s Law Centre and Include Youth and note that all work in relation

⁶ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/433/42/PDF/G0843342.pdf?OpenElement>

to anti-social behaviour and young people should be underpinned by the fact that 'society assumes falsely that young people are the main protagonists of anti-social behaviour' as noted recently by the Northern Ireland Policing Board.⁷

Early intervention for long term crime reduction

CAJ welcomes the recognition of the importance of early intervention and the principle that the justice sector may not be the most appropriate location for this work. However, the importance of a support role for the DoJ in this context cannot be underestimated. As with other aspects of this Strategy, it is important that the initiatives noted are evaluated to ensure that they are offering both the best value for money and the best approach to the issue at hand. As also highlighted above, it is imperative that addressing the underlying causes of and contributing to factors to crime extends beyond early intervention and addresses the range of social and economic issues involved with a more holistic cross-departmental approach.

Reducing opportunities for crime

CAJ acknowledges the importance of the physical environment as a contributor to crime and anti-social behaviour. However, as outlined above, this is not only about addressing the built environment but includes the need to increase activities for children and young people in disadvantaged areas to ensure that their recreational options stretch beyond a street corner.

Promoting safety in town and city centres

CAJ has previously expressed concern at the proposed increase in police powers, including the use of Fixed Penalty Notices (para 5.5.13). We argued that this was a direct challenge to the principles outlined by the government in its attempts to reduce fine defaulting. It is well acknowledged that low level crime is much more prevalent in areas of socio-economic disadvantage, meaning that those who will be fined are likely to be the least able to pay, which might in itself lead to an increase in crime in an attempt to pay the fine and thus be counterproductive in this regard.

⁷ *Human Rights Thematic Review: Children and Young People*, Northern Ireland Policing Board, January 2011. This report addresses various important issues relating to policing and young people, which the YJR team should also consider.

Interface areas and shared space

CAJ concurs with the assertions made in the consultation with regard to the impact of the legacy of the conflict and the difficulties created by social deprivation and economic disadvantage. However, we also sound a note of caution at the potential to stigmatise disadvantaged communities as the focus of criminality. We would also highlight the impact of increased socio-economic pressure on areas of disadvantage with the current financial crisis. We emphasize again the importance of addressing socio-economic disadvantage and the need to engage with wider issues of unemployment, job creation, investment, health, education etc.

We are also concerned that DoJ has not considered the importance of equality in relation to shared communities. CAJ supports the need for improved community relations, but also maintains that good relations cannot be achieved without first addressing inequalities. In particular, the proposal to prioritise policing and community safety partnership initiatives which can support shared space approaches (at para 6.2.9) is concerning in light of the fact that the OFMDFM Cohesion, Sharing and Integration consultation document made clear that *'fourteen of the fifteen most deprived areas in Belfast are highly segregated'* (at 3.27). If community safety initiatives are prioritised for shared spaces, the most deprived areas would likely receive the least support, which is contrary to the requirements of addressing inequality and targeting need objectively.

With regard to the legacy of the conflict, we highlight the work carried out by the Consultative Group on the Past and NGOs such as Healing through Remembering which has pointed to a vital need to address the legacy of the conflict in a holistic manner. Integral to these proposals is the positive engagement by the State, in a number of manifestations. While this may not initially appear to fall within the auspices of a Community Safety Strategy, we argue that a failure to adequately address this legacy, and the issues of truth and reconciliation, contribute to alienation (both from the state and society), a mistrust in state institutions (such as the police and criminal justice system) and lead to increased mental and physical health problems, by both individuals and communities.

Hate crime

CAJ agrees that there is a key role to be played in addressing hate crime by criminal justice agencies. This is particularly significant as hate crime has recently increased and the reason behind this increase should be explored. However, the strategy does not point out that while the Police Service Northern Ireland (PSNI) statistics record 3,148 hate incidents in the 2009-10 financial

year, just over 2,000 of which were classified as crimes,⁸ in the (calendar) year 2009, there was just one conviction recorded for hate crime.⁹

The areas of proposed working (para 6.3.7) do not seem to add anything new to what is already being done on the issue of hate crime. We note that draft proposals for a strategic approach will be developed (para. 6.3.8) but would suggest that such proposals could and should have been considered as part of this strategy.

We also note that DoJ has used a different definition for 'hate crime' to that used by many criminal justice agencies. The consultation document defines hate crime as 'any crime which is motivated by prejudice or hostility' towards a person based on the relevant characteristics (para 6.3.2). However, the definition used by PSNI reporting forms define hate crime as any crime 'perceived to be' motivated by such prejudice, but the victim or any other person. The importance of this distinction was made clear in the Macpherson Report, for the Stephen Lawrence inquiry.¹⁰ We recognise that the Criminal Justice (No. 2) (NI) Order 2004 refers to offences motivated by hostility as an aggravating factor for sentencing. However, we recommend that the DoJ use the best practice and more expansive definition of hate crime, especially given that in the context of the Community Safety Strategy it applies to a multi-agency approach. Indeed, this definition has been used in the screening form for the hate crime proposals.

A significant number of the comments we made in our submission to the Public Prosecution Service (PPS) on its draft hate crime policy (October 2009) are relevant to this section of the CSS consultation, particularly the following: 'Hate crime cannot be dealt with in a vacuum and the various criminal justice agencies with responsibility for this issue - notably the PPS, PSNI, and the Court Service - must work in partnership. Whilst the proposed PPS policy demonstrates an awareness of the need for interagency communication and partnership ... the CJI also recommended that a hate crime strategy be established across the criminal justice system. A system-wide strategy for tackling hate crime and hate incidents should clearly link the policies and procedures of the relevant criminal justice agencies.'¹¹

⁸ PSNI Annual Statistical Report: Report No. 3, Hate Incidents and Crimes, 1st April 2009 – 31st March 2010, p3.

⁹ *Hansard* Written Answers, 8 October 2010, AQW 710/11.

¹⁰ See <http://www.archive.official-documents.co.uk/document/cm42/4262/4262.htm>.

¹¹ Our entire submission can be accessed via the CAJ website at:

http://www.caj.org.uk/files/2000/01/03/S241_Submission_to_the_consultation_on_draft_PPS_Hate_Crime_Policy_October_2009.pdf

In relation to the equality screening of hate crime proposals we are concerned at the references to how Northern Ireland's diversity can have 'an adverse impact on rapidly changes (sic) community'. This needs to be revisited to show greater understanding of the causes of hate crime. The wording as it stands suggests that increased tension and hate crime occurrence is an adverse impact resulting from a more diverse and multi-identity society. However, diverse identities have always been present in our society, and it is inappropriate to charge newly arriving members with the adverse impact of hate crime. Rather, it is ongoing prejudice in general, and a failure to effectively combat hate crime in particular, that allows for tensions and hate crime to continue.

At point 26 in the screening document, the DoJ comments on the issue of multiple identities and the impact of this Hate Crime policy on the promotion of good relations. Although we welcome DoJ's consideration of multiple identities in this regard, we would also recommend that DoJ place more emphasis on those s75 groups that are specifically included within the criminal justice agencies' definition of hate crimes. For example, the screening questions at pages 16 and 17 find a major impact for all s75 groups, although only six groups are actually recognised within the screening form's working definition of a hate crime. There is a danger that by trying to include all s75 groups within multiple identities; the specific impacts and needs of those groups within the 'hate crime' scope of application could be missed. We believe that consideration of multiple identities would be more useful through an acknowledgement of the multiple disadvantages or inequality potentially suffered by those with multiple identities.

Reassuring the community

The consultation document refers to the perception of crime levels and the fear of crime not matching actual crime levels. With this in mind, we note the importance, particularly in relation to older people, of balancing perceptions of safety with an awareness of the limited likelihood of being a victim of crime. If older people are consistently construed as victims of, or are in fear of, crime, this can lead to the development of a culture of fear and victimisation amongst older people. This balance is also important because there is a danger of constructing older people as passive, rather than active participants in their local community, with a valid role to play.

We point to the *Help the Aged UK Guide to Consulting and Engaging with Older People*, which contains a useful approach to the issue. Involving older people at the start of the process to address community safety can in turn contribute to ending the social isolation experienced by older people as the result of a fear of crime. To this end, intergenerational projects are important as they also assist in

the building of relationships within communities. Older people may have also the time and inclination to volunteer for their communities; this is a valuable resource from the perspective of community safety, and should be used appropriately.

Cross-departmental working and partnerships

While the DoJ has made a firm commitment in this consultation to the importance of cross-departmental working and the use of partnerships, CAJ notes that there is relatively little mention of who the specific partners are and what the specific work is that these partners will carry out. As outlined earlier, we would welcome more detail on how, for instance, other Departments such as the Department for Health, Department of Education, Department of Social Development, OFMDFM etc will play a role, or at the very least identification of who the DoJ envision as their partners, both statutory and non-statutory, being at each point in the Strategy.

Monitoring and measuring impact

While the commitment to monitoring and measuring success is welcome, we struggle to see how the current strategy could actually be monitored and measured, given its vagueness and lack of specificity. Without the development of more concrete and measurable proposals and action points, assessment of impact or success will be next to impossible.

Resources

The comments relating to the importance of upfront investment (para 8.5.2) as a cost reduction measure are significant as they fit well into the wider framework of reducing a reliance on custody as a solution for low-level crime. These linkages have an important role to play across the criminal justice system.

Communication

As has been seen in a number of areas relating to crime and the perceptions of crime, good communication between government bodies and the public is key. For instance, in areas such as bail, prosecutions and sentencing, a lack of knowledge in the general public has been exasperated by poor communication by the relevant institutions and has seemingly resulted in reduced confidence by the public in the criminal justice system. There should also be an awareness of the impact of poor reporting by the media on crime. A sensationalist or inaccurate response to an event can fuel the fear of crime unnecessarily. Any communication strategy must thus include engagement with local and national

media to ensure access to information and accurate reporting and access to relevant information.

Conclusion

While CAJ agrees with overall theme and aims of the strategy, we have found it difficult to respond in a constructive and meaningful way given the lack of specificity as to what the strategy will do. As such we recommend that it be revised so as to provide a concrete set of realistic, achievable and measurable proposals.

Yours sincerely



Aideen Gilmore
Deputy Director