

# TOUGH TALK

## *soft approach*



*Testing the theory of David Garland*

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**Tough talk, soft approach** – Testing the theory of David Garland

**Master-thesis**

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# Summary

Sometimes the field of crime policy can come across as a confusing environment of change. The 'new managerialism' is said to rule and public and political emotions occasionally seem to run wild. No wonder one turns to a scientific point of view for a comprehensive interpretation or explanation of new developments. One of these is the typology of David Garland. In his book 'The Culture of Control' (2002) he describes three different criminologies, ways of thinking about and reacting to crime. The first is the 'criminology of penal-welfarism'. According to Garland this criminology has been increasingly superseded by two new criminologies: the 'new criminologies of everyday life' and the 'criminology of the other'.

The criminology of penal welfarism is a structure combining liberal legalism of due process and proportionate punishment with a correctionalist commitment to rehabilitation, welfare and criminological expertise. The new criminologies of everyday life are related to an all-pervasive managerialism, with performance indicators, new forms of system monitoring, information technology and financial auditing, which leads to a generalized cost-consciousness in the allocation of criminal justice resources. Central feature is a pragmatic approach, aimed at situational intervention and preventative behaviour-alterations of potential victims. Within the criminology of the other 'quality of life' and 'zero tolerance' policing initiatives appear. Harsh policies are created in the name of public security or in response to scandals. Crime is seen as the result of wanton, immoral behaviour from groups that are essentially different from us, normal people. Central feature is a populist, emotive approach.

Although Garland's is book much referred to in the world of criminology, the validity of this typology has never been empirically tested, apart from his own analysis of the situation in the United Kingdom and the United States. The goal of this master-thesis is therefore to:

*Test the validity of Garland's criminologies for the Netherlands.*

In order to achieve this objective, the following general main question has to be answered:

*Are, and if so, to what extent, the lay-theories within contemporary Dutch crime policies congruent to the criminologies of David Garland (the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other')?*

Several hypotheses are deduced from Garland's theory in the theoretical chapter:

1. The three criminologies are distinctly different.

2. Because the three criminologies reflect general societal patterns, all types of crime policies on all governmental levels will contain aspects of those criminologies and will reflect an identical pattern.
3. The criminology of penal-welfarism will be quite pervasive (because it was dominant in earlier times), but the new criminologies of everyday life and the criminology of the other will either be more dominant than the criminology of penal-welfarism or on the rise.
4. In politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life.

In order to be able to perform an empirical research, the criminologies have to be specified. In chapter three, three dimensions are chosen. There are more possibilities, but these distinguish the three criminologies as adequately as possible from each other. The dimensions are: cause of crime and stereotypical image of offenders, function of punishment and nature and typical measures of prevention. Summarizing the criminologies within these dimensions results in an analytical framework. I thereafter refer to the criminologies as 'models'. These models are tested in the policy areas of street-violence and serial offending, at the national level (Security Programme) and the local level (municipality of Nijmegen). These policy areas are chosen, because they are perceived as politically urgent, which enables me to test the fourth hypothesis that can be deduced from Garland's theory. All in all, the following specified main question is to be answered:

*Are, and if so to what extent, lay-theories within Dutch crime policies at the national level (Security Programme) and the local level (Nijmegen), concerning the area of street-violence and serial offending, congruent to the models of David Garland, in terms of the 'cause of crime and stereotypical image of offenders', 'function of punishment' and 'nature and typical measures of prevention'?*

The main source of information consists of policy documents. By categorising arguments from these documents within the analytical framework, I draw conclusions on the pervasiveness of the three models. To check upon these results I also ask policymakers, public administrators occupied with the production of these documents or acting as opinion leaders or communication officials, to attribute scores in a questionnaire on the pervasiveness of these models in the chosen areas of crime policy. This is a validity check. Finally, I analyse the opinions of policymakers themselves by categorising their arguments within the analytical framework. This is to test the fourth hypothesis that can be deduced from Garland's theory.

Chapter four is dedicated to the policy area of street-violence. Both at the national and local level, the model of penal-welfarism is dominant, with a 'high' score. At the national level, the model of everyday life and the model of the other both receive a 'medium' score, while both obtaining a 'low' score at the local level.

Chapter five is dedicated to the policy area of serial offending. Both at the national and local level, the model of penal-welfarism is dominant, with a 'high' score. At the national level, the model of everyday life and the model of the other both receive a 'medium' score. At the local level, the model of everyday life obtains a 'medium' score as well, while the model of the other obtains no score at all.

The end result of both policy areas is displayed in chapter six. In general, the model of penal-welfarism is dominant, followed by the model of everyday life (with a 'medium' and a 'low' score), followed by the model of the other (with two 'low' scores). The hypotheses of Garland are confirmed or refuted and this leads to several conclusions.

First of all, the criminology of penal-welfarism, the new criminologies of everyday life and the criminology of the other are not similar to each other when outlined within the dimensions cause of crime and stereotypical image of offenders, function of punishment and nature and typical measures of prevention. The scores from the models in both policy areas and on both levels were always different from each other. This confirms the hypothesis that the three criminologies are distinctly different from each other.

Second, in general the criminologies of Garland are valid for the Netherlands, in other words, they can be used to categorise lay-theories within contemporary Dutch crime policies. There are very few significant differences between the two policy areas and a general pattern is identified: the criminology of penal-welfarism is dominant, followed by the new criminologies of everyday life, followed by the criminology of the other.

However, this pattern is not completely identical for both policy areas: in general higher values are attributed to the models in the questionnaires for serial offending than for street-violence and there is much attention for punishment in the area of serial offending at the national level while this dimension is almost absent at the local level and in the policy area of street-violence. It is also not identical for both governmental levels: in general higher values are attributed in the questionnaires for the national level than for the local level and while a certain funnel mechanism seems to be at work at the national level (many theories, few projects), the working-along-the-way-approach is



chosen at the local level (programmes are set into action without formulating a detailed written policy beforehand).

Furthermore, some aspects of crime policy were unplaceable within the typology of Garland, such as the role and importance of the goals of the offender, the innocence of the victim. Finally, some questions were raised about the discernability of the criminology of penal-welfarism and it was unclear which criminology would address the preventative effect of being locked up.

The theory of Garland does not account for any of these differences and the second hypothesis is therefore only partially confirmed.

Third, the third hypothesis that is deduced from Garland's theory is refuted, because the criminology of penal-welfarism is dominant and by the policymakers even perceived to be a new perspective. This is unexpected, because I have chosen policy areas that are considered as urgent, which, according to Garland, would lead to more signs of the two more recent criminologies, or at least the criminology of the other. Here (in the Netherlands) and now: penal-welfarism rules.

Fourth, also opposed to the hypothesis deduced from Garland's theory, policymakers in politically urgent policy areas do not always disagree with the preferences in policy documents and prefer the model of penal-welfarism over the other two models.

In sum, the answer to the main question is that lay-theories in Dutch contemporary crime policies are congruent to all three criminologies of David Garland. However, the general societal pattern this research identifies differs from the pattern Garland sketches for the United States and the United Kingdom in his theory about 'the culture of control'. In general the criminology of penal-welfarism is clearly the (new) dominant perspective in the Netherlands.

The thesis closes with an epilogue. First, a critical remark on Dutch crime policies is posed. Why use typical measures of prevention, stemming from the model of everyday life, when the cause of crime and stereotypical image of offenders are not perceived to be congruent to the cause of crime and stereotypical image of offenders of the model of everyday life? Second, the question what influences the content of policy documents, if not only the lay-theories of policymakers, is pondered upon.

# Preface

A prince ought to have no other aim or thought, nor select anything else for his study, than war and its rules and discipline; for this is the sole art that belongs to him who rules, and it is of such force that it not only upholds those who are born princes, but it often enables men to rise from a private station to that rank

(*The Prince*, Niccolo Macchiavelli)

I do love quotes from Macchiavelli. Still, becoming a 'prince' was not the reason I chose to do the MSc Public Safety Governance. After attaining a master's degree in Public Management I felt like I knew a little of a lot things and I felt the need to immerse myself more deeply into one theme. My attention was drawn to one of the core tasks of the government, often seen as highly relevant by citizens and always surrounded by an air of excitement, i.e. the area of crime policy.

Consequently, this masterthesis has been created, on behalf of the master's programme PSG of the department of Public Administration, offered by the Faculty of Business, Public Administration and Technology, which is a part of the University of Twente. I started reading up on the topic in September 2005 and continued writing during my Erasmus-period in Aberdeen and the rest of the summer and autumn. Without the help of certain people this thesis would not have attained the quality it has, so I hereby grasp the opportunity to thank some of them.

First of all, I would like to thank my tutors, prof. dr. C.D. van der Vijver and dr. P.A.T.M. Geurts, for their punctuality and their most helpful feedback. Furthermore, I am grateful to all members of the department of Public Administration for offering an in-depth, interesting, challenging and inspiring programme. I am also very thankful of the cooperation I received from my respondents at the municipality of Nijmegen, the Department of Justice and the Department of Internal Affairs. Furthermore, I have Pablo Jaureguiberry Stagnaro to thank for some of the graphic design. And last, but certainly not least, many thanks to my parents – Chrit W.J.M. van Ewijk and Willemien M. Kamphorst – always intellectually involved and willing to supply me with the necessary critical comments.

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Anne van Ewijk

# 1 Introduction

## 1.1 Triggers

The 'war on terrorism' has raised discussions about exchanging sensitive information between organisations concerned with security, crime and the criminal justice system, even if that means giving up some long protected values such as privacy (AIVD: June 2004). Crimes of so-called 'tbs-ers' on parole have created a surge of public upheaval in the Netherlands and urged a political discussion about a reconsideration of the rehabilitative ideal (Actiecomité TBS-nee: July 2003). On the one hand, the criminal justice system is pressured to work more efficiently, on the other hand mistakes are not tolerated, as is evident in case of the Nienke Kleiss-affair in which a young boy who turned out to be innocent was put under (too) much pressure by his interrogators (Wereldomroep: September 2005). What is going on here?

Scientists have tried to inventarise the changes of the past decades and they have come up with many different interpretations. One of them is David Garland. He refers to these interpretations of general ideas about crime and the criminal justice system as 'criminologies'. In his book 'The culture of control' he describes three different criminologies: the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other'.

However, there has been little empirical testing of the actual validity of these criminologies apart from his own analysis of the situation in the United Kingdom and in the United States. A start is made in this master-thesis by testing if and if so, these criminologies are recognisable as lay-theories within contemporary Dutch crime policies, in order to confirm or refute the validity of this theory for the Netherlands. Lay-theories are ontological ideas, ideas about how the world functions. With this goal in mind, I have analysed policy documents and interviewed policymakers at the national (the Security Programme) and the local level (the municipality of Nijmegen), regarding the policy areas of street-violence and serial offending.

## 1.2 Mapping the problem

Sometimes the field of crime policy can come across as a confusing environment of change. People say the 'new managerialism' rules and public and political emotions occasionally seem to run wild. No wonder one turns to a scientific point of view for a comprehensive interpretation or explanation of new developments. However, the field of

criminology offers a multitude of interpretations of the situation we are currently in. As Boutellier says: "Hungering for an unambiguous typology, every author naturally speaks from his own perspective and preoccupations" (Boutellier, 2002: 1).

One of these is the typology of David Garland. His book on 'the culture of control' has been much referred to in the world of criminology. He describes three different criminologies. The first is the 'criminology of penal-welfarism'. According to Garland this criminology has been increasingly superseded by two new criminologies: the 'new criminologies of everyday life' and the 'criminology of the other'. Both are said to be reactions to the blind spots in the criminology of penal-welfarism, both share a focus on control and both consider crime as a continuous element of everyday life (Garland, 2001: 182-187).

In commenting on the new criminologies of everyday life, Garland mentions a new and all-pervasive managerialism that affects every aspect of criminal justice. Within specific agencies and organizations, performance indicators and management measures have narrowed professional discretion and tightly regulated working practice. Across the system as a whole, new forms of system-monitoring, information technology and financial auditing have extended centralized control over a process that was previously less well co-ordinated and highly resistant to policy management (Garland, 2001: 18-19). He continues by indicating that this emphasis upon the cost-effective management of risks and resources has produced a system that is increasingly selective in its responses to crime and offending. There is now a well-developed practice of targeting resources, gate-keeping to exclude trivial or low-risk cases and a generalized cost-consciousness in the allocation of criminal justice resources. Central feature is a pragmatic approach, aimed at situational intervention and preventative behaviour-alterations of potential victims.

The criminology of the other, on the other hand, is visible in the startling growth of the prison population, according to Garland. He states it is a stark example of fiscal restraint giving way before populist political concerns. 'Quality of life' and 'zero tolerance' policing initiatives appear to reverse the logic of selective enforcement. Several recent policies have undone the previous reliance upon low-cost, low-impact penal measures, often in the name of public security or in response to scandals where these policies have been blamed for criminal outrages. Crime is seen as the result of wanton, immoral behaviour from groups that are essentially different from us, normal people. Central feature is a populist, emotive approach (Garland, 2001: 19).

As mentioned above, Garland states both the new criminologies of everyday life and the 'criminology of the other' are reactions to the blind spots of an earlier criminology: the criminology of penal-welfarism. This criminology is characterised by two elements: penal aims (punishing offenders) and welfare aspirations (treating and/or

rehabilitating offenders). This created some basic tensions, but at the hay-day of the criminology of penal-welfarism these tensions were knotted into working arrangements and conceptual compromises. In short, Garland describes this criminology as: a structure combining liberal legalism of due process and proportionate punishment with a correctionalist commitment to rehabilitation, welfare and criminological expertise (Garland, 2001: 27-28).

Not everyone agrees with Garland's interpretation, for example, the Dutch criminologist Hans Boutellier. I will elaborate on his and other criticisms later. However, this does lead to the question: how valid are these three criminologies? In other words, to what extent are lay-theories within contemporary policies congruent to these criminologies in other countries than the United States and the United Kingdom?

As I said, Garland's book has been much referred to in the world of criminology. Some favour his interpretation, some discard it. Regrettably, when people discard it, they often use theoretical arguments and do not back it up with empirical research, such as Hans Boutellier (see chapter two). This thesis focuses on the challenge of empirically testing if and if so, to what extent, the lay-theories within contemporary Dutch crime policies are congruent to the criminology of penal-welfarism, the new criminologies of everyday life and the criminology of the other.

### **1.3 What makes this relevant...**

... for science in general? With this research I have attempted to test the validity of what Garland calls the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other'. It has never been empirically tested to what extent lay-theories within Dutch crime policies are congruent to these 'criminologies' and if they reflect the same general societal pattern as in the United States and the United Kingdom. If it turns out this is the case, then this research confirms the value of Garland's interpretation. If it turns out this is not (or partially) the case, further research can be set up to test if other typologies could be more appropriate. In both cases, the findings would contribute to the growth of scientific knowledge.

... for public administration? Crime policy is an element of government regulation that has always received much attention. By inventarising lay-theories in crime policies I hope to create more insight into the basic assumptions of formulated policies. This means I will use Garland's 'criminologies' from a public administration perspective. For national and local policymakers currently involved in the field, it also offers an interesting insight into the ways of reasoning of public administrators operating at another level.

... for society? Clarifying which assumptions are at the basis of certain crime policies, can be beneficial to society in general as well. Creating more insight does not necessarily mean these lay-theories should be changed. But by highlighting basic assumptions that usually remain implicit, policymakers may be better able to reflect on the policies they help formulate, which could result in policies that are better thought through, more sophisticated and internally balanced.

... for me? Why did I choose this subject and make it an object of scientific research? Well, besides from the fact that I feel more and more affiliated to the theme of crime policy, I fully agree with David Garland when he reveals his motivations to write an earlier book, 'Punishment and Modern Society' (1990):

"What need can there be for theorizing when the point of punishment is so obvious and when penal systems are plagued by problems of the most mundane kind? One answer to this would be that it is precisely the 'obviousness' of these everyday problems of punishment – and the dismaying fact that they stubbornly refuse to go away – which prompt an enquiry of the fundamental kind. How can an institution be both stable and deeply problematic at the same time?

Another response is to insist that 'theory' is not some kind of flight from reality. Properly pursued, theoretical argument enables us to think about that real world of practice with a clarity and a breadth of perspective often unavailable to the hard-pressed practitioner. It allows us a chance to escape the well-worn thought routines and 'common-sense' perceptions, to develop analytical tools and ways of thinking which question these established habits of thought and action, and seek alternatives to them. Theoretical work seeks to change the way we think about an issue and ultimately to change the practical way we deal with it."

#### **1.4 Objective and main question**

All these considerations lead to the following objective. The goal of this research is to:

*Test the validity of Garland's criminologies for the Netherlands.*

In order to achieve this objective, the following general main question has to be answered:

*Are, and if so, to what extent, the lay-theories within contemporary Dutch crime policies congruent to the criminologies of David Garland (the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other')?*

### 1.5 Questions to be answered and structure to be followed

In order to set this research up several preliminary questions have to be answered:

- a) What are the characteristics of the criminologies, according to Garland?
- b) On which dimensions are these criminologies distinguishable from each other?
- c) Which cases are most fit to test these criminologies?

The theory of Garland and his typology are outlined in Chapter two, thereby answering preliminary question a. This results in some hypotheses that are to be tested in this research. I also criticise some criticisms and comment on some interesting comments. These lead to some alternative hypotheses. Finally, I create an analytical framework by which to distinguish the three criminologies from each other as clearly as possible, to allow for empirical testing. This answers preliminary question b. After summarizing the criminologies into this framework, I refer to them as 'models'.

Chapter three includes the methodological underpinning of this master-thesis. First, I comment on the case-selection, thereby answering preliminary question c. The cases are: the Netherlands – the national Security Programme and the municipality of Nijmegen, on the policy areas of street-violence and serial offending. Furthermore, I comment on the nature of this research, the selection and use of sources and I outline the main research strategies. This leads to the following specified main question:

*Are, and if so to what extent, lay-theories within Dutch crime policies at the national level (Security Programme) and the local level (Nijmegen), concerning the policy area of street-violence and serial offending, congruent to the models of David Garland, in terms of the 'cause of crime and stereotypical image of offenders', 'function of punishment' and 'nature and typical measures of prevention'?*

In order to provide an answer for this question the following sub-questions have to be addressed:

- a) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of street-violence congruent to the models of David Garland?
- b) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of street-violence congruent to the models of David Garland?
- c) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of serial offending congruent to the models of David Garland?

- d) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of serial offending congruent to the models of David Garland?

A further elaboration on the areas of crime policy and the policy backgrounds of the cases is given in the introduction of the fourth and fifth chapter. After this follows an analyses of the results. Chapter four concerns street-violence (thereby answering sub-questions a and b). Chapter five concerns serial offending (thereby answering sub-questions c and d).

Finally, it is time to take a step back and reflect on the results of the research so far. In chapter six, the hypotheses formulated in the theoretical chapter are either confirmed or refuted. This results in the conclusions and an answer on the main question. I also critically assess some methodological aspects that influence the internal and external validity and representativeness of the results, which leads to some recommendations for possible successors in this field of study.

In the epilogue, I close with a critical remark on Dutch crime policies and ponder on the question what else influences the content of policy documents, if not only the lay-theories of policymakers.



## 2 Theory

In 2001 *'The culture of control – crime and social order in contemporary society'* by David Garland, was published. In this study, Garland chooses to focus on the whole range of social responses to the whole range of forms of crime. This way he intends to identify the broad organizing principles that structure our contemporary ways of thinking and acting in crime control and criminal justice. He wants to point out the structural properties of the field, and especially identify the recurring social and cultural dynamics that produce them (Garland, 2001: viii). In his preface he suggests that, if he has helped to identify these patterns, subsequent case studies should be in a better position to confirm, disconfirm, or otherwise refine these findings. I hereby attempt to take up this challenge.

Garland focuses on the transition from what he calls 'penal-welfarism' to a new culture of control. According to him, the older 'criminology of penal-welfarism' still circulates and commands respect. But increasingly these welfarist ideas find themselves in competition with two quite different criminologies, both of which are attractive to political actors and policymakers (Garland, 2001: 182): the 'new criminologies of everyday life' and the 'criminology of the other'. In this chapter, I outline the old (2.1) and new criminologies (2.2 and 2.3) as Garland describes them. I continue with Garland's notion of the pervasiveness, the actual manifestation in practice, of the three criminologies (2.4). This typology has not been without criticism (2.5) and several relevant comments have been made on the same topic (2.6). All lead to four hypotheses that are to be tested (2.7). To enable this, three key dimensions are presented, wherein the three criminologies are as distinguishable from each other as possible (2.8). Finally, Garland's criminologies are summarized on these three dimensions, thereby creating the 'models' that are to be used in the empirical research (2.9).

### **2.1 The criminology of penal-welfarism**

According to Garland, the established formula of the modern criminal justice state – the credo of penal modernity – assumes that crime control must be a specialist, professional task of 'law enforcement', oriented to the post hoc pursuit and processing of individual offenders. No need for a policy to encourage private action. No need to involve the public or individual victims. No need for an emphasis upon social or situational prevention. Garland quotes James C. Scott in referring to 'high modernism': an ideology that believes social problems are best managed by specialist bureaucracies that are dictated by the

state, informed by experts, and rationally directed towards particular tasks (Garland, 2001: 34).

The basic axiom is that penal measures ought, where possible, to be rehabilitative interventions rather than negative, retributive punishments (Garland, 2001: 34). In the structures this gives rise to, a central place is allocated to professional specialists and expert judgement (Garland, 2001: 35). Garland says the trust in these experts is so high, they can successfully claim a great amount of discretion.

Penal-welfarism proceeds on the basis of two unquestioned axioms. The first of these takes it as self-evident that social reform together with affluence will eventually reduce the frequency of crime. The second axiom is that the state is responsible for the care of offenders as well as their punishment and control. The standard response to problems of crime and delinquency is a combination of social work and social reform, professional treatment and public provision (Garland, 2001: 38-39).

As Garland says, the criminology contains an unquestioning commitment to social engineering, a confidence in the capacities of the state and the possibilities of science and an unswerving belief that social conditions and individual offenders can be reformed by the interventions of government agencies. In short, there is an implicit faith in scientific reason and the perfectibility of man. Punishment in general, and retributive punishments in particular, are viewed as irrational and counterproductive. The proper treatment of offenders requires individualized, corrective measures carefully adapted to the specific case or the particular problem (Garland, 2001: 40). Whatever the limitations of actual practice, the discourse of high modernism is established as the dominant form of expression.

The correctionalist criminology perceives crime as a social problem that manifests itself in the form of individual, criminal acts. These acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals. These dispositions form the preferred target for correctional intervention, with penal treatment being focused on the individual's disposition, and social policy being relied upon to deal with the wider causes.

A basic feature of the correctionalist framework is a routine differentiation between 'the normal' and 'the pathological', followed by a more or less exclusive focus upon the latter. Those individuals who offend, but who are judged to be essentially 'non-delinquent' or free of any real disposition, become uninteresting. Those can be dealt with minimally – by cautions or fines or, if their offence is serious, by deterrent penalties with no treatment component. Correctional criminology and the penal-welfare institutions jointly identify the maladjusted delinquent as the problem and correctional treatment as the solution (Garland, 2001: 42). There is a recurring bias towards a form of causality

that is long-term, dispositional, and operated through the formation of personality traits and attitudes.

According to Garland, this criminology was dominant in earlier times. Slowly a gap opened up between expectations of interventions and achievements, but crime was still perceived as a result of poverty and deprivation (Garland, 2001: 43). It took some decades before two other criminologies appeared and penal-welfarism had to face competition.

## **2.2 The new criminologies of everyday life**

Garland states that officials have increasingly discovered an affinity between their own practical concerns and a new genre of criminological discourse. It has a thoroughly practical and atheoretical character. They are a set of cognate theoretical frameworks that include routine activity theory, crime as opportunity, lifestyle analysis, situational crime prevention and some versions of rational choice theory. What Garland finds striking about these various criminologies is that they each begin from the premise that crime is a normal, commonplace, aspect of modern society (Garland, 2001: 128). Crime is continuous with normal social interaction and explicable by reference to standard motivational patterns. It comes to be viewed as a routine risk to be calculated or an accident to be avoided, rather than a moral aberration that needs to be especially explained.

According to Garland, the new criminologies tend to view crime prospectively and in aggregate terms, for the purpose of calculating risks and shaping preventative measures. Many of the practical prescriptions are addressed beyond the state apparatus. These theories simply take it for granted that the criminal justice state has a limited capacity, and they look to the everyday life world as the appropriate locus for action. Their programmes are not directed towards any and every individual offender, but instead towards the conduct of potential victims, to criminogenic situations, and to those routines of everyday life that create criminal opportunities as an unintended by-product (Garland, 2001: 129).

To the extent that it depicts a criminal subject, this figure is the opportunistic consumer, whose attitudes cannot be changed but whose access to social goals can be barred. This criminal figure, sometimes called 'situational man', lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.

This depiction stems from the rational choice criminology, regarding criminal acts as calculated, utility-maximizing conduct, resulting from a straightforward process of individual choice. The new criminologies of everyday life, therefore, represent the

problem of crime as a matter of supply and demand, with punishment operating as a price mechanism. Garland theorizes it is certainly plausible that this kind of reasoning has functioned to legitimate tougher policies and give them a gloss of respectability (Garland, 2001: 130).

Garland typifies the new criminologies of everyday life as late modern in character and orientation. Frameworks such as situational crime prevention continue some modernist themes of correctionalist criminology (penal-welfarism) insofar as they stress instrumentally rational, morally neutral, knowledge-based, pragmatic solutions. But they develop these themes in new ways, stressing the modification of situations and opportunity structures rather than the reform of the deviant individuals: prescribing situational engineering instead of social engineering. According to Garland, this is a less idealistic, less utopian modernism, more attuned to the way we live now, more aware of the limits of governmental schemes, more modest in its ambitions for humans improvement.

The new criminologies of everyday life thus offer an approach to social order that is, for the most part, amoral and technological. This framework cultivates a neutral, apolitical, demeanour, seeking only to repair the social and economic relations that give rise to criminogenic outcomes, never to reject them as socially unjust or unacceptable (Garland, 2001: 183-184).

### **2.3 The criminology of the other**

Accompanying the more politicized policies of non-adaptive responses (Garland mentions denial and acting out), is a criminological discourse that looks quite different from the new criminologies of everyday life. Whereas the latter 'normalize' offenders, the criminology invoked by the sovereign state is one of essentialized difference. Frequently appearing in the wake of sensational high-profile crimes (which is to say, highly unusual cases that are made to appear 'all-too-typical') this is a criminology that trades in images, archetypes, and anxieties. In its deliberate echoing of public concerns and media biases, and its focus on worrisome threats, Garland labels this as a politicized discourse of the collective unconscious. It relies upon an archaic criminology of the criminal type, the alien other. Sometimes explicitly, more often in coded references, the problem of crime is traced to the wanton, amoral behaviour of dangerous offenders, who typically belong to racial and cultural groups bearing little resemblance to 'us' (Garland, 2001: 135).

With these ideas in the background, crime-control policies can invoke images of 'the criminal' that depict him (less often her) as profoundly anti-social. Individual

offenders are considered to have few redeeming features and little social value. Some, such as paedophiles, are even evoked in ways that are barely human, their conduct being essentialized as 'evil' or 'wicked' and beyond all human understanding. Whole communities are described as undeserving 'underclass', locked into a culture and mode of life that is both alien and threatening (Garland, 2001: 135). According to Garland, these are all imaginary figures that operate as tokens in a political process that exploits the political uses of danger. Each figure is selected for its usefulness as a suitable enemy – usefulness for the criminal justice state in its sovereign mode and for a conservative social politics that stresses the need for authority, family values, and the resurrection of traditional morality. The only practical and rational response to these types, as soon as they offend if not before, is to have them 'taken out of circulation' (Garland, 2001: 136).

Garland states that, given our cultural commitments, the concealed nature of the criminal's other-ness makes us all the more determined to act on whatever evidence we have. Forget that stigmatized marking could contribute to the problem, or that predictions of future dangerousness are notoriously unreliable (Garland, 2001: 137).

Garland describes the criminology of the other as anti-modern in character. It reacts to the failures of penal modernism and to the social arrangements of late modern society by questioning that society's normative codes and seeking to transform the values upon which they are built. If the new criminologies of everyday life de-dramatize crime, the other criminology re-dramatizes it. The criminology is decidedly anti-modern in its central themes: the upholding of order and authority, the assertion of absolute moral standards, the affirmation of tradition and common sense. It is also deeply illiberal in its assumptions that certain criminals are intrinsically different from the rest of us.

In a slightly warning tone, Garland states that this has far going implications. The appropriate reaction to criminals that are not like us, is one of social defence: we should defend ourselves against these dangerous enemies rather than concern ourselves with their welfare and prospects for rehabilitation (Garland, 2001: 184). This intrinsic otherness has implications for our understanding also (epistemological). Intrinsic evil defies all attempts at rational comprehension or criminological explanation. Criminology's usual concern has been to shift discussion away from moral questions of responsibility towards scientific questions of causation and prevention; to replace the urge to punish with the will to understand. The criminology of the other does the opposite. Those who do not or cannot fit in, according to a fixed set of socially shared values, must be excommunicated and forcibly expelled.

## **2.4 Garland on the pervasiveness of the three criminologies**

According to Garland the criminology of penal-welfarism is still recognisable in all crime-related policy areas. However, he states that it increasingly faces competition of the two other criminologies. He also points out this competitive effect can be seen between the two new criminologies as well. In his opinion the process of switching between these two contradictory rationalities, of moving from one discursive register to another, is very much a political process. It is governed not by any criminological logic but instead by the exigencies, political calculations and short-term interests that provide their motivations (Garland, 2001: 191).

He states that while agency administrators, government departments, and local authorities have been busy de-escalating the criminal justice response to crime, or building a new infrastructure of 'preventative partnerships', elected officials and legislatures have been escalating the penal response and promoting what amounts to a strategy of punitive segregation. Within one set of government calculations, influenced by neo-liberalism, high rates of imprisonment represent an ineffective waste of scarce resources. Within another, shaped by a neo-conservative agenda, they represent a positive symbol of the state's willingness to use force against its enemies, to express popular sentiment, and to protect the public by whatever means necessary. State sovereignty over crime is simultaneously denied and symbolically reasserted. The limits of police and punishment are recognized in one policy only to be ignored in another (Garland, 2001: 138).

Whether there will be more signs of the new criminologies of everyday life or of the criminology of the other, will be a matter of political urgency. The more urgent, the more elements of the criminology of the other elected officials will want to recognise in policies, while public administrators are busy de-escalating the matter and opt for elements of the new criminologies of everyday life. Therefore, in politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday.

## **2.5 Critically evaluating the critics**

As said before, not everyone agrees with Garland's interpretation of the changes in attitudes around the criminal justice system. According to Hans Boutellier, Garland's typology of the contemporary culture as a 'culture of control' does not do justice to the reality of the underlying security problems and the ambivalence in the attempts to deal with these. Boutellier also states that Garland pays little attention to the vital side of the desire for security (Boutellier, 2002: 5). He points out it is important to realise Garland

focuses exclusively on the United States and the United Kingdom, but this is not the sole reason to label Garland's typology of as too monolithical to be valid for all western societies. In his opinion, the described changes are not unambiguous enough and the underlying sentiments too ambivalent (Boutellier, 2002: 9).

As a further elaboration of his arguments is lacking, Boutellier's criticism leaves many questions unanswered. Exactly what part of Garland's typology does he consider too monolithical? What is his opinion on the different 'criminologies' within Garland's typology? It is my observation that without a more exact elaboration of his opinion and more detailed arguments, Boutellier fails to criticize Garland in a convincing way.

Tim Hope and Richard Sparks refer to Garland when speaking about the 'punitive counter-tendency'. In their opinion, this returns in the form of neurotic denial by politicians of the profound weakness of the modern state. Garland is cited (Hope & Sparks, 2000: 240): "A show of punitive force against individuals is used to repress any acknowledgement of state inability to control crime to acceptable levels. A willingness to deliver hard punishments to convicted offenders magically compensates a failure to deliver security to the population at large."

Sparks argues, however, that punitiveness must be viewed not as an irrational response to either the 'limits of the sovereign state' or popular fear of crime, but as a key element in the political strategy of the Right. He also argues that managerialism, in the form of sentencing guidelines, should be viewed less as a response by practitioners and policymakers to chronically high rates of crime than to the punitive turn in criminal justice practice (Hope & Sparks, 2000: 240). In his view sentencing guidelines, influenced by managerialism, are an initiative of progressive reformers, including practitioners, policy advocates and politicians, seeking to reverse the punitive drift in criminal justice policy-making and restore elements of penal-welfarism (Hope & Sparks, 2000: 245).

Why do political actors who are committed to reviving the justice system's emphasis on rehabilitation, de-politicizing, decision-making about criminal punishment, and moderating some of the harsh new drug penalties translate these ambitions into managerial rhetoric that emphasizes cost considerations above all else? Because they believe the rhetoric of penal-welfarism is non-viable. The conventional wisdom among all law-makers, regardless of political stripe, is that any talk that smacks of leniency towards criminals will be used by a future political rival to make the point that the incumbent is soft on crime. The 'just deserts' and managerial overtones of sentencing guidelines allow progressives to pursue some of their traditional goals while providing them with political 'cover' (Hope & Sparks, 2000: 247).

In short, Hope and Sparks argue that punitiveness is a key element in the political strategy of the Right. And the ideological values behind managerialism are the same (left and liberal) as the values behind the old penal-welfare system. This contradicts Garland's view that the criminology of penal-welfarism and the new criminologies of everyday life are distinctly different.

## **2.6 Commenting on related comments**

Tim Hope and Richard Sparks quote Lucia Zedner and agree that: '...a culturally and institutionally differentiated approach is needed to analyze risk and demands for security in different late modern societies' (Hope & Sparks, 2000: 8). They believe terms such as 'risk', 'danger', 'fear' and 'security' are differentially positioned in the politics of different contemporary societies. It is by no means self-evident that terms such as 'community security' either carry the same meanings or issue in the same practices in North America as in United Kingdom or again in the diverse nations of Europe. At a minimum, the question of whether 'security' is pursued in defensive and exclusionary or in more solidaristic modes depends crucially both on the institutions and political cultures of the 'communities' in question and on the nature of the threats and dangers they envision (Hope & Sparks, 2000: 9).

While not referring to Garland directly, they do raise questions about the validity of the typology of Garland. They deny the possibility of describing general cultural trends in different societies, using the same criminologies.

Also without mentioning the typology of Garland, Roger Matthews says it is important to note that one of the implications of the New Public Managerialism is that the pursuit of greater efficiency and the strict adherence to specified targets necessarily involves the development and enforcement of stricter sanctions. That is, the pursuit of greater cost-efficiency generates its own inherent punitiveness, such that managers, whose aim may understandably be to improve performance, become less tolerant of 'failure'. Thus, part of the shift towards greater punitiveness in the penal system, and elsewhere, is a consequence not so much of an inherent desire to 'get tough' but a product of attempts to develop and enforce more stringent procedures (Matthews, 2003: 229).

This view provides another interesting implication for the way Garland's typology may manifest itself in current policy practice. If the new criminologies of everyday life can lead to just as stringent and punitive measures as the 'criminology of the other', is it right that these are regarded as two separate criminologies?



Matthews also stipulates his own views on the contemporary changes regarding the criminal justice system. These lead to interesting expectations on how Garland's typology will manifest itself in current policy practices.

Matthews states that many accept that we are experiencing a rising tide of punitiveness, which is seen as either a function of changing public tolerance and sensibilities or as orchestrated by manipulative politicians and the media. The increase of punitiveness, however, is only part of the story, and the exclusive focus on the introduction of tougher measures is in danger of losing sight of the greater diversity of penal sanctions that have emerged in recent years. There is a growing interest in the development of the more seemingly benign responses such as restorative justice (Matthews, 2003: 224-225).

There seems to have been a discernible shift in the character and purpose of official sanctions. This includes the development of 'emotive and ostentatious' punishments, which involve new forms of humiliation and degradation as well as public displays of remorse. Despite the development of this increasingly complex mosaic of sanctions there are signs of a change in objectives. Often politicians who talk tough adopt rather different policies when they examine the financial implications of planned interventions. The disproportionate focus on the rise of prison population has diverted attention away from the equally rapid increase in community-based sanctions (Matthews, 2003: 225-226).

Matthews states that Feely and Simon claim 'old penology', with its emphasis on the rehabilitation of individual offenders, is being superseded by forms of risk assessment aimed at the control of aggregate populations (Matthews, 2003: 233). In his opinion, however, the degree to which this development accounts for the proliferation and shaping of the current range of punishments is questionable. There has been a noticeable reaffirmation of both the principle and practice of rehabilitation in the United Kingdom in recent years. New programmes have been developed, that are often directed at the most difficult and 'dangerous' offenders, and that they are relatively well funded (Matthews, 2003: 234). Rehabilitation also continues to draw support from the general public, who do not want offenders returning to their neighborhoods any more of a burden or a threat than they were before entering prison. The principle is also drawing more support from politicians, who want to reassure the public. And many prisoners and their families have an interest in rehabilitation inasmuch as it helps them to deal with their own personal, social and economic problems (Matthews, 2003: 235).

The first implication of the above for the way in which Garland's typology will manifest itself in current policy practice, is that more than one criminology will be recognizable in crime policies. The second and most interesting is that the criminology of

penal-welfarism will be dominant still, or at least will not be less visible in crime policies than the criminology of the other.

## **2.7 Theoretical and alternative hypotheses**

First of all, some interesting hypotheses about the (pervasiveness of the) three criminologies in Dutch crime policies can be deduced from Garland's theory. In short, these are:

1. The three criminologies are distinctly different.
2. Because the three criminologies reflect general societal patterns, all types of crime policies on all governmental levels will contain aspects of those criminologies and will reflect an identical pattern.
3. The criminology of penal-welfarism will be quite pervasive (because it was dominant in earlier times), but the new criminologies of everyday life and the criminology of the other will be either more dominant than the criminology of penal-welfarism or on the rise.
4. In politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life.

Second, the criticisms and comments provide for some alternative hypotheses. In short, these are:

1. The ideological values behind managerialism are the same as the values behind the old penal-welfare system (Hope and Sparks). This contradicts Garland's view that the criminology of penal-welfarism and the new criminologies of everyday life are distinctly different.
2. It is impossible to describe general cultural trends in different societies, using the same criminologies (Hope and Sparks). They thereby refute the validity of Garland's theory in general.
3. The criminology of the other and the new criminologies of everyday life will turn out to be undistinguishable from each other on the matter of punishment, as they can both lead to stringent and punitive measures (Matthews).
4. The criminology of penal-welfarism will be dominant still, or at least will not be less visible in crime policies than the criminology of the other (Matthews).

## 2.8 Key dimensions

These hypotheses cannot be empirically tested without further specification. In this section other authors are used to categorize some vital ideas from Garland's criminologies. The main criterion is to choose dimensions wherein the three criminologies are most distinguishable from each other. Consequently, although there are many other possible dimensions, three key dimensions are selected.

### *Dimension 1) Cause of crime and stereotypical image of offenders*

First of all, it is possible to distinguish between the three criminologies when looking at certain beliefs underlying crime policies. The three criminologies contain quite distinct views on what the main cause of crime is and consequently have a quite distinct stereotypical image of offenders. In the criminology of penal-welfarism individual dispositions in a context of social poverty and deprivation are considered the main cause of crime and the offenders that have to be targeted are poorly socialized or maladjusted individuals. In the new criminologies of everyday life crime is caused by the same factors as any other form of social behavior and the stereotypical image of offender is that of the situational man. For the criminology of the other the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values) and the corresponding stereotypical image of offender is that of the alien other. Therefore, this will be the first dimension of the analytical framework.

### *Dimension 2) Function of punishment*

The aspect of 'function of punishment' is also a useful means to differentiate between the three criminologies. According to Garland, the functions of punishment are diverse. It is an apparatus for dealing with criminals, but also a circumscribed, discrete, legal-administrative entity, an expression of state power, a statement of collective morality, a vehicle for emotional expression, an economically conditioned social policy, an embodiment of current sensibilities, and a set of symbols which display a cultural ethos and help create a social identity (Garland, 1990: 17). Within the three criminologies, three distinct functions of punishment can be discerned.

Sibo van Ruller distinguishes two opposite reasons for existence for the criminal justice system: rationality and irrationality. Rationality is subsequently divided into external and internal rationality. External rationality means that the criminal justice system fulfils essential societal functions, internal rationality means that this is done in a efficient and

effective way and irrationality means the criminal justice system is a means of expression: a symbolic way to express and channel emotions. Many authors have written about this irrational element, such as Nietzsche, Durkheim, Mead en David Garland (van Ruller, 1993: 336-337).

The irrational component of the punitive reaction manifests itself a deeply felt need within the population for adding pain by legal sanctions. This need is not so much grounded in rational deliberations, but in emotions. Punishment should bring suffering and should not be profitable (van Ruller, 1993: 345). Thus, the punitive need is grounded in spontaneous feelings that can be calmed by sanctions. The criminal law ensures this is done in a civilised way. This is the reason there have been restraints on the perfection of the instrumentality of sanctions. People desire the sanctions not only to be effective in the sense that they prevent further offending, but also to create suffering for the evil-doer. Effects that can contradict each other.

When the three criminologies are set out against the different sort of functions as described by van Ruller, the criminology of the other would be a form of irrationality. The new criminologies of everyday life would be mostly associated with internal rationality, as it is aimed at efficiency. The criminology of penal-welfarism seems most congruent with external rationality, as its goals are to improve social and individual dispositions, in order to reduce crime, both essential functions in society.

Sutherland also addresses the function of punishment, when commenting on his observation that the rationale given for official and actual reactions to crime varies as well. These justifications are not just ex post facto rationalizations but instead are the reasons or motives people have for punishing in the first place. No consistent course of development in the justifications for punishment can be discerned. According to him, the members of a society do not have the same reason for using the punitive reaction at any given time, even if they agree on which reaction is desirable. Individuals themselves probably have more than one motive for punishing offenders (Sutherland, 1992: 306).

What is relevant concerning Garland's criminologies is again the variety of values (or functions) attributed to punishment. According to Sutherland, the values of punishment that have been specified by those who insist on the desirability of hurting criminals include: retribution, general deterrence, specific deterrence and social solidarity (Sutherland, a.o., 1992: 307).

Regarding this aspect, the criminology of the other seems most concerned with retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses). The new criminologies of everyday life are mostly concerned with general deterrence, not

in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime. The criminology of penal welfarism is the only criminology focused on specific deterrence (personalized punishments and/or treatments) and social solidarity (improving social and economical conditions for offenders or potential offenders).

### *Dimension 3) Nature and typical measures of prevention*

The function of prevention is not at stake here. After all, the final goal of prevention is always the same: a decrease in crime. The differences, however, occur when reflecting on the best way to achieve this: the ideal nature of prevention and typical measures associated.

Stenson and Cowell refer to John Bright, as they claim there are three perspectives on prevention: (a) a believe in the preventive effect of law enforcement and the criminal justice agencies, (b) situational crime prevention in which opportunities for committing crime are reduced by modifying the design or management of the situation in which the crime is known to occur and (c) social crime prevention, which aims to prevent people drifting into crime by improving social conditions, strengthening community institutions and enhancing recreational, educational and employment opportunities (Stenson & Cowell, 1992: 62).

According to Garland, the 'criminology of the other' does not focus on prevention but on repression. Still, seen in the light of the categories above, the preventive effect of law enforcement fits this criminology perfectly, as does situational crime prevention fit the new criminologies of everyday life and the social crime prevention fit the criminology of penal-welfarism. I believe, therefore, that the distinction should not be made between repression and prevention, but between pro-active prevention (situational crime prevention and social crime prevention) and re-active prevention (preventive effect of law enforcement). It is a matter of timing.

According to John Bright there are three different levels of crime prevention a government might pursue. First, physical and environmental measures. Second, measures designed to strengthen community institutions and increase social cohesion, with the community as focus rather than the individual offender. Third, measures addressed to the individual offender, by both the criminal justice agencies and community institutions (Stenson & Cowell, 1992: 67).

This typology does not stroke perfectly with the three criminologies. However, it can be argued that the new criminologies of everyday life have a connection to physical and environmental measures. But they are also aimed at behavior of potential victims

(which fits nowhere in this dimension). Both the criminology of penal-welfarism and the criminology of the other intend to strengthen social cohesion, although the criminology of the other is more aimed at the community at large rather than the individual offender. The criminology of penal-welfarism is the only one that focuses measures on the individual offender. Both new criminologies contain measures aimed at situations or offenses, rather than individual offenders. Still, there are typical measures to be found within Garland's descriptions of the criminologies and they match the nature of prevention that is the focus of each criminology. Therefore, I also refer to some of these, when depicting the three criminologies in the analytical framework.

## **2.9 Summarizing the criminologies in the analytical framework - models**

The final step before commencing to the research set-up, is to combine the key dimensions with each criminology. This results in 'specified' criminologies, which I henceforth will refer to as 'models'. I hereby outline the three models, summarizing them afterwards as 'the analytical framework' in a table. This framework will form the guiding principle in the research-analyses.

### *A) The model of penal-welfarism*

- 1) Cause of crime and stereotypical image of offenders – Within the model of penal-welfarism, individual dispositions in a context of social poverty and deprivation are considered the main cause of crime. The fitting stereotypical image of offender is then that offenders are either 'normal' or 'pathological' people, but the focus lies on the last type, as individual, criminal acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals.
- 2) Function of punishment – The function of punishment is external rationality: to improve social and individual dispositions, in order to reduce crime, both essential functions in society. Punishment is therefore aimed at specific deterrence (personalized punishments and/or treatments) and social solidarity (improving social and economical conditions for offenders or potential offenders).
- 3) Nature and typical measures of prevention – Within the model of penal-welfarism, the nature of prevention is pro-active, it is about social crime prevention (social problems are best managed by specialist bureaucracies that are dictated by the state, informed by experts, and rationally directed towards particular tasks). Typical measures are concerned with strengthening social cohesion and focus on the individual offender.

*B) The model of everyday life*

1. Cause of crime and stereotypical image of offenders – Within the model of everyday life one sees no specific cause of crime. Crime is caused by the same factors as any other form of social behavior, it is a part of human nature and crime is a routine risk. The stereotypical image of offender is therefore that of the situational man, who could be anyone, who lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.
2. Function of punishment – The function of punishment is internal rational: punishments should be efficient (the gains should be bigger than the costs). For the (potential) offenders, punishment is the price-mechanism in the supply and demand structure of crime. Punishment is concerned with general deterrence, not in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime.
3. Nature and typical measures of prevention – Within the model of everyday life, the nature of prevention is pro-active, it is about situational crime prevention. Programmes often beyond state apparatus, so it has much to do with public-private partnerships and community-building. Programmes are also focused on the conduct of potential victims, criminogenic situations, and those routines of everyday life that create criminal opportunities as an unintended by-product. There is a focus on aggregate, unobtrusive solutions. Typical measures are physical and environmental (but also aimed at behavior of potential victims). Measures are aimed at situations or offenses, rather than at individual offenders.

*C) The model of the other*

- 1) Cause of crime and stereotypical image of offenders – Within the model of the other, the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values). The corresponding stereotypical image of offender is that of the alien other. It relates to the wanton, amoral behaviour of dangerous anti-social offenders, who typically belong to (racial and/or cultural) groups bearing little resemblance to 'us' - intrinsic otherness.
- 2) Function of punishment – The function of punishment is irrational (negative form). It is about expressive justice (the assertion of absolute moral standards and affirmation of tradition and common sense), retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general

deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses).

- 3) Nature and typical measures of prevention – Within the model of the other, the nature of prevention is re-active. One relies on the preventive effect of law enforcement. It is focused on 'taking criminals out of circulation' and measures taken on whatever evidence there is - forget stigmatized marking contribute to the problem, or that predictions of future dangerousness are notoriously unreliable. Typical measures are intended to strengthen social cohesion, although they more aimed at the community at large rather than the individual offender. Measures are aimed at situations or offences, rather than individuals.

Dimension / model	Model of penal-welfarism	Model of everyday life	Model of the other
Cause of crime and stereotypical image of offenders	<p><b>A<sub>1</sub></b></p> <p>Individual dispositions in a context of social poverty and deprivation</p> <p>Pathological man</p>	<p><b>B<sub>1</sub></b></p> <p>Part of human nature / normal social behaviour</p> <p>Situational man</p>	<p><b>C<sub>1</sub></b></p> <p>Lack of state sovereignty and morally corrupt social arrangements</p> <p>The alien other</p>
Function of punishment	<p><b>A<sub>2</sub></b></p> <p>External rationality + specific deterrence and social solidarity</p>	<p><b>B<sub>2</sub></b></p> <p>Internal rationality + general deterrence (systematical and non-personal)</p>	<p><b>C<sub>2</sub></b></p> <p>Irrationality + expressive justice, retribution and general deterrence (symbolic)</p>
Nature and typical measures of prevention	<p><b>A<sub>3</sub></b></p> <p>Pro-active, social crime prevention + aimed at treating the individual offender and strengthening social cohesion</p>	<p><b>B<sub>3</sub></b></p> <p>Pro-active, situational crime prevention + aimed at offences: physical and environmental and behaviour of potential victims</p>	<p><b>C<sub>3</sub></b></p> <p>Re-active, preventative effect of law-enforcement + aimed at punishing the individual offender and strengthening social cohesion of the community at large</p>

*Table 1. Summary of models in the analytical framework*



## 3 Methodology

This chapter is about the methodological underpinnings. First, I repeat the general objective and main question (3.1). Then, the case-selection is presented: the Netherlands, the national Security Programme and the municipality of Nijmegen, on the policy areas of street-violence and serial offending (3.2). Combining this selection with the key dimensions from the theoretical chapter, leads to a specified main question and sub-questions (3.3). Finally, I comment on the nature of the research (3.4), the selection and use of sources (3.5) and the research strategies (3.6).

### 3.1 General objective and main question

As is stipulated in the introduction, the general objective of this research is to:

*Test the validity of Garland's criminologies for the Netherlands.*

In order to achieve this objective, the following general main question has to be answered:

*Are, and if so, to what extent, the lay-theories within contemporary Dutch crime policies congruent to the criminologies of David Garland (the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other')?*

### 3.2 Case-selection

#### *The Netherlands*

National violent crime has been relatively low in the Netherlands since the 17<sup>th</sup> century. Even now the Netherlands are considered to be among the least violent countries of the world, concerning homicide and manslaughter (Lissenberg, van Ruller & van Swaaningen, 1999: 243).

As from the Second World War, the Netherlands have been in a way Anglo-Saxon in orientation. However, this does not mean the Dutch crime policies in general have followed the same patterns as in the United Kingdom and the United States. For example, during the war many political prisoners had experienced what it was to be incarcerated and the principle of 'resocialization and differentiation' was adopted: punishments were to be combined with preparations to return to society and different

styles of prisons were created for different types of criminal personalities (van Dellen, 1987: 116-119). The so-called 'Utrechtse School' of criminologists, which enjoyed much influence from the war until the 1960's, also emphasized the shortcomings of the criminal justice system in preventing crime. These and related sentiments led to a relatively low incarceration-rate compared to other western countries. That is, at least until the 1980's. During the past twenty years, the prison-population in the Netherlands has tripled (Centraal Plan Bureau, 2006). And implementing punishments has clearly obtained a more punitive character, as the length of the unconditional detention has doubled between 1984 and 1994 (Kester & Junger-Tas, 1994: 8).

This radical change is also visible in other aspects of the criminal justice system. For example, as from the 1980's offenders and mentally disturbed individuals are no longer detained minimally. Instead of focusing on protecting the rights of these people, protecting society from these people receives more priority (Lissenberg, van Ruller & van Swaaningen, 1999: 275). In general, crime policies are seen as more punitive and managerial (Lissenberg, van Ruller & van Swaaningen, 1999: 66-67).

Victim enquiries and police statistics show that crime-rates have significantly grown between 1970 and 1984, stabilizing afterwards. Also, the mentality of the Dutch public about crime altered. On the one hand there seemed to be a mobilization of the public, partly caused by the media, on the other hand the public had high expectations about the capacity of the government to influence the development of crime drastically. This was a new phenomenon since the Second World War (Kester & Junger-Tas, 1994: 7).

Until the 1970's there was no such thing as a crime policy in the Netherlands. Incidents were usually tackled by ad hoc measures, primarily from the criminal justice system. As the growing crime-rates were considered a burden by more and more citizens, politicians gradually opted for a more systematical crime-policy (Lissenberg, van Ruller & van Swaaningen, 1999: 247).

Many Dutch criminology books contain references to American publications, such as the one from Robert Martinson in 1974 about the disappointing results of resocialization, and use these as explanations for a change in the Dutch system (Lissenberg, van Ruller & van Swaaningen, 1999: 314). There is also talk of the increase of attention for the role and rights of victims as from the 1990's, partly instigated by changes in other countries (Lissenberg, van Ruller & van Swaaningen, 1999: 240).

In sum, on the one hand, the Dutch approach in criminal justice in general was and sometimes still is perceived as more moderate than in the United Kingdom and the United States. This leads me to expect that Garland is wrong in stating that the criminology of penal-welfarism is disappearing. On the other hand, there have been some

changes that seem to reflect the changes in the United Kingdom and the United States, and this leads me to expect that his hypotheses about the growing dominance of the new criminologies of everyday life and the criminology of the other will also be valid for the Netherlands. This makes the Netherlands a very interesting case to test the theory of Garland.

### *National and local level*

Garland states that his theory is about general societal patterns. At first sight, the most appropriate level to test the validity of these criminologies for the Dutch society, seems therefore to be the most general level on which these patterns are transformed into policies: the national level. Another reason is that, among other things, the criminologies refer to different modes of punishment and determining these is in first instance the responsibility of the central government. As is stated in Article 81 of the Constitution (Koninklijke Vermande, 2003: 20): 'the government and the Staten-Generaal together establish laws'. And in Article 89.2 of the Constitution (Koninklijke Vermande, 2003: 21): 'rules, by enforcing punishments, are only given according to law. The law determines the punishments to be imposed.'

On the other hand, as Garland states his theory is about general societal patterns, one hypothesis is that policies at both levels will reflect the same pattern, even though responsibilities, priorities and focus occasionally differ between these levels. To test this, a local case has to be taken into account as well.

The local level in the Netherlands broadly consists of provinces and municipalities. The ideal of decentralisation entails that policy affairs are handled at the lowest level possible. Therefore, provinces only deal with crime related issues that transcend municipal borders and are part of the 'provincial household'. This is Article 105.1 of the Provincial Law (Koninklijke Vermande, 2003: 213). Municipalities have 'the authority to deal with and rule the household of the municipality'. This is Article 108.1 of the Municipal Law (Koninklijke Vermande, 2003: 263). This leads to the observation that Dutch municipalities have a distinct level of autonomy and responsibility. The central government therefore usually considers municipal policy as the most important follow-up of central policy.

Municipalities are often categorised in size and level of urbanisation. To be more efficient, small municipalities often collaborate with surrounding municipalities on the matter of crime. The largest municipalities, such as Amsterdam, The Hague, Rotterdam and Utrecht have highly city-specific policies, even differentiated to separately governed parts of the city. See for example the website of the municipality of Amsterdam

(Gemeente Amsterdam: November 2005). Therefore, the most representative case that can be analysed as a whole is an average sized municipality. As it is tenth on the list of municipalities by size, the municipality of Nijmegen is a good candidate. It lies in the central east of the Netherlands and the number of inhabitants was 159.937 by the 1<sup>st</sup> of July 2006. That crime is high on the agenda is made clear by a poll on the website of the municipality a few years earlier, it was considered the main priority by the citizens and consequently the College of Mayor and Aldermen promoted it as one of the central themes in their programme (Gemeente Nijmegen: September 2006).

### *Street-violence and serial offending*

The possibilities of categorising crime and criminality are endless. The Dutch national bureau for statistical information ('Centraal Bureau voor de Statistiek' – CBS), for example, distinguishes between four categories of crime: violent offences against persons, property crime, vandalizing and offences against public order and traffic related crime (CBS: January 2006).

In choosing the policy areas, I focus on two criteria. The first criterion is the level of urgency. I expect that the higher the level of emotions a category of crime evokes in people is, the more outspoken their ideas or lay-theories will be. As Garland states, the criminology of the other appears frequently in the wake of sensational high-profile crimes, followed by a counter-action by proponents of the new criminologies of everyday life. To test this, I should select those categories of crime that evoke emotions and judgmentalness. If the criminology of the other and the new criminologies of everyday life are not dominant in these policy areas, it is unlikely that they will be in other areas of crime policy. The level of political urgency is also important to test the fourth hypothesis, that in politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life.

The second criterion is whether they are or have recently been object of attention. This is important from a practical perspective: the more recent a policy area has received attention, the more data is easily available. There are, however, several policy areas that are currently object of attention. A summary of the offences and nuisances that citizens find most important is given in the annual police report on security of 2004. These have also been the main targets of the crime policy of the Dutch cabinet, as summarized in the Security Programme ('Veiligheidsprogramma'). These categories are (Nederlandse Politie: April 2004):

- crime: violent (threatening, abuse or sexual offences) or property (bicycle, theft of or from car, burglary, pick pocketing)

- (serious) nuisance (drugs related, harassing on the street, nuisance by groups of youngsters, drunk people on the street) and (physical) corruption (smearing walls and buildings, garbage and dog shit on the street and vandalizing street furniture)

Policy areas that fall within the above mentioned categories and score high on the emotional factor as well, are: *street-violence* and *serial offending*. People in general feel strongly about street-violence, because it affects the predictability of their daily lives, it evokes feelings of fear and anxiety (van der Vijver, 2004: 38-40). Serial offending is a phenomenon that generally causes feelings of indignation, or even public outrage. People are usually willing to let one or two (minor) offences pass, but repeated offending creates an emotional distance between 'normal' people, who usually do not offend, and 'abnormal' people, that are apparently unable or unwilling to stop. For example, in the Netherlands, a new law has been implemented as from the 1<sup>st</sup> of October 2004. It enables the system to remove the group of very active serial offenders from society for a longer period of time by taking into account the offence-history of suspects. This raises the expectation that the model of the other will feature heavily in policies concerning serial offending. Of course, this remains to be tested, which is what I do in chapter five.

### **3.3 Specified main question and sub-questions**

All in all, the above leads to the following specified main question:

*Are, and if so to what extent, lay-theories within Dutch crime policies at the national level (Security Programme) and the local level (Nijmegen), concerning the policy area of street-violence and serial offending, congruent to the models of David Garland, in terms of the 'cause of crime and stereotypical image of offenders', 'function of punishment' and 'nature and typical measures of prevention'?*

In order to provide an answer for this question the following sub-questions have to be addressed:

- a) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of street-violence congruent to the models of David Garland?
- b) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of street-violence congruent to the models of David Garland?

- c) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of serial offending congruent to the models of David Garland?
- d) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of serial offending congruent to the models of David Garland?

### 3.4 Defining the nature of the research

First of all, this research can be characterised as an *empirical* research: facts and observations from real life are used to find an answer to the main question. The main objective also indicates an important characteristic of the nature of this research: to *test* the validity of Garland's criminologies for the Netherlands. The main goal is therefore theory-oriented, instead of practice-oriented. To test the theoretical hypotheses I integrate the results from two different categories of crime (street-violence and serial offending) on two different levels: the national and the local level.

I collect my data mostly in a *qualitative* way, by analysing policy documents and interview-results within the analytical framework. I also check the results of the document-analysis by comparing them to the results of a questionnaire of statements, which has more *quantitative* characteristics (respondents attributed scores to two statements per dimension on a scale from 1 to 5).

### 3.5 Selection and use of sources

The main source of information consists of *policy documents*. By interpreting arguments within these documents with the analytical framework, I draw conclusions on the pervasiveness of the three models. This is to test the hypotheses, that are deduced from the theory of Garland, that state: the three criminologies are distinctly different, all types of crime policies on all governmental levels will contain aspects of the three criminologies and the new criminologies of everyday life and the criminology of the other will either be dominant or on the rise, although the criminology of penal-welfarism will be quite pervasive (because it was dominant in earlier times).

To check upon these results I also ask *policymakers*, public administrators occupied with the production of these documents or acting as opinion leaders or communication officials, to attribute scores in a questionnaire on the pervasiveness of these models in the chosen areas of crime policy. This is a validity check.

Finally, I analyse the opinions of policymakers themselves with the analytical framework. This is to test the hypothesis of Garland that in politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life.

The most recent and most detailed, and therefore most relevant, policy documents at the national level concerning street-violence and serial offending are produced on behalf of the Security Programme (Veiligheidsprogramma: 2006), which is a collaboration of the Department of Internal Affairs and the Department of Justice. This programme is led by a so-called steering committee ('stuurgroep'), consisting of representatives of the most involved parties (Department of Internal Affairs, Department of Justice, the Public Attorneys and the Council for Criminal Justice). This committee periodically meets with representatives from the field (police, municipalities, courts, corporations, social services, etcetera). The fact that such a diverse collection of parties is involved in formulating these policy documents enhances the external validity of the results. This steering committee is supported by a programme-manager and a programme-organisation: the Programme-bureau Security ('Programmabureau Veiligheid'). These documents are all available on the internet.

At the municipal level, however, it was more difficult to find the necessary information on the internet. I therefore made contact with the public administrators involved and they sent me as much relevant policy documents as possible. A list of all analysed documents (national and local) can be found in appendix one.

Both the internet-search and contacts with the involved policy departments led to a list of persons to interview. All these public administrators are occupied with the production of the analysed documents or acting as opinion leaders or communication officials within their department on either the topic of street-violence or serial offending.

In total four individuals were interviewed regarding their experience with and personal opinion about policies related to street-violence: one from the department of Justice (AC), two from the department of Internal Affairs (CB & RP) and one from the municipality of Nijmegen (MM). In total four individuals were interviewed regarding their experience with and personal opinion about policies related to serial offending: two from the department of Justice (TB & MB) and two from the municipality of Nijmegen (PB & CP). A list of all respondents and brief descriptions of their functions can be found in appendix two.

The main advantage of documents is that they can be checked upon by possible critics, as their content is not subject to change. Another advantage is that they reflect the

balanced outcome of a policy-decision-making process in which many actors are involved, which makes them highly representative. A disadvantage is that the interpretation of certain sentences or words always entails some element of subjectivism. I counterbalance this by describing the process in which this is done as accurately as possible.

Interviews, on the other hand, have the great advantage that they offer more recent background-information and deeper going specifications of actual policies. Unfortunately, they also contain the risk of a personally biased opinion, which could be unrepresentative. In this case, however, the personal opinion is exactly what I am looking for, as this enables me to test the fourth hypothesis. I analyse if these lay-theories correlate with arguments from the policy documents.

As can be seen in appendices four and five, another source is mentioned in the analyses. These are called 'research documents', such as the report of Van Erpecum (street-violence) or of Wartna (serial offending), as opposed to policy documents, such as the 'Startnotitie'. The first type refers to all possible explanations for criminal behaviour and types of measures that can be taken, the latter refers to what part of the first is actually being transformed into policies. It should be clear, however, that the focus of this research lies with the policy documents, as these formulate actual policies and display what choices are (implicitly) made when it comes down to business. The research documents are only referred to, when they illustrate an outcome from the analyses or highlight some aspects that lead to a recommendation about Garland's theory.

### **3.6 Research strategies**

The main research strategies are *qualitative document analysis*, *qualitative analysis of face to face interviews* and *the analysis of quantitative questionnaires*. I use these three methods for the following reasons. The qualitative document analysis to analyse the pervasiveness of the three models. The quantitative questionnaires to check upon these analyses. And the qualitative analysis of the face to face interviews to test whether the lay-theories of policy makers coincide with those in the documents.

#### *Operationalisation in the appendices four and five*

In performing the qualitative document and interview analysis, key sentences or arguments are inventorised. The above described analytical framework is thereafter used to categorise these arguments. An overview of the categorized arguments concerning



street-violence is given in appendix four. An overview of the categorized arguments concerning serial offending is given in appendix five.

In describing the results of the document-analysis and the interview-analysis in appendix four and appendix five, I make use of the following sequence each time. First, I introduce the cell of the analytical framework. Second, where appropriate, some quotes from research documents are given to demonstrate how this could work in practice. Third, what is finally transformed into policy is shown in the arguments extracted from the policy documents themselves. Fourth, the related arguments from the interviews are summarized.

An overview of the scores of the respondents on the statements in the questionnaire is also displayed in appendix four and five. The dimensions of the analytical framework have been transformed into statements (two per dimension) and these were incorporated in a questionnaire. Respondents have been asked to value the appropriateness of the statements for the policies they are involved with on a scale from one to five. This questionnaire is part of the interview-guide, which can be found in appendix three. An entire interview generally lasted for 45 to 60 minutes.

#### *Analyses in chapter four and five*

In chapter four and five the four sub-questions are answered. The congruence to Garland's models is tested for street-violence at the national and the local level and for serial offending at the national and the local level. In each of these four cases, the following sequence is used.

First, the arguments from the policy documents are analysed and a dominant model is determined per dimension. I do not repeat all the arguments, but I give examples. I also illuminate how observations on the pervasiveness of models are interpreted, by analysing them in terms of quantity and 'fit' with the model. For example, when interpreting the results for the dimension function of punishment, at the national level of serial offending, the quantity of arguments is evenly high for each model. This makes it hard to draw a conclusion on the basis of these. Still, arguments related to the model of everyday life do not mention anything about the deterrent effect of (perceived) higher punishments and the arguments related to the model of the other leave aside the symbolic meaning of punishment. This means crucial aspects of these models are missing, as opposed to the model of penal-welfarism that is broadly represented. The model of penal-welfarism therefore has the best 'fit'. This same line of reasoning is followed throughout the research.

Second, every analysis of the documents is checked upon and added to by the questionnaire-results. Because the questionnaire contains two statements per dimension

and respondents could value them from 1 to 5, the minimum score from the questionnaire-results can vary from 2 (minimum) to 10 (maximum). After checking if the respondents are consistent within their dimension, I use the scores to check upon my interpretation of the document and interview analyses. To compensate for different numbers of respondents per level and per model, I have divided the values per level and per model by the number of respondents. I do not attribute labels to the scores, but I comment on the relative differences between them.

Third, the results from the document analyses and the questionnaire, are combined to create a bar-chart in which the research-results are summarized. Per level and per policy area, the pervasiveness of the three models is assessed. When a model is dominant in two or more dimensions, it receives the score 'high'. When a model is dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more, it receives the score 'medium'. When a model is sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension, it receives the score 'low'. If a model is barely visible in any of the dimensions, it receives no score.

Finally, the results per dimension of the national and the local level are combined, to assess the pervasiveness of the models in the two policy areas in general.

The results from the interview-analysis, however, have a second function: to test the fourth hypothesis, that the lay-theories in policy documents and from policymakers differ, in the sense that the latter prefer the new criminologies of everyday life. I describe the relevant observations in section 4.4 and 5.4 and I close each chapter by commenting on these.

## 4 Street-violence

### 4.1 Policy area overview

#### *Introduction*

A poll on the website of the Security Programme on June the 15<sup>th</sup> of 2006 showed that 59% of the respondents were of the opinion the government should give more attention to street-violence. This as opposed to financial-economical crime, corruption and cybercrime (Veiligheidsprogramma: June 2006). According to van der Knaap the government as well as society have stated their concern about the nature and the frequency of violence on several occasions. Although civilians are feeling safer, the number of violent offences is still slowly rising and seems likely to stabilise at an undesired level (van der Knaap, Nijssen & Bogaerts, 2006: 13).

#### *Case 1: the national Security Programme (street-violence)*

A collaboration of the Department of Justice and the Department of Internal Affairs has resulted in the so-called Security Programme ('Veiligheidsprogramma'). This programme is aimed especially at three themes concerning security. One of them is reducing crime and nuisance in the public domain (on the street and in public buildings) with 20% to 25% by the year 2008-2010.

To achieve this the 'Action plan against violence' has been set up. It contains a varied collection of (local) projects and measures, around 20 in total, which are aimed at reducing violence in the Netherlands. A central theme is the prevention of physical violence and threats concerning physical violence (Ministerie van Justitie, 2005).

#### *Case 2: the municipality of Nijmegen (street-violence)*

The department of Security is responsible for formulating and supporting policies concerning security within the municipality of Nijmegen (Gemeente Nijmegen: July 2006). This department is part of the 'Directie Bestuursstaf' that supports the mayor and the aldermen ('het college van B en W'). They refer to themselves as a professional unit, working closely with internal and external partners.

The municipality of Nijmegen does not have a one policy concerning violence. Instead, violence is a sub-theme in many policy areas, such as: football, going out (opening times, taxi-management), event-management (supermarket-policy, people-

flow-management), education (security at school), serial offenders and other nuisance causing individuals (Oostveen, 2006: 7-8). In the Security Monitor of Nijmegen (Oostveen, 2006: 57) the most reported forms of nuisance are: noise (10%), vandalism (7%), threats (5%), junk (4%), driving irresponsibly (with scooters) (1%) and (soft)drugs (1%). The most reported forms of violent offences are threatening and abuse or open assault (Oostveen, 2006: 71).

### *Definitions*

Violence is an aspect prone in many different policy domains. Therefore, it is quite hard to define a univocal image of the target-group. Before conducting this research the question was, however, if a further specification was actually necessary. There are not many definitions in the policy documents either and the involved policymakers might have their ideas about the typical perpetrator of violent offences or about the cause of violent crime in general anyway. Because of this, I have refrained from using strict definitions beforehand. Only if necessary, I supplied respondents with more specified guidelines.

There are specific groups most often associated with street-violence, as they create much nuisance and crime in the public space: serial offenders and the so-called 'risk-youngsters' (MinJus & MinBZK, 2002: 17). In different policy documents they are also sometimes referred to as '*systematically nuisance causing persons*', which is a group not consisting of serial offenders, and more often than not of youngsters (Midterm Review, 2004: 17). If respondents were unable to answer the questions without further specification, I have referred to this group.

In that case, I have also stated to focus on the public domain, thereby leaving the semi-public domain (schools and public buildings) aside. The public domain refers to those public areas that are accessible for all people (van der Knaap, Nijssen & Bogaerts, 2006: 5).

Violence is defined as: *the conscious use of physical force or power, as well as threatening with this, aimed at another person or group of persons, which results or is likely to result in injury, death or other physical damage* (van der Knaap, Nijssen & Bogaerts, 2006: 5).

## 4.2 Analyses national level

Sub-question a) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of street-violence congruent to the models of David Garland?

First of all, the analytical framework of models and dimensions turns out to be an effective way to map a broad collection of lay-theories within national policies concerning the topic of street-violence. All arguments used by the respondents during the interviews seem to fit within the categories created and almost all arguments found in the policy documents. Apparently, the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: policies concerning street-violence at the national level are congruent with all of the three models.

In research documents as well as in policy documents, all models are brought up. For example, it is stated in a research document of Van Erpecum (2005: 40) that: 'Exercises in aggression control and social skills guide the way to achieving goals by other means and handling conflict situations in a non-violent way.' This is an aspect of penal-welfarism. 'More knowledge of the chances of getting caught and the penal consequences of violent offending can make potential violent offenders change their way of living.' This is an aspect of the model of everyday life. 'It is a matter of formulating clear rules of conduct for the public domain and enforce these. A government that supports these rules if necessary by strict enforcement, creates the image of an effective and efficient crime policy, which improves feelings of security in society.' This is an aspect of the model of the other.

Furthermore, it is stated in the policy document 'the Startnotitie' (Ministerie van Justitie, 2002: 4) that: 'The emergence of violent behaviour is in the end always caused by a combination of individual factors...' which can refer to the model of penal-welfarism as well as the model of the other. '...characteristics of the social...' which is an aspect of the model of penal-welfarism '...and physical environment...' which is an aspect of the model of everyday life '...and general societal aspects.' Which can again refer to the model of penal-welfarism as well as the model of the other.

Still, 'almost all' means that there are some exceptions. Not all arguments fit in one of the three models. It is mentioned in a research document of Van Erpecum, for example, how violence offers offenders the means to gain certain goals, which they would not have achieved otherwise. These goals can be categorized on the basis of their function: instrumental, expressive, cultural and political (van Erpecum, 2005: 11). In Garland's models, however, there is no specific reference to the goals of the (potential) offender.

Also largely unspecified by Garland are the views on the innocence of the victim. This topic, however, is discussed quite elaborately within certain the research documents. On the one hand it was written that 'on hindsight is it often difficult to distinguish between the offender and the victim, as victims can also instigate the violence' (Beke, de Haan & Terlouw, 2001: 40). On the other hand it was stated that 'in most cases of violent offences within residential areas, however, the victim has no role in the run-up' (Beke, de Haan & Terlouw, 2001: 70).

The exception I found within the policy documents, was also about victims. It is stated that the societal and social functioning of victims can be disturbed in such a way that they perform worse at their jobs, go to the doctor more often, use more medication and call upon the services of supportive institutions more often. This leads to the conclusion that is important to prevent victims from obtaining serious psychological injury (trauma) and to offer help to those that have (Ministerie van Justitie, 2002: 21). This statement, however, is also hard to categorize. Because it is about the functioning of victims after the fact, it seems to refer to the model of the other. However, it is more concerned with the financial costs of crime than with the emotional interests of the victims, which seems to refer to the model of everyday life.

Which model, then, seems to be dominant within lay-theories of national Dutch policies concerning street-violence?

To answer this question I first determine a dominant model per dimension on the basis of the policy documents. Second, I check upon these results in the same paragraph by analyzing the questionnaire results (after commenting each time on the consistency of the answers of individual respondents). Third, I summarize the results of all dimensions in a bar-chart.

- *Cause of crime and the stereotypical image of offenders*

All possible causes of crime are well elaborated upon in the research documents. In the policy documents, on the other hand, the model of penal-welfarism and the model of everyday life are much less mentioned and the model of the other seems most pervasive. For example, related to the model of penal-welfarism is the statement that ADHD, lack of social skills and other individual problems are often recognizable in offender-profiles, as well as a poor social-economic environment (see appendix four, national level, A1). Another example, related to the model of everyday life is the statement that violence and aggression are inextricably intertwined with human nature (see appendix four, national level, B1). But the references to the model of the other are overwhelming: threats and violence represent a decay of manners in society, part of violence is the result of an

ambiguity in norms, there is a clear deficit in enforcement of the rules by the government (see appendix four, national level, C1). The arguments related to the model of penal-welfarism and the model of everyday life also stem from one and the same document, the so-called 'Startnotitie', while the arguments related to the model of the other stem from the Startnotitie and several other documents. I therefore determine on the basis of the policy documents the model of the other is dominant.

However, the results of the questionnaire are:

	Cause and image		
	PW	EL	O
AC	5	6	5
CB	6	5	5
RP	6	4	5
Total average	5.7	5	5

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
AC, CB & RP are respondents (see interview-list, appendix two)  
Minimum score = 2, maximum score = 10

*Table 2. Questionnaire results cause of crime and stereotypical image of offenders (street-violence, national level)*

The scores of each individual respondent are quite consistent within this dimension. AC is slightly different from CB and RP in attributing a lower score to the model of penal-welfarism and a higher score to the model of everyday life. Still, his deviation can be considered minor. Noticeable as well, is that the scores of the models do not vary much. Even so, the model of penal-welfarism is most dominant. This, in contrast to the results from the document-analysis. Apparently policymakers perceive the policies to be more congruent to the model of penal-welfarism. Because the scores of the respondents are highly consistent and the difference between the model of penal-welfarism and the other two models is significant, I determine the model of penal-welfarism is dominant, very closely followed by the model of the other.

- *Function of punishment*

This dimension is hardly specified at all in policy documents, although research documents contain several references to this category. There are no arguments linked to the model of penal-welfarism and the model of everyday life and only a few arguments linked to the model of the other, solely concerning the rights of victims: material and immaterial damage should be compensated, on principle by the offender, victims need

good support and the legal position of victims needs to receive more attention (see appendix four, national level, C2). However, this is only one aspect of the model of the other, there is no reference at all, for example, about expressive justice or punishments being the symbolic means to affirm the dominant value-system. Luckily, the results of the questionnaire provide more data:

	Punishment		
	PW	EL	O
AC	9	8	9
CB	8	7	7
RP	8	6	7
Total average	8.3	7	7.7

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 AC, CB & RP are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 3. Questionnaire results function of punishment (street-violence, national level)*

Again AC deviates from CB and RP in attributing a higher score to the model of the other than to the model of everyday life. He does, however, attribute a lower score to the model of everyday life than to the model of penal-welfarism. This makes the deviation minor. I therefore conclude the scores on the questionnaire are consistent within this dimension. This leads to an interesting result: the model of penal-welfarism receives the highest score. The model of the other is the runner-up and the model of everyday life lags behind. Because the results of the document analysis are so meager, but still opposite from the results of the questionnaire, I refrain myself from determining whether the model of penal-welfarism or the model of the other is dominant. Both score equally. What is clear, however, is that model of everyday life is certainly the least pervasive model.

- *Nature and typical measures of prevention*

In the policy documents there is a profound focus on pro-active prevention as opposed to re-active prevention. There is only one argument from policy documents that falls within the category of prevention and the model of the other. It briefly mentions the preventative effect of law-enforcement: enforcement will be intensified and the police will gain more authorities to achieve this (see appendix four, national level, C3).

The model of penal-welfarism is better elaborated upon. The arguments linked to this model concern possible treatments for offenders, such as exercises to handle their



aggressive skills and enhance their social skills, and the need to establish potential delinquent behavior at an early stage (see appendix four, national level, A3).

But the model of everyday life is clearly the most dominant one. One sentiment stemming from the arguments linked to the model of everyday life concerns a desire for efficiency: good cooperation between all the institutions involved is deemed of vital importance and attention to a better exchange of knowledge about, experience with and information on violent offenders between the different domains is stated to mean a great improvement. Another statement focuses on the own responsibility of actors outside of the state. Typical measures also focus much more on situational crime prevention, with attention to effectiveness of instruments and focusing on 'hot-spots', places where there is a heightened risk on crime (see appendix four, national level, B3).

The results from the questionnaire are, however:

	Prevention		
	PW	EL	O
AC	8	8	2
CB	9	9	5
RP	7	6	7
Total average	8	7.7	4.7

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
AC, CB & RP are respondents (see interview-list, appendix two)  
Minimum score = 2, maximum score = 10

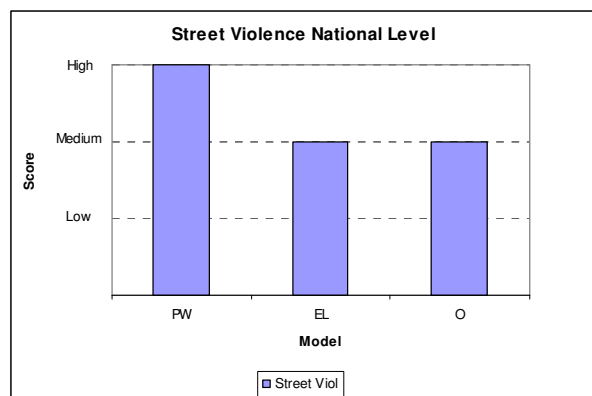
*Table 4. Questionnaire results nature and typical measures of prevention (street-violence, national level)*

The answers of RP are not consistent with those of the other respondents in the dimension nature and typical measures of prevention. RP attributes a relatively high score to the model of the other and a slightly lower score to the model of everyday life. These scores alter the outcome of the total in the sense that the model of penal-welfarism and the model of everyday life would have been equal without the scores from RP. It therefore confirms my opinion that the model of everyday life should be considered the dominant one, closely followed by the model of penal welfarism.

#### *Summary on the pervasiveness of the models for street-violence at the national level*

All in all, based on the document analyses, the model of penal-welfarism seems most dominant. It is dominant in the dimension cause of crime and stereotypical image of offenders and close runner-up in the other two dimensions. It therefore receives a 'high'

score. The model of everyday life is dominant in the dimension nature and typical measures of prevention, but lacks attention in the other two dimensions. It therefore receives a 'medium' score. The model of the other is close runner-up in the dimension of cause of crime and stereotypical image of offenders, almost dominant in the dimension of function of punishment, but never referred to in the dimension nature and typical measures of prevention, it receives a 'medium' score as well. This results in the following



bar-chart:

PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

Figure 1. Scores of models on street-violence national level

The scores of the models in total in the questionnaire, however, are:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
AC	5	9	8	6	8	8	5	9	2
CB	6	8	9	5	7	9	5	7	5
RP	6	8	7	4	6	6	5	7	7
Total average	5.7	8.3	8	5	7	7.7	5	7.7	4.7
Total model	7.3			6.6			5.8		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

AC, CB & RP are respondents (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

Table 5. Questionnaire results street-violence national level total

Very noticeable is that the model of everyday life is close runner-up in the dimension nature and typical measures of prevention, but scores lower than the model of the other on both other dimensions in the analyses above. Still, in total, the model of everyday life scores higher than the model of the other. This is probably due to the fact that the scores of RP are deviant from the other two respondents, as RP attributes significant lower values to the model of everyday life, compared to the other two respondents. If RP had attributed values in consistence with the other two respondents, the model of everyday life would have scored higher. As it is now, the observation from this table is that the model of penal-welfarism is dominant, followed by the model of every-day life, which is in turn followed at a greater distance by the model of the other.

This coincides with the conclusions from the document-analyses in the sense that the model of penal-welfarism should receive the highest score. It contradicts the conclusions from the document-analyses in the sense that the model of everyday life scores higher than the model of the other. However, although the values the respondents attributed in general may be higher for the model of everyday life, I consider the main difference between the two models that they are dominant in different dimensions: the model of everyday life is most pervasive in the dimension nature and typical measures of prevention, while the model of the other features heavily in the other two dimensions. I therefore stay in support of the bar-chart above.

### **4.3 Analyses local level**

Sub-question b) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of street-violence congruent to the models of David Garland?

Again, the analytical framework of models and dimensions turns out to be an effective way to map a broad collection of lay-theories within national policies concerning the topic of street-violence. All arguments found in local policy documents seem to fit within the categories created and almost all arguments used by respondents in interviews. Apparently, the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: policies concerning street-violence at the local level are congruent with all of the three models.

Still, 'almost all' means that there are some exceptions. For example, the respondent MM describes a desired change from case-oriented judgment, to person-oriented judgment, to (one step further) context-oriented judgment. This represents a considerable alteration in policy, but both would be categorized under penal-welfarism. This raises questions about the discernability of the three models. What is the value or

meaning of a model, when policies of such difference can be put under the same heading?

It is also hard to categorize the comment that the level of urgency, determined by the aggregate security-meeting of Nijmegen (NIVO = Nijmeegs Integraal Veiligheidsoverleg), should be the main criterion when prioritising between different potential target groups. This is, however, due to a lack of insight in the nature of the criteria used and therefore not an indicator that the models are insufficient or incomplete.

Which model, then, seems to be dominant within lay-theories of local Dutch policies concerning street-violence?

To answer this question I first determine a dominant model per dimension on the basis of the policy documents. Second, I check upon these results in the same paragraph by analyzing the questionnaire results (after commenting each time on the consistency of the answers of individual respondents). Third, I summarize the results of all dimensions in a bar-chart.

- *Cause of crime and stereotypical image of offenders*

Most references in the policy documents are related to the model of penal-welfarism. For example, there is talk of financial and social deprivation, in the sense that youngsters get into problematic situations because they are not raised in a healthy environment. Issues are raised such as parental insecurity, drugs-abuse or sexual or violent oppression (see appendix four, local level, A1). And even the argument listed with the model of everyday life can be linked to the poor situation within certain neighborhoods (see appendix four, local level, B1). Potential criminals are not blamed for their actions, their dispositions are. However, the results of the questionnaire are:

	Cause and image		
	PW	EL	O
MM	5	7	7
Total average	5	7	7

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
MM is respondent (see interview-list, appendix two)  
Minimum score = 2, maximum score = 10

*Table 6. Questionnaire results cause of crime and stereotypical image of offenders (street-violence, local level)*

It is impossible to comment on the consistence of answers of the respondent within this dimension, as there is only one respondent. However, the values MM attributes to the different models shifts the focus from the model of penal-welfarism. Still, because the results from the documents are so convincing (in both the quantity of the arguments, as in the completeness of the 'fit' with the description of this dimension), I appoint the model of penal-welfarism as dominant in this dimension.

- *Function of punishment*

As on the national level, this dimension is hardly specified. There are no references to the model of everyday life and the model of the other. The only arguments in policy documents concern the ability to change the behavior of youngsters by making them participate into certain programmes, that focus on increasing their self-respect by making them responsible for some supervising activities, thereby enlarging their social skills (see appendix four, local level, A2). This argument originates from two different policy documents and relates to specific deterrence. This supports the model of penal-welfarism, although the aspect of social solidarity, improving social and economic conditions for offenders, is absent. The results from the questionnaire, however, are:

	Punishment		
	PW	EL	O
MM	7	8	9
Total average	7	8	9

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
MM is respondent (see interview-list, appendix two)  
Minimum score = 2, maximum score = 10

*Table 7. Questionnaire results function of punishment (street-violence, local level)*

As I said before, it is impossible to comment on the consistence of answers of the respondent within this dimension, as there is only one. Again, the values MM attributes to the different models contradict the conclusions from the document-analyses. They seem to indicate a dominance of the model of the other. This is only the view of one respondent and therefore not highly conclusive. On the other hand, the policy documents are not highly conclusive either, as there is no reference to the aspect of social solidarity. As such, determining which model is dominant, is impossible.

- *Nature and typical measures of prevention*

This dimension receives much attention in the policy documents. It is solely pro-active, with a focus on social crime prevention, in the form of enhancing social and financial opportunities in life for youngsters at risk (see appendix four, local level, A3). These statements are all related to the model of penal-welfarism. The results of the questionnaire, are:

	Prevention		
	PW	EL	O
MM	8	7	4
Total average	8	7	4

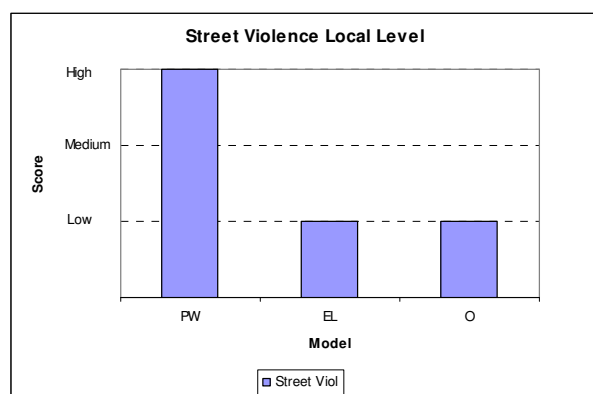
PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
MM is respondent (see interview-list, appendix two)  
Minimum score = 2, maximum score = 10

*Table 8. Questionnaire results nature and typical measures of prevention (street-violence, local level)*

Again, it is impossible to comment on the consistence of answers of the respondent within this dimension, as there is only one. Even so, this time the questionnaire results coincide with the results from the policy documents. I therefore state that the model of penal-welfarism is clearly the dominant model for this dimension.

*Summary on the pervasiveness of the models for street-violence at the local level*

From the analysis per dimension, I attribute the score 'high' to the model of penal-welfarism. It is clearly dominant in the dimension nature and typical measures of prevention and, although less convincingly, in the dimension of the cause of crime and stereotypical image of offenders. The model of the other features in the dimension function of punishment, but is not considered dominant because the results from the documents and the questionnaire contradict. The model of everyday life is hardly mentioned in the policy documents, but valued relatively high by the respondent. I therefore scale both the model of everyday life as the model of the other as 'low'. This results in the following bar-chart:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

Figure 2. Scores of models on street-violence local level

The scores of the models in total in the questionnaire, are:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
MM	5	7	8	7	8	7	7	9	4
Total average	5	7	8	7	8	7	7	9	4
Total model	6.7			7.3			6.7		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

MM is respondent (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

Table 9. Questionnaire results street-violence local level total

As there is only one respondent, it is impossible to comment on the consistence of answers of the respondent within every model. It is obvious, however, that the respondent favors different models in different dimensions, such as the model of penal-welfarism in the dimension of cause of crime and stereotypical image of offenders, but the model of the other in the dimension function of punishment. All in all, however, MM favors the model of everyday life. Because of these contradicting results, I have attributed the score 'low' to the model of everyday life instead of no score, which I could have done because it is hardly mentioned in the policy documents. But these results do not influence my judgment in any other way.

#### **4.4 Differences between document- and interview-results**

Striking during the interviews in general, was the observation that respondents expressed quite explicit and well-thought-through ideals, both at the national and the local level: about a society of involved individuals in which one perceives to be safe enough to and actually is safe enough to take his or her own responsibilities in preventing crime. Apparently policymakers in the area of crime policy feel strongly about the themes they are involved with. Leaving that aside, let's see if and if so, in what way, their opinions differ from the results of the policy documents.

##### *Analyses national level*

Within the dimension of cause of crime and stereotypical image of offenders, there is a sharp contrast with the policy documents. Those focus on the model of the other, the arguments used in the interviews focus solely on the model of penal-welfarism and the model of everyday life. There are for instance references to human beings being a 'tabula rasa' at birth and the influence of socio-economic factors (see appendix four, national level, A1) and to the causal effect of a physically corrupt environment (see appendix four, national level, B1). The argument related to the model of the other, is more a statement about society in general, offenders and victims are more easily inflamed (see appendix four, national level, C1).

The dimension function of punishment does not receive much attention in the policy documents and this is also the case in the interviews. There is only one argument, which can be linked to the model of the other, but this is not the personal opinion of the policymaker, but a judgment of other people's line of reasoning: about citizens that are more sensitive to harsh punishments because they are afraid of violence (see appendix four, national level, C2).

In both policy documents and interviews there is a profound focus on pro-active prevention as opposed to re-active prevention. Only one argument from the interviews could be linked with the model of the other, but this relates mostly to the strengthening of social cohesion and hardly expresses any harsh sentiments (see appendix four, national level, C3). In the policy documents, the model of everyday life has been determined as dominant. However, in the interview-results there are some critical elements missing in the arguments regarding the model of everyday life, such as the behavior of potential victims, physical alterations of potentially criminogenic situations (See appendix four, national level, B2). Therefore, in the interviews, the model of penal-welfarism seems to be slightly more dominant.



*Analyses local level*

Regarding the dimension of cause of crime and stereotypical image of offenders the dominant model in the policy documents is that of penal-welfarism. From the interview-results, however, it seems impossible to discern which model is dominant. The respondent refers to addiction (see appendix four, local level, A1), to physical corruption (see appendix four, local level, B1) and to an undesirable culture of fear (see appendix four, local level, C1).

The dimension function of punishment is hardly specified in the policy documents and this also goes for the interviews. In the documents there is only one argument, which is related to the model of penal-welfarism. In the interview results there is only one reference about to a better protection of victims and an increase of their rights (see appendix four, local level, C1), which coincides with the model of the other.

Regarding the dimension nature and typical measures of prevention, there was only talk of improving efficiency and effectiveness by inventarising and characterizing target groups and prioritizing recourses accordingly (see appendix four, local level, B2). While preference is given to the model of penal-welfarism in the policy documents, the respondent favors the model of everyday life.

## **4.5 Conclusions street-violence**

*National versus local*

When comparing the national with the local level and vice versa, several similarities and differences catch the eye.

First of all, the analytical framework of models and dimensions is indeed an effective way to map a broad collection of lay-theories within policies concerning the topic of street-violence. This goes for the national as well as the local level. There are only minor exceptions. Apparently, the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: policies concerning street-violence at the national level are congruent with all of the three models. The second question to be answered was consequently: Which model, then, seems to be dominant within lay-theories of local Dutch policies concerning street-violence?

This led to another similarity, as the model of penal-welfarism is the dominant one at both levels with a 'high' score, while the model of everyday life and the model of the other score lower than the model of penal-welfarism, but equal to each other.

As I said, the difference between the two levels is not so much a matter of different dominant models, but there is a slight difference in the pervasiveness of the models. The scores at the national level are: high for the model of penal-welfarism, medium for the model of everyday life and medium for the model of the other. The scores at the local level are: high for the model of penal-welfarism, low for the model of everyday life and low for the model of the other.

Another difference is that the model of the other heavily features in the dimension of the cause of crime and stereotypical image of offenders at the national level. At the local level, however, this model is practically out of the picture. There are possible explanations for both, such as a supposed tendency of national policymakers to respond to general sentiments in society or the supposed vicinity of local policymakers to offenders, which makes them more less likely to see offenders as essentially different from themselves and more nuanced. But these speculations can not be certified on the basis of these research-results.

The most striking difference is that there seems to be a certain funnel mechanism at work at the national level, while at the local level no such selection is being made. At the national level, there seem to be many ideas about the cause of crime and stereotypical image of offenders, but in practice there are not so many specific programmes running. At the local level, however, this is almost the other way around, as programmes are set into action, without fixing policies in written form beforehand. The chosen approach is that of the 'working way'. While many details remain undefined, the municipality is already working with several projects and tracks with the aim to reduce the street-violence and nuisance.

#### *Overall conclusion on the pervasiveness of the models for street-violence*

First of all, as I said several times before, the analytical framework of models and dimensions is an effective way to map a broad collection of lay-theories within policies concerning the topic of street-violence, at the national as well as at the local level. There are only minor exceptions. Apparently, the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: policies concerning street-violence are congruent with all of the three models. The differences lie with the dominance of the models per dimension and the relative scores of the models in general.

The dominance of the models differs per dimension. Deduced from the results above, the summary per dimension for both levels, would schematically be:

Dimension / level	National	Local
Cause	PW, O	PW
Punishment	PW + O	X (PW+O)
Prevention	EL, PW	PW

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

... , ... = dominant, runner-up

... + ... = both dominant

X = impossible to discern dominant model

*Table 10. Summary pervasiveness of models per dimension (street-violence, national and local level)*

Regarding the cause of crime and stereotypical image of offenders, the model of penal-welfarism is clearly dominant, as it is dominant at the national level and at the local level. The model of the other is the runner-up, as it is the national runner-up and valued higher than the model of penal-welfarism by the respondent. The model of everyday life, however, lags behind, as it is only sporadically mentioned at the national level and totally absent at the local level.

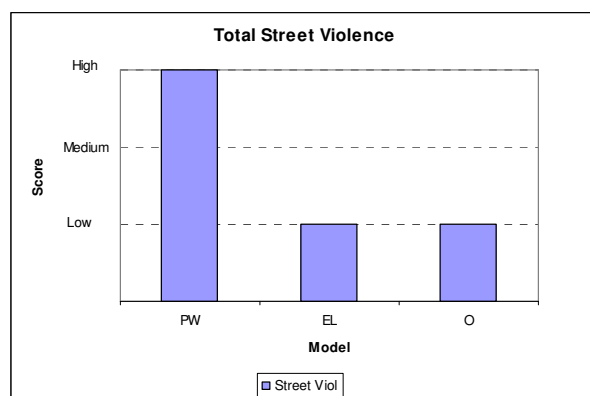
It can be argued that both the model of penal-welfarism and the model of the other are dominant regarding the dimension function of punishment. They score equally at the national level and at the local level determining which one is dominant is impossible. But, as it hardly receives any attention on both levels and there are so few arguments related to this dimension, I believe it is impossible to state anything conclusive.

As it is dominant at the local level and close runner-up at the national level, the model of penal-welfarism is also considered dominant in the dimension nature and typical measures of prevention. The model of everyday life follows, by being dominant at the national level and sporadically mentioned at the local level. The model of the other is practically absent.

What is the dominant model overall for street-violence then?

From the analysis per dimension, I attribute the score 'high' to the model of penal-welfarism. It is in the dimension of the cause of crime and stereotypical image of offenders and the dimension nature and typical measures of prevention. The model of the other features heavily in the dimension function of punishment, but is not considered dominant because the results from the documents and the questionnaire contradict. The model of everyday life is not much mentioned in the policy documents, but it is dominant at the national level in the dimension nature and typical measures of prevention and its

pervasiveness is valued relatively high by the respondents in the questionnaire. I therefore scale both the model of everyday life as the model of the other as 'low'. This results in the following bar-chart:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

Figure 3. Scores of models on street-violence total

To check upon these results, again, the results from the questionnaires are analysed:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
AC	5	9	8	6	8	8	5	9	2
CB	6	8	9	5	7	9	5	7	5
RP	6	8	7	4	6	6	5	7	7
MM	5	7	8	7	8	8	7	9	4
Total average	5.5	8	8	5.5	7.3	7.8	5.5	8	4.5
Total model	7.1			6.8			6		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

AC, CB, RP & MM are respondents (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

Table 11. Questionnaire results street-violence total

Three of the four respondents (AC, CB and RP) attribute the highest value in total to the model of penal-welfarism in general. MM attributes the highest value in total to the model of everyday life. Two out of four (AC and CB) consider the model of everyday life

in general as second and the model of the other as third. RP, on the other hand, attributes to lowest scores to the model of everyday life in general. And for MM the models of penal-welfarism and the other are equal, following the model of everyday life. Combining the scores, shows a trend towards the model of penal-welfarism. Because two respondents believe the runner-up is the model of everyday life and one believes it is the most dominant one, the model of everyday life follows the model of penal-welfarism. Finally followed by the model of the other. Still, the outcome that the model of penal-welfarism is dominant is more conclusive than the order of the other two models. I therefore remain with my first observation, that the model of penal-welfarism has a 'high' score and the other two models a 'low' score.

#### *Differences between document- and interview-results*

All in all, the main difference between the policy documents and the interview-results at the national level is that policymakers are much more focused on the model of penal-welfarism and the model of everyday life, thereby refuting the model of the other. They also favor the model of penal-welfarism over the model of everyday life more clearly than is done in the policy documents.

The main difference between the policy documents and the interview-results at the local level is that the focus in the documents lies clearly with the model of penal-welfarism, while it is much harder to identify a dominant model in the interview-results. It is impossible for the dimension of cause of crime and stereotypical image of offenders and the conclusion that the model of the other is dominant in the dimension of function of punishment is solely based on one reference. In the dimension nature and typical measures of prevention the model of everyday life is preferred over the model of penal-welfarism (which is dominant in the policy documents). These confusing results could be the result of the fact that there was only one respondent at the local level.

One of the hypothesis of Garland is that in politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life. However, the results from the interview-analysis do not confirm this hypothesis. The results do differ, but not in the sense that policymakers favour the model of everyday life. At the national level, preference is given to the model of penal-welfarism. At the local level, the model of everyday life is only favoured convincingly in the dimension nature and typical measures of prevention.

## 5 Serial offending

### 5.1 Policy area overview

#### *Introduction*

Serial offending has been the subject of many public discussions, especially since the government announced the implementation of the ISD-measure, which had a formerly unusual air of 'three strikes and you're out!' It falls in line with a general public sentiment of less tolerance: repeating offenders should be punished heavier than one-time offenders. The judicial system, on the other hand, did not make provisions for such things before. Because they go against the tradition of law that suspects should only be prosecuted for an offence once.

#### *Case 3: the national Security Programme (serial offending)*

As I said in Chapter Four, a collaboration of the Department of Justice and the Department of Internal Affairs resulted in the so-called Security Programme ('Veiligheidsprogramma'). Again, this programme is aimed especially at three themes concerning security and one of them is the topic of serial offending. In short, the approach chosen consists of: removing serial offenders from society for a longer period of time, based on an integral, chain-wide and person-oriented approach (Veiligheidsprogramma: 2006). I will go into several aspects of this approach in the document-analysis below.

A new law was implemented as from the 1<sup>st</sup> of Octobre 2004. It enabled the system to remove the group of very active serial offenders from society for a longer period of time by taking into account the offence-history of suspects. This law led to the 'measure of placement in a special institution for routine offenders' (ISD = 'Inrichtingen voor Stelselmatige Daders'). This measure allows for the lock-up of this group for a maximum of two years (Directie Voorlichting, 2004: 3). Part of this group will be designated to a limited regime of closed detention. Another part of serial offenders are eligible for a track aimed at behavior-alteration (Minister van Justitie, 2002: 24). As said in chapter three, this creates the expectation that the model of the other will feature heavily in the (national) policies concerning serial offending. This will be tested by performing the document-analysis.

*Case 4: the municipality of Nijmegen (serial offending)*

The municipality of Nijmegen has registered a group of very active serial offenders of about 150 individuals. Serial offenders are mostly associated with financial crime, although they also commit other offences, such as violent crime, and cause nuisance. Since a few years Nijmegen uses a so-called 'chain-approach', aimed at addicted serial offenders, which involves the police, the municipality, the public attorneys and 'the Grift' (organization concerned with guiding and curing addiction-problems). According to a research report of Oostveen (the Security Monitor Nijmegen 2005) there have been stricter and heavier punishments laid upon serial offenders in the past few years. Shelter and guidance in the (resocialization) track after imprisonment has been limited so far, but the intention is to improve this in the next few years (Oostveen, 2006: 67). This is partly due to the fact that the national government appointed the municipalities as the responsible actors for the after-care and resocialization.

*Definitions*

As in the chapter on street-violence, I will refrain from making strict definitions of the target-group of serial offenders beforehand. As I said, there are not many definitions in the policy documents either and the policymakers involved might have their ideas about the typical perpetrator or about the cause of serial offending in general anyway. Solely to explain some of the terms used in the arguments that are categorized in appendix six, I will describe some definitions used in the main policy documents.

Serial offenders are divided into several subcategories (Veiligheidsprogramma: 2006): young multiple offenders, young serial offenders, hard-core youth, multiple offenders, serial offenders and very active serial offenders.

A young multiple offender is a person between 12 and 17 years, who was prosecuted two to five times in his or her entire criminal career, of which one occasion was in the year of measurement. A young serial offender is a person between 12 and 17 years, who was prosecuted five times or more in his or her entire criminal career, of which one occasion was in the year of measurement. A hard-core youth is a person between 12 and 24 years, who committed two heavy offences in the year of measurement and offended three times in the years before, or, a person, between 12 and 24 years, who committed at least three heavy offences in the year of measurement.

Then there are multiple offenders: persons of 18 years or older, who have been prosecuted two to ten times in their entire criminal career, of which one occasion was in the year of measurement. Serial offenders: persons of 18 years or older, who have been

prosecuted more than ten times in their entire criminal career, of which one occasion was in the year of measurement. And very active serial offenders: persons of 18 years or older, who have been prosecuted more than ten times in a period of five years, of which one occasion was in the year of measurement.

## **5.2 Analyses national level**

Sub-question c) Are, and if so to what extent, lay-theories within Dutch crime policies at the national level of the Security Programme concerning the policy area of serial offending congruent to the models of David Garland?

First of all, as with the documents and interviews on street-violence, the analytical framework of models and dimensions turned out to be an effective way to map a broad collection of lay-theories within national policies concerning the topic of serial offending. All arguments used by respondents in interviews seem to fit within the categories created and almost all arguments found in the policy documents. This leads to the conclusion that the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: all models are prominent in policies concerning serial offending at the national level.

For instance, all three stereotypical images of the offender are to be found in the policy documents. Also statements such as 'dependent upon the available recourses (everyday life), the level in which a person can be influenced (penal-welfarism) and the motivation of the offender (the other), interventions are offered' (Directie SRS, 2004: 12), combine the three models.

Still, 'almost all' means again that there are some exceptions. It is mentioned in a policy document, for example, that when serial offenders 'are detained for a longer period of time (two years), it is impossible for them to offend during that period' (Veiligheidsprogramma, 2005: 1). The model of the other is about the deterrent effect of law-enforcement: by enforcing the law, others will be deterred from committing the same offence. This statement, however, refers to the deterrent effect of being locked-up. This is not mentioned by Garland anywhere.

Another argument that is hard to place within a category, was the track-oriented approach as new policy. The most important elements of this approach are: an adequate registration as to identify serial offenders as soon as possible, case-meetings on youthful serial offenders as to be able to give a swift and congruent sanction, screening of serial offenders as to determine whether it is useful to invest in behaviour-alteration (Minister



van Justitie, 2002: 17). It is hard to categorize this in either the model of penal-welfarism or the model of everyday life, because it clearly contains elements of both.

Which model, then, seems to be dominant within lay-theories of national Dutch policies concerning serial offending?

To answer this question I first determine a dominant model per dimension on the basis of the policy documents. Second, I check upon these results in the same paragraph by analyzing the questionnaire results (after commenting each time on the consistency of the answers of individual respondents). Third, I summarize the results of all dimensions in a bar-chart.

- *Cause of crime and stereotypical image of offenders*

There are few references to this dimension in policy documents. Different groups of serial offenders are identified and each group falls under a different model. For instance, troubled youths and addicted individuals fall under the model of penal-welfarism (see appendix five, national level, A1). Associated with the model of everyday life are the statements that the offenders are youngsters who seek financial gain and that they can be refrained from crime by convincing them it is not the easiest way of achieving something anymore (see appendix five, national level, B1). When entering the realm of the model of the other, the motivations of serial offenders suddenly become mysterious and crime is mostly influenced by the capacity of the state (see appendix five, national level, C1). This makes it unclear which model is dominant. Luckily, the results from the questionnaires are:

	Cause and image		
	PW	EL	O
TB	8	5	7
MB	7	4	6
Total average	7.5	4.5	6.5

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 TB & MB are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 12. Questionnaire results cause of crime and stereotypical image of offenders (serial offending, national level)*

The answers of both respondents are consistent within this dimension. Both attribute the highest score to the model of penal-welfarism, followed by the model of the other,

followed by the model of everyday life. In this, the results from both sources confirm each other. Therefore, I consider the model of penal-welfarism to be dominant, followed by the model of the other.

- *Function of punishment*

The amount of attention dedicated to this dimension in the policy documents is striking. In all models there are twice as much arguments concerning this dimension, than concerning the other two dimensions. The quantity of arguments is also evenly high for each model. This makes it hard to draw a conclusion on the basis of these. Still, arguments related to the model of everyday life do not mention anything about the deterrent effect of (perceived) higher punishments and the arguments related to the model of the other leave aside the symbolic meaning of punishment. This means crucial aspects of these models are missing, as opposed to the model of penal-welfarism that is broadly represented. However, the results from the questionnaire are:

	Punishment		
	PW	EL	O
TB	7	9	7
MB	8	7	9
Total average	7.5	8	8

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 TB & MB are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 13. Questionnaire results function of punishment (serial offending, national level)*

The scores of the respondents differ much, so they are not consistent within this dimension. They do not agree on the most dominant model, the runner-up or the least pervasive one. Therefore, I do not use this outcome in determining which model is dominant. This means that, based on the results of the document-analysis, the model of penal-welfarism is the dominant one, although the other two are frequently mentioned.

- *Nature and typical measures of prevention*

The number of arguments concerning this dimension is, like those concerning the cause of crime and stereotypical image of offenders, half of the number of arguments related to the dimension function of punishment. At times, the arguments related to the model of the other are strikingly harsh. Offenders are taken out of circulation for a longer period of

time and if the offender is not motivated, the punishment will be applied in the form of a very strict regime (see appendix five, national level, C3). However, the application of the most strict regime, is only implemented after many considerations. The principle is a 'basis-regime-unless', this principle contains many 'if's'. It is more a matter of 'only if A and B do not work at all, we will apply C'. This makes the model of the other in practice least well represented. The arguments concerning the model of everyday life refer to the cooperation between different actors and 'mapping' of the problem-group, but there is hardly any attention for situational crime prevention. There is also no mention about changing the behaviour of potential victims (see appendix five, national level, B2). Apparently policymakers do not believe these are appropriate courses of action concerning serial offenders. Arguments related to the model of penal-welfarism are concerned with the treatment of personal problems, the caring responsibilities of the government and the necessity to register deviant behavior at an early stage, at school for example (see appendix five, national level, A3). As in the dimension function of punishment, this seems to be the most broadly represented model, although the model of everyday life is a close runner-up. However, the results from the questionnaire are:

	Prevention		
	PW	EL	O
TB	8	9	3
MB	8	10	8
Total average	8	9.5	5.5

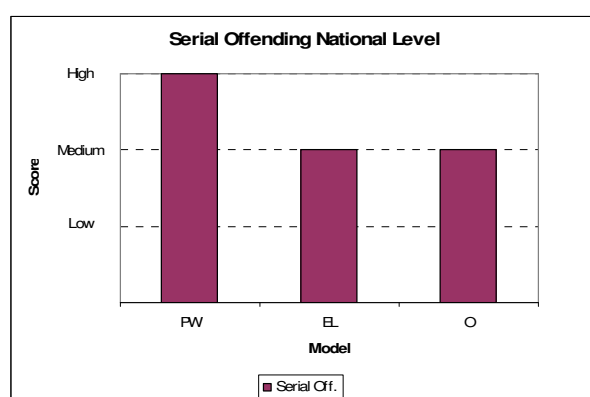
PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 TB & MB are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 14. Questionnaire results nature and typical measures of prevention (serial offending, national level)*

The answers of the respondents are quite consistent within this dimension. The only noticeable exception is the difference between the two scores on the model of the other. Still, both respondents attribute high values to the model of penal-welfarism and the model of everyday life, thereby confirming the importance given to (pro-active) prevention. They do favor the model of everyday life over the model of penal-welfarism. However, after qualitatively analyzing the document-results, I still find the model of penal-welfarism dominant, although the model of everyday life is a very close runner-up.

### *Summary on the pervasiveness of the models for serial offending at the national level*

All in all, I attribute the score 'high' to the model of penal-welfarism. It is dominant in all three dimensions. At first sight the measures seem harsh and originating from the model of the other. But after a closer analysis there appear to be many other aspects within the policies related to the other two models. Whatever the original intention, at the moment it seems the ideal is to correct the behaviour of serial offenders by personalized sentencing and treatment. Only if the serial offenders are unwilling to cooperate or have been proven to be untreatable, they will be removed from society as long as possible. This is a hint of the model of the other, which receives a 'medium' score, as it is close runner-up in the dimension of cause of crime and stereotypical image of offenders and very frequently mentioned in the dimension function of punishment. The score for the model of everyday life is also 'medium', as it is the close runner-up in the dimension nature and typical measures of prevention and very frequently mentioned in the dimension function of punishment. This results in the following bar-chart:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

*Figure 4. Scores of models on serial offending national level*

The scores of the models in total in the questionnaire, are:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
TB	8	7	8	5	9	9	7	7	3
MB	7	8	8	4	7	10	6	9	8
Total average	7.5	7.5	8	4.5	8	9.5	6.5	8	5.5
Total model	7.7			7.3			6.7		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

TB & MB are respondents (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

*Table 15. Questionnaire results serial offending national level total*

The scores the respondents attribute per model are not consistent with each other. TB attributes the same value in general to the model of penal-welfarism and the model of everyday life, preferring both over the model of the other. MB attributes the same amount to the model of penal-welfarism and the model of the other, preferring these slightly over the model of everyday life. Taken together the results of the questionnaire favor the model of penal-welfarism, followed by the model of everyday life, followed by the model of the other, but these values are not very conclusive. I therefore stick to my original observation that the model of penal-welfarism scores 'high' and the other two models score 'medium'.

### 5.3 Analyses local level

Sub-question d) Are, and if so to what extent, lay-theories within Dutch crime policies at the local level of Nijmegen concerning the policy area of serial offending congruent to the models of David Garland?

As with the documents and interviews on street-violence, the analytical framework of models and dimensions is indeed an effective way to map a broad collection of lay-theories within local policies concerning the topic of serial offending. All arguments used by respondents in interviews seem to fit within the categories created and all arguments found in the policy documents, although there are some negatively formulated views that oppose the model of everyday life. For example, Arts states that: 'In contracts we are judged on the amount of clients served instead of on successful cooperation.'

Unfortunately, we are talking about the most difficult group of people to be successful with: criminal, addicted, homeless, unmotivated (Arts, 2006: 14).’ He also states that: ‘Municipalities therefore refrain themselves from formulating strict definitions of successful projects in the so-called ‘convenanten’. We also choose not to formulate any ambitions, as not enough is known about our target-group and the possibilities of shelter (Arts, 2006: 21).’ Leaving this small detour aside, the above leads to the conclusion that the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: all models are prominent in policies concerning serial offending at the local level.

Which model, then, seems to be dominant in lay-theories within local Dutch policies concerning serial offending?

To answer this question I first determine a dominant model per dimension on the basis of the policy documents. Second, I check upon these results in the same paragraph by analyzing the questionnaire results (after commenting each time on the consistency of the answers of individual respondents). Third, I summarize the results of all dimensions in a bar-chart.

- *Cause of crime and stereotypical image of offenders*

Concerning this dimension the focus in the policy documents lies clearly with the model of penal-welfarism. Serial offenders are mostly seen as addicted individuals, people like you and me, who have been dealt a poor hand in life. Also the lack of a social security-net is mentioned (see appendix five, local level, A1). The argument related to the model of everyday life is about how other actors generally approach serial offenders, not specifically the municipality of Nijmegen (see appendix five, local level, B1). And the argument concerning the model of the other states that on frequent occasions the generosity of the municipality is abused (see appendix five, local level, C1), but this statements consequently lacks a certain judgmentalness. This indicates that the model of penal-welfarism is dominant. The results from the questionnaire are:

	Cause and image		
	PW	EL	O
PB	6	7	5
CP	7	5	4
Total average	6.5	6	4.5

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 PB & CP are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 16. Questionnaire results cause of crime and stereotypical image of offenders (serial offending, local level)*

The scores of the respondents are only consistent in the sense that they both attribute the lowest score to the model of the other. Individually PB favors the model of everyday life over that of penal-welfarism and CP believes this is the other way around. In total they attribute a higher value to the model of penal-welfarism, but this is not very conclusive. As these results do not infringe upon the results from the document-analyses, I determine that the model of penal-welfarism is dominant. I consider both other models as sporadically mentioned.

- *Function of punishment*

The model of penal-welfarism is also best represented within the dimension function of punishment, although faintly. It is stated in policy documents that punishment should always be an individual approach, combined with rehabilitation. And the main goal of measures is to integrate serial offenders with society again (see appendix five, local level, A2). There is a minor reference to the goal of protecting society, which relates to the model of the other (see appendix five, local level, C2). As this is hardly specified in further detail, it seems to a symbolic statement, more than a lay theory. The results from the questionnaire are:

	Punishment		
	PW	EL	O
PB	5	6	8
CP	9	9	6
Total average	7	7.5	7

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 PB & CP are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 17. Questionnaire results function of punishment (serial offending, local level)*

Again, the two respondents are not in agreement. PB attributes the highest score to the model of the other, while CP attributes the lowest score to this model. Regarding the model of penal-welfarism this is vice versa. This makes the answers highly inconsistent, which is reflected in an almost equal outcome of all models on the total average. I will therefore base my observation solely on the document-results, which indicate the model of penal-welfarism is dominant.

- *Nature and typical measures of prevention*

Regarding this dimension, the number of arguments in policy documents that refer to the model of everyday life is remarkable. What is typically addressed are ways of 'mapping' the problem, upgrading informational systems and improving processes (see appendix five, local level, B3). There is also reference to situational crime prevention, but none to the conduct of potential victims. The model of penal-welfarism, however, is even less well represented, as only one argument relates to the necessity of care for offenders to prevent recidivism (see appendix five, local level, A3). Even the model of the other is slightly better represented than this, with an argument about locking up individuals that are unfit to reintegrate for as long as possible (see appendix five, local level, C3). However, the results of the questionnaire are:

	Prevention		
	PW	EL	O
PB	8	4	5
CP	9	7	6
Total average	8.5	5.5	5.5

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other  
 PB & CP are respondents (see interview-list, appendix two)  
 Minimum score = 2, maximum score = 10

*Table 18. Questionnaire results nature and typical measures of prevention (serial offending, local level)*

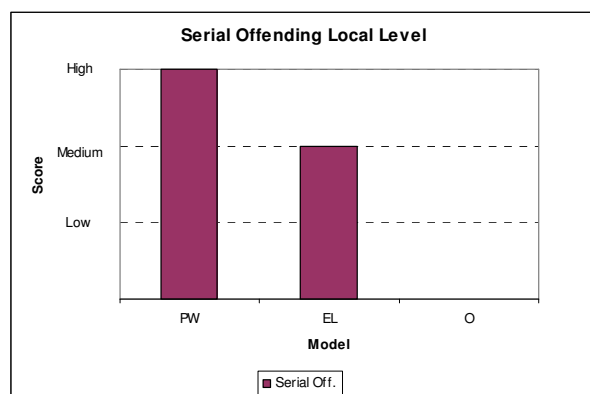
The scores the respondents attribute are consistent in the sense that they both perceive the model of penal-welfarism to be most pervasive. The values attributed to the other two models, however, are completely different. The value PB attributes to the model of everyday life is relatively low. Because the results from the document-analysis are very convincing (there are many argument related to the model of everyday life and they comment on almost all aspects of the model), I determine the model of everyday life is dominant. On the basis of the questionnaire, I consider the model of penal-welfarism as the runner-up.

*Summary on the pervasiveness of the models for serial offending at the local level*

Based on the analyses above, the model of penal-welfarism receives the score 'high', as it is dominant in the dimension of cause of crime and stereotypical image of offenders and the dimension function of punishment. The model of everyday life is dominant in the



dimension nature and typical measures of prevention and sporadically mentioned in the dimension of cause of crime and stereotypical image of offenders. It therefore receives the score 'medium'. Finally, the model of the other is practically absent and as such receives no score at all. This results in the following bar-chart:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

Figure 5. Scores of models on serial offending local level

The scores of the models in total in the questionnaire, are:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
PB	6	5	8	7	6	4	5	8	5
CP	7	9	9	5	9	7	4	6	6
Total average	6.5	7	8.5	6	7.5	5.5	4.5	7	5.5
Total model	7.3			6.3			5.7		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

PB & CP are respondents (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

Table 19. Questionnaire results serial offending local level total

The scores of the respondents are again not highly consistent. CP clearly attributes the highest values to the model of penal-welfarism, followed by the model of everyday life, followed by the model of the other. But PB is much less outspoken in attributing the highest values to the model of penal-welfarism, closely followed by the model of the

other, closely followed by the model of everyday life. This makes the total score the highest for the model of penal-welfarism, followed by the model of everyday life, followed by the model of the other. This outcome is not very conclusive, but confirms in general that the model of penal-welfarism is more pervasive than the other two models.

#### **5.4 Differences between document- and interview-results**

##### *Analyses national level*

It is easier to determine a dominant model for the dimension of cause of crime and stereotypical image of offenders within the interview-results than within the policy documents. In the documents all models were represented, but preference was attributed to the model of penal-welfarism, followed by the model of the other, based on the results from the questionnaire. Apparently, policymakers perceive these models to be pervasive in policies, but they also agree with these models the most, because the focus in the interview-results lies mostly with the model of penal-welfarism as well. There are references to economic factors, addiction problems and mental incapacabilities (see appendix five, national level, A1). The argument related to the model of everyday life is more an ethical statement about the process (see appendix five, national level, B1). Also corroborating with the conclusions from the policy documents is that the argument related to the model of the other is stated very convincingly as the 'cause behind the causes' that are outlined in the model of penal-welfarism. The argument is about the increasing level of individualism and a decay of norms and values (see appendix five, national level, C1).

The overwhelming amount of attention for the function of punishment in the policy documents is balanced by a lack of attention in the interview-results. In the policy documents the model of penal-welfarism is slightly better represented than the model of everyday life, which is also very pervasive. In the interviews, however, most arguments are related to the model of the other. Still, more often than not, these refer to processes in society in general, such as the tendency of the public to be quite harsh, when they feel a distance between them and the target-group of the policies (see appendix five, national level, C3), instead of being the personal opinion of policymakers. One respondent states it would be unwise to ignore the group of most active serial offenders from the perspective of efficiency, because it would lead to societal upheaval. He also states, however, that policymakers, including himself, promoted the possibility of treatment during confinement (see appendix five, national level, A2). As such, determining a dominant model is difficult, although one respondent personally seems to favor the model of penal-welfarism. This coincides with the results from the policy documents.

In the policy documents the model of penal-welfarism is deemed dominant in the dimension nature and typical measures of prevention, because it is best represented. This means the other two models are pervasive as well, but not on all critical aspects. In the interviews the emphasis is even more clearly on pro-active prevention. As opposed to the policy documents, there are no references to the model of the other. The references to the model of penal-welfarism entail the responsibility and expertise of the state and state-related actors and the need for a person-oriented approach (see appendix five, national level, A3). The references to the model of everyday life entail matters of efficiency and effectiveness, but, again, do not mention anything about the behavior of potential victims or altering potential criminogenic situations (see appendix five, national level, B3). This is why also in the interview-results the model of penal-welfarism is deemed to be the most dominant one.

#### *Analyses local level*

The focus within policy documents concerning the dimension of cause of crime and stereotypical image of offenders lies with the model of penal-welfarism. The number of arguments related to this dimension from the interviews, however, is quite low, which makes any conclusion less convincing. It seems policymakers at the local level do not spend much thought on these basic assumptions. There is no argument related to the model of everyday life. Although there are two references to the model of the other, these are a reflection of the line of reasoning from other people and not of the policymakers' own opinion (see appendix five, local level, C3). The reference related to the model of penal-welfarism, however, is a personal opinion. Serial offenders, especially the very active ones, should be seen as seriously addicted or mentally disturbed persons (see appendix five, local level, A1). It is only one argument, but it shifts the focus to the model of penal-welfarism, thereby coinciding with the results from the policy documents.

Any statements about the dimension function of punishment are impossible. There is only one argument related to this dimension: this new policy is expensive, but the positive societal effects are what matters (see appendix five, local level, A2). But this argument does not refer sufficiently to the key characteristics of the model of penal-welfarism.

Regarding the dimension nature and typical measures of prevention. The best represented model in the policy documents is that of everyday life. On the basis of the questionnaire results the model of penal-welfarism is determined close runner-up. While there were some references to the model of the other in the policy documents, it is completely out of the picture in the interview-results. The arguments related to the model of everyday life are all about efficiency, effectiveness and the need therefore of

sharing of information (see appendix five, local level, B3). The arguments related to the model of penal-welfarism refer to the responsibility of the municipality in caring for serial offenders and the focus on the individual (see appendix five, local level, A3). Some aspects of the model of everyday life, however, are missing, such as the alteration of criminogenic situations and the training of behavior of potential victims for the model of everyday life. This makes the model of penal-welfarism dominant and the model of everyday life runner-up.

## **5.5 Conclusions serial offending**

### *National versus local*

When comparing the national with the local level and vice versa, several similarities and differences catch the eye.

First of all, as with the policies regarding street-violence, the analytical framework of models and dimensions seems to be an effective way to map a broad collection of lay-theories within local policies concerning the topic of serial offending, both at the national and the local level. There are only minor exceptions. This leads to the conclusion that the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: all models are prominent in policies concerning serial offending at the national level. The second question to be answered was consequently: Which model, then, seems to be dominant within lay-theories of local Dutch policies concerning street-violence?

This led to another similarity, as the dominant model for both is that of penal-welfarism, with a 'high' score. The model of everyday life also scored 'medium' at both levels.

As I said, the difference between the two levels is not so much a matter of different dominant models, but there is a slight difference in the pervasiveness of the models. The scores at the national level are: high for the model of penal-welfarism, medium for the model of everyday life and medium for the model of the other. The scores at the local level are: high for the model of penal-welfarism, medium for the model of everyday life and no score for the model of the other.

As such, the model of the other features heavily in the dimension of the cause of crime and stereotypical image of offenders and is referred to in the dimension function of punishment at the national level. At the local level, however, this model is practically out of the picture. It is only referred to in the dimension of cause of crime and stereotypical image of offenders. As with the policies concerning street-violence, there are possible

explanations for both, such as a supposed tendency of national policymakers to respond to general sentiments in society or the supposed vicinity of local policymakers to offenders, which makes them more less likely to see offenders as essentially different from themselves and more nuanced. But, again, these speculations can not be certified on the basis of these research-results.

Another difference is that many arguments were related to the dimension of cause of crime and stereotypical image of offenders and the dimension function of punishment at the national level. At the local level, on the other hand, there were much less arguments concerning the cause of crime. This could indicate the same mechanisms are at work here as in the policy area of street-violence: a funnel-mechanism at the national level and a working-along-the-road approach at the local level. This is reinforced by the observation that the statements in national documents are much bolder, while at the local level policymakers explicitly state to refrain from formulating strict definitions.

#### *Overall conclusion on the pervasiveness of the models*

First of all, as I said several times before, the analytical framework of models and dimensions is an effective way to map a broad collection of lay-theories within policies concerning the topic of street-violence, at the national as well as at the local level. There are only minor exceptions. Apparently, the outcome is not determined by the appropriateness of one model, but is a matter of proportionality: policies concerning street-violence are congruent with all of the three models. The differences lie with the dominance of the models per dimension and the relative scores of the models in general.

The dominance of the models differs per dimension. Deduced from the results above, the summary per dimension for both levels, would schematically be:

Dimension / level	National	Local
Cause	PW, O	PW, O & EL
Punishment	PW, O & EL	PW
Prevention	PW, EL	EL, PW

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

... , ... = dominant, runner-up

... + ... = both dominant

... , ... & ... = dominant, mentioned & mentioned

*Table 20. Summary pervasiveness of models per dimension (serial offending, national and local level)*

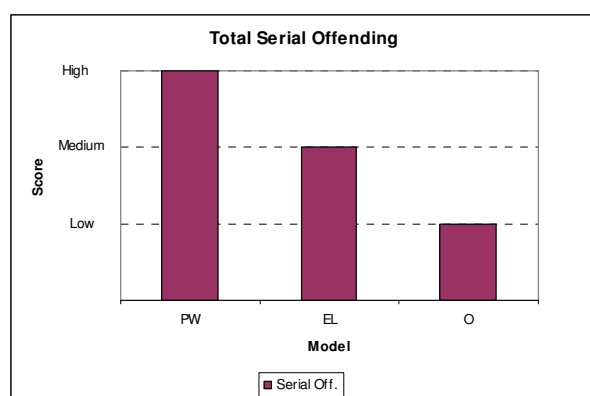
Regarding the cause of crime and stereotypical image of offenders the model of penal-welfarism is dominant, because it is dominant at both the national and the local level. The model of the other is the close runner-up at the national level, but the model of everyday life is hardly mentioned.

An abundance of references to punishment at the national level was remarkably compensated by a lack of references to punishment at the local level. In total the model of penal-welfarism is dominant, although the other two are frequently mentioned as well at the national level.

Regarding the dimension nature and typical measures of prevention, the model of everyday life is dominant. At the national level, the model of penal-welfarism slightly dominates over the model of everyday life, but at the local level, it is very clear the model of everyday life is dominant over that of penal-welfarism. The model of the other, however, is strikingly absent. Apparently both levels share a focus on pro-active prevention, despite earlier expectations (see chapter three).

What is the dominant model overall for serial offending then?

All in all, the model of penal-welfarism scores 'high'. It is dominant in the dimension of cause of crime and stereotypical image of offenders and the dimension function of punishment and it is close runner-up in the dimension nature and typical measures of prevention. The model of everyday life scores 'medium', as it is dominant in the dimension of nature and typical measures prevention and frequently mentioned in the dimension function of punishment at the national level. The model of the other scores 'low', as it is solely a close runner-up at the national level regarding the dimension of cause of crime and stereotypical image of offenders, and frequently mentioned at the national level regarding the dimension function of punishment. This results in the following bar-chart:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

Figure 6. Scores of models on serial offending total

To check upon these results, again, the results from the questionnaires are analysed:

	PW			EL			O		
	Cause	Pu	Pr	Cause	Pu	Pr	Cause	Pu	Pr
TB	8	7	8	5	9	9	7	7	3
MB	7	8	8	4	7	10	6	9	8
PB	6	5	8	7	6	4	5	8	5
CP	7	9	9	5	9	7	4	6	6
Total average	7	7.3	8.3	5.3	7.8	7.5	5.5	7.5	5.5
Total model	7.5			6.8			6.2		

PW = model of penal-welfarism, EL = model of everyday life, O = model of the other

Cause = cause of crime and stereotypical image of offenders

Pu = function of punishment

Pr = nature and typical measures of prevention

TB, MB, PB & CP are respondents (see interview-list, appendix two)

Minimum score = 2, maximum score = 10

*Table 21. Questionnaire results serial offending total*

The answers of the individual respondents are consistent in the sense that all respondents attribute the highest values in total to the model of penal-welfarism. TB, however, also attributes the same high value to the model of everyday life and MB to the model of the other. This contradiction is also visible between PB, who attributes the lowest score to the model of everyday life, and CP, who attributes to lowest score to the model of the other. In total, the outcome that the model of penal-welfarism is dominant is conclusive, while the outcome that the model of everyday life follows and the model of the other lags behind, is less conclusive. However, in general, these results confirm the bar-chart above.

#### *Differences between document- and interview-results*

All in all, the main difference between the policy documents and the interview-results at the national level is that policymakers are more outspoken in the dimension of cause of crime and stereotypical image of offenders and the dimension nature and typical measures of prevention, but pay less attention to the dimension function of punishment. In general, however, they are in agreement the sentiments formulated in the policy documents. They also favor the model of penal-welfarism in all three dimensions.

The main difference between the policy documents and the interview-results at the local level is that policymakers at the local level do not have very outspoken ideas

about the dimension of cause of crime and stereotypical image of offenders and the dimension function of punishment. Within the dimension nature and typical measures of prevention the model of penal-welfarism is deemed dominant over the model of everyday life in the policy documents, but policymakers prefer the model of everyday life over that of penal-welfarism. The model of the other receives some attention in policy documents, but none from policy makers.

One of the hypothesis of Garland is that in politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life. At the local level this is confirmed for the dimension nature and typical measures of prevention, but in general policymakers tend to agree with the preferences in policies and the focus lies on the model of penal-welfarism.



## 6 Conclusion and discussion

After describing the process of analysis and reporting the partial conclusions, it is time to take a step back and reflect on the results. In the theoretical chapter, several hypotheses were formulated. These are either accepted or refuted (6.1). This results in an answer on the main question (6.2). I will also critically assess some methodological aspects that influence the internal and external validity of the results, which lead to some recommendations for possible successors in this field of study (6.3).

### 6.1 Accepting and refuting hypotheses

#### *Hypothesis 1. The three criminologies are distinctly different (accepted)*

One observation contradicts this hypothesis: it is very hard to place the track-oriented approach of the ISD-measure within a model. The most important elements of this approach are: an adequate registration as to identify serial offenders as soon as possible, case-meetings on youthful serial offenders as to be able to give a swift and congruent sanction, screening of serial offenders as to determine whether it is useful to invest in behaviour-alteration (see section 5.2). It is hard to categorize this in either the model of penal-welfarism or the model of everyday life, because it clearly contains elements of both.

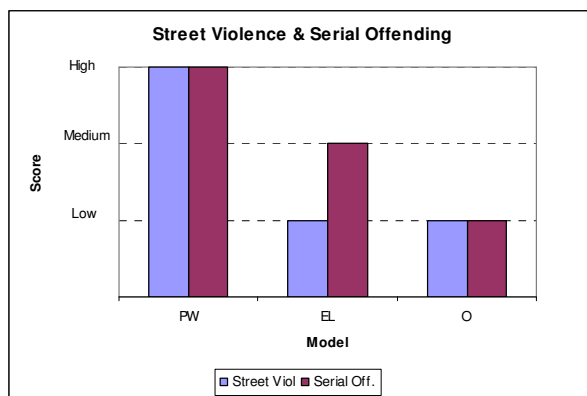
But if the three criminologies are not distinctly different from each other, the results of this research would have made that clear. All models would score evenly high or their scores would correlate. For example, the model of penal-welfarism would always score equal to the model of everyday life. Or, the model of everyday life would always score high when the model of the other would score high. But this is not the case. Therefore, the hypothesis that is deduced from the theory of Garland is accepted and the following alternative hypotheses are refuted:

1. The ideological values behind managerialism are the same as the values behind the old penal-welfare system (Hope and Sparks).
2. The criminology of the other and the new criminologies of everyday life will turn out to be undistinguishable from each other on the matter of punishment, as they can both lead to stringent and punitive measures (Matthews).

**Hypothesis 2. Because the three criminologies reflect general societal patterns, all types of crime policies on all governmental levels will contain aspects of those criminologies and will reflect an identical pattern (partially accepted)**

First of all, the analytical framework of models and dimensions is in general an effective way to map a broad collection of lay-theories within policies concerning both for the policy area of street-violence and the policy area of serial offending, both at the national and the local level. Almost all arguments found in the policy documents and almost all arguments used by respondents in interviews fit within the categories created.

Second, that this is indeed a pattern within multiple areas of policy, is indicated by the striking amount of similarities between the policy area of street-violence and the policy area of serial offending. Combining the bar-charts of street-violence and serial offending results in the following figure:



PW = the model of penal-welfarism, EL = the model of everyday life, O = the model of the other

High = dominant in two or more dimensions

Medium = dominant in one dimension or frequently mentioned everywhere or a close runner-up in two or more dimensions

Low = sporadically mentioned, but never dominant in more than one dimension or a close runner-up in one dimension

No score = barely visible in any dimension

*Figure 7. Scores of models on street-violence and serial offending total*

As can be observed, the model of penal-welfarism is dominant in both policy areas. Although the model of everyday life receives a lower score in the policy area of street-violence, this difference can be considered marginal. In the policy area of street-violence the model of everyday life scores 'low' because it is not much mentioned in the policy documents, but it is dominant at the national level in the dimension nature and typical measures of prevention and its pervasiveness is valued relatively high by all the respondents in the questionnaire. In the policy area of serial offending the model of everyday life scores 'medium', as it is dominant in the dimension nature and typical measures of prevention and frequently mentioned in the dimension function of punishment at the national level.

It can therefore be said that the scores of the models follow a similar pattern: in both policy areas penal-welfarism is dominant, followed at some distance by the model of everyday life, which is in turn (equalled or) closely followed by the model of the other. The outcomes of the questionnaires regarding both policy areas confirm the dominance of the model of penal-welfarism, but in both policy areas they are also less conclusive on the scores of the model of everyday life and the model of the other, because the values the respondents attribute to both models are not consistent with each other (some prefer one over the other and vice versa).

Even so, the model of penal-welfarism is evidently the dominant one. It is almost always dominant in all three dimensions. Unlike the other two models, which score high in the dimension of cause of crime and stereotypical image of offenders and low in the dimension of nature and typical measures of prevention (model of the other) or vice versa (model of everyday life). The fact that the pattern is so alike for two different policy areas, confirms Garland's hypothesis that his criminologies indicate general trends.

In sum, the possibility of categorizing almost all arguments and the fact that there are many similarities between the two policy areas confirm the second hypothesis. Consequently, the third alternative hypothesis is refuted. This is the one wherein Hope and Sparks state that it is impossible to describe general cultural trends in different societies, using the same criminologies.

This being so, the research-results do not corroborate this hypothesis completely. First, some arguments fall outside of Garland's typology. Second, a comparison between the policy area of street-violence and the policy area of serial offending also reveals some differences. Third, there are some incongruences between the national and the local level. As such, the identified pattern is not completely identical. Garland's theory does not account for this. I will elaborate on this.

First, I said 'almost all arguments fit within the categories created', which means there are some exceptions. Some arguments from contemporary Dutch policy documents and policymakers are implacable within Garland's typology.

There is, for instance, the matter of the goals of the offender (referred to by Van Erpecum, see section 4.2). This topic is not addressed in Garland's theory, while it can be an important variable to base certain types of preventative measures on.

Another aspect that is not mentioned by Garland, is the innocence of the victim (referred by Beke, de Haan & Terlouw, also in section 4.2): to which extent is the victim innocent and how important is this factor in determining the reaction on crime? Would this play a different role within the three different models?

Questions are also raised about the discernability of the criminology of penal-welfarism. One respondent (MM) referred to three different approaches on the best way to organize the contact between the institutions and offenders (section 4.3): the case-oriented, the person-oriented and the context-oriented approach. All contain very different perspectives, but all can be put under the same heading, namely that of penal-welfarism. If this is so, what then is the analytical value of the model of penal-welfarism?

Finally, Garland does not mention the preventative effect of being locked up (referred to by the 'Veiligheidsprogramma' in section 5.2). He does comment on the deterrent effect of law-enforcement, by which he means that by implementing the law others will be mentally refrained from offending. It can be argued that the preventative effect of being locked up is associated with the criminology of the other, but this can not be explicitly deduced from Garland's theory.

Second point is that, although there are many similarities between the policy area of street-violence and the policy area of serial offending, there are also some differences that the theory of Garland does not account for.

One noticeable difference originates from the outcomes of the questionnaires. Although the pattern is the same (the highest value for the model of penal-welfarism, followed by the model of everyday life, followed by the model of the other), the values the respondents attribute to the models in general are higher in the policy area of serial offending than in the policy area of street-violence. Perhaps this is the result of a more specific image of the offender.

Furthermore, the dimension function of punishment receives an enormous amount of attention in the policy area of serial offending at the national level, but hardly any in the policy area of serial offending at the local level, and in the policy area of street-violence in general. Perhaps this has to do with the fact that current policies concerning serial offending are specifically aimed at the ISD-measure, which is formulated at the national level, while the local level is more concerned with the offenders after they are released from their confinement. Whereas the current policies of street-violence are more focused on prevention in general, streamlining the organisational chain and inventarising and monitoring of several local projects. Possible explanations, however, can not be deduced or confirmed from the results of this research.

Third, there are some significant differences between the national and the local level. For example, the values respondents attribute to the models at the national level in the questionnaires are generally higher than the values respondents attribute at the local level. Again this is not addressed in the theory of Garland. A possible explanation could be that the models are quite abstract and this coincides with the supposedly more

abstract thinking of national policymakers, as opposed to local policymakers, who are assumed to be more practically oriented. Another explanation is that local policymakers, who are in general deemed to be in a more direct contact with their target-groups, develop more nuanced views. This is corroborated by the fact that policymakers at the local level stated more often than policymakers at the national level that they found it difficult to attribute values to the statements.

This could also be part of the phenomenon referred to earlier in the fourth and fifth chapter: the difference between the funnel mechanism at the national level and the working-along-the-way-approach at the local level. This also goes for both policy areas. At the national level, there are many references to the dimension of the cause of crime and the stereotypical image of offenders. In the research documents, sentiments stemming from all three models appear, although mostly from the model of penal-welfarism and the model of everyday life. In the policy documents, however, the focus is much more narrowly aimed, while a motivation for these (implicit) choices lacks. Also, in practice relatively few projects have been set up. At the local level, on the other hand, this is almost the other way around, as programmes are set into action without formulating a detailed written policy beforehand, at times even consciously refraining from making definitions at all.

The most confounding differences between the national and local level are related to the policy area of street-violence. In the local policy documents, there were no arguments related to the model of the other whatsoever, while at the national level there are quite a few. In first instance it would seem that this is a consequence of an implicit choice for a specific target-group. At the national level, hardly any definitions of the target-group are made, which obscures any recognisable characteristics of 'the target-group'. At the local level, the focus lies on nuisance causing persons. Because this group usually consists of youngsters, it could be more likely policymakers do not blame the young individuals for their behavior personally and also see more potential to change this behavior.

A more likely explanation, however, could be that, regardless of the characteristics of the target-group, local policymakers feel such a vicinity between them and the target-group, of which they know the members individually and almost personally, that it is out of the question to see them as 'alien' to the municipality. Again, whether this is the right explanation or not, can not be deduced from or confirmed by this research or the theory of Garland.

In short, Garland's typology may be applicable to describe general patterns, but there are some exceptions that fall outside of his typology. And if his typology is capable of pointing out patterns, these patterns are not identical between different policy areas and

different governmental levels. The theory of Garland does not account for these differences. This is why the second hypothesis is only partially accepted.

***Hypothesis 3. The criminology of penal-welfarism will be quite pervasive (because it was dominant in earlier times), but the new criminologies of everyday life and the criminology of the other will either be more dominant than the criminology of penal-welfarism or on the rise (refuted)***

As can be seen in the figure above, the model of penal-welfarism is indeed visible in many dimensions of the policies. But surprisingly, it is even the most dominant model in the Netherlands. This is unexpected, because I have chosen policy areas that are considered as urgent, which, according to the hypotheses deduced from Garland's theory, would lead to more signs of the two more recent criminologies. Therefore, the third hypothesis is refuted in favor of the alternative hypothesis of Matthews that the criminology of penal-welfarism is dominant (still).

In policy documents and during the interviews, the approach based on penal-welfarism is also presented as a new phenomenon, a change compared to earlier times. This contradicts Garland's view that penal-welfarism is something of the old days, facing increasing competition. Or, at the least, this indicates that although it might have been so, but here, in the Netherlands, and now penal-welfarism is considered as 'the new kid in town' and 'rules'.

***Hypothesis 4. In politically urgent areas of crime, the results from policy documents and policymakers will differ in the sense that the latter prefer the new criminologies of everyday life (refuted)***

The results from the analysis in section 4.5 do not confirm this hypothesis. The results of the policy documents and the interview-results regarding the policy area of street-violence do differ, but not in the sense that policymakers favour the model of everyday life. At the national level, preference is given to the model of penal-welfarism. At the local level, the model of everyday life is only favoured convincingly in the dimension nature and typical measures of prevention.

During the interviews, the policymakers responded on the direct question 'what is your personal opinion about the character of current policies?' (see appendix three). The answers provide an interesting elaboration on the above (see appendix two for the interview-list). AC admits practical considerations influenced the policy goals in the 'Action Plan Against Violence', but his personal goal is to promote a more involved society for the future. CB states that the emphasis at the moment is still on punishment, instead

of on (social-economical) pro-active prevention, which is actually a more ideal approach. The personal belief of MM regarding street-violence is that policy alone is not enough to create a better society. He believes there should be a come-back of a society in which people feel involved and safe enough to act on these feelings of responsibility. All examples of references to the model of penal-welfarism (AC, CB) and the model of the other (MM).

The results from the analysis in section 5.5 contradict the hypothesis even more. At the local level of serial offending the hypothesis is confirmed for the dimension nature and typical measures of prevention, but in general policymakers tend to agree with the preferences in policies and their focus lies with the model of penal-welfarism.

The answers of the respondents on the direct question 'what is your personal opinion about the character of current policies?' again corroborate this. There are some minor comments. For example, the question is raised as to whether it is necessary to target groups more specifically, for example younger serial offenders (TB and PB), or whether offenders in general should be judged less harsh (MB), as they are mostly people to be pitied with a great need of care (TB). In general, however, the policymakers are in agreement and quite satisfied with the current policies on serial offenders. One even remarks that the big question is why this policy approach was not adopted earlier (CP).

All in all, the opinions of policymakers involved in the policy area of street-violence do differ somewhat from the preferences in the policy documents, but those involved in the policy area of serial offending are quite content with the preferences in the policy documents. Moreover, all prefer the model of penal-welfarism instead of the model of everyday life. Therefore, the fourth hypothesis deduced from the theory of Garland is also refuted.

## **6.2 Answering the main question**

The main goal of this research is to test the validity of Garland's criminologies for the Netherlands. The main question to be answered is:

*Are, and if so, to what extent, the lay-theories within contemporary Dutch crime policies congruent to the criminologies of David Garland (the 'criminology of penal-welfarism', the 'new criminologies of everyday life' and the 'criminology of the other')?*

I have transformed the criminologies into 'models' by categorising them into an analytical framework with the following dimensions: cause of crime and stereotypical image of offenders, function of punishment and nature and typical measures of prevention. I have analysed the Netherlands by focusing on the policy areas of street-violence and serial offending at the national level (Security Programme) and the local level (municipality of Nijmegen).

In sum, the answer to the main question is that lay-theories in Dutch contemporary crime policies are congruent to all three criminologies of David Garland. The general societal pattern this research identifies is: dominance of the criminology of penal-welfarism, followed by the new criminologies of everyday life, followed by the criminology of the other. This pattern differs from the pattern Garland sketches for the United States and the United Kingdom in his theory about 'the culture of control'.

Elements of the criminology of the other feature especially in the dimension cause of crime and stereotypical image of offenders. The new criminologies of everyday life are more pervasive, especially in the dimension nature and typical measures of prevention. But the criminology of penal-welfarism is perceived to be the (new) dominant perspective in the Netherlands.

### **6.3 Commenting on internal and external validity**

The internal validity of a research is high, when there are few systematical errors due to faulty measurement instruments. I have attempted to set up a research that is as robust as possible. The external validity is high, when the chosen cases are representative. I comment on both aspects.

#### *Internal validity*

Construct validity is about finding a correlation between the concepts that should correlate according to the theory. If certain aspects of one model feature heavily in one case, it would be more logical if other aspects of the same model are recognisable as well. This was not always the case. Some elements of the model of everyday life, for example, were quite outspoken, such as the focus on efficiency. Other aspects, however, structurally received much less attention, such as training the behaviour of potential victims. Also striking was the observation that the model of the other scored high on the dimensions of the cause of crime and stereotypical image of offenders, but low on the dimension of the nature and typical measures of prevention, and the model of everyday life vice versa. As this irregularity is not caused by the operationalisation itself, but by



combining theory with practice, this is not considered to be an indicator of a methodological flaw, but of a certain weakness in the theory.

### *External validity*

The setup of a research can influence the representativeness of the results. I hereby comment on the case-selection, the representativeness of the respondents and the amount of analysed documents.

It is my opinion that I have chosen my cases as strategically as possible. The Dutch approach in criminal justice in general was and sometimes still is perceived as more moderate than in the United Kingdom and the United States. But there have been some changes that seem to reflect the changes in the United Kingdom and the United States. This makes the Netherlands a very interesting case to test the theory of Garland.

I have chosen policy areas that are politically urgent, so I could test all the hypotheses I distracted from Garland. I have also chosen policy areas that have recently been subject of attention, so I could find much data about them.

I have chosen the national and the local level, also to be able to test the hypotheses better. I chose the Security Programme, because the most recent and most detailed, and therefore most relevant, policy documents concerning street-violence and serial offending are produced on behalf of this programme. And I chose the municipality of Nijmegen, because for reasons I elaborate upon in section 3.2 as an average sized municipality it is the most representative case that can be analysed as a whole.

The respondents interviewed are representative as well. They have been connected to the themes for years, if not because of the specific function they have now, then because of involvement in the policy area somewhere else. The respondents represent a broad collection of organisations: the Department of Justice, the Department of Internal Affairs and the municipality of Nijmegen. Within these organisations they also represent different operational levels: for example within the municipality of Nijmegen, PB is an operational manager and CP is a strategic advisor and coordinator. Unfortunately, there has been some non-response. I interviewed only one respondent at the local level about their policies regarding street-violence. Others within the municipality believed an interview with this person to be sufficient and declined invitations for a meeting. This resulted in four national respondents versus one local respondent on the matter of street-violence. The effects are clear. It is impossible to find a dominant model at the local level. The results of the document-analysis and the questionnaire contradict, but deciding which are more valid is impossible, when there can be no contemplation on the

consistency of the answers in the questionnaire and when it is unknown how representative this respondent is (there are no others to compare him with).

Finally, the amount of and variation in the analysed documents, are a positive contribution to the representativeness of this research. Although the municipality of Nijmegen did not produce quite as much policy documents as were produced at the national level, I believe I have taken into account all relevant documents (see appendix one).

#### *Proposals for additional research*

In setting up this research, choices had to be made and as I said, I have chosen as strategically as possible. With more time and resources, however, the results of this research can be improved upon and I would like to grasp this opportunity to do some proposals.

I believe the representativeness of the research-results can be improved upon by conducting the same research, regarding the same policy areas, on more cases. Especially more local cases, as there is only one national level, but many different local levels and each municipality has its own characteristics. To keep as many factors as possible stable, it is an option to do the same research for municipalities with comparable characteristics. Comparable municipalities are, for example, the so-called HEBANG-gemeenten: Haarlem, Enschede, Breda, Arnhem en Groningen (Oostveen, 2006: 12). A more complicated, possible next step, could be to set up a comparative research between municipalities with different characteristics.

Although my respondents are representative, the non-response led to only one respondent at the local level of street-violence. This had some disturbing effects, so I would advise possible successors to try and find more willing to participate.

Violent crime and serial offending usually invoke a high level of emotions. It remains to be tested if the same pattern in models is also found in other policy areas. The hypothesis from this research is that they would. This could for instance be tested in policy areas that in general evoke less emotional responses. Shoplifting, for example, is a crime that people in general consider part of life and a mere nuisance, unless they come into contact with it in a disturbing way. Crime that people in general do not pay attention to or at least usually does not evoke strong feelings, unless there has been a notorious incident, is corporate crime or fraud.

# Epilogue

Many things popped up during this research, which led to me ponder on questions that were not directly related to the main question, but were captivating nonetheless. I hereby grasp the opportunity to comment on two of them.

First, a critical remark on Dutch crime policies. When comparing the scores of the models on each dimension in both policy areas, it struck me that on both occasions the model of everyday life in general has a very low score regarding the dimension of cause of crime and stereotypical image of offenders. The model of the other, on the other hand, scores in general high on this dimension. Besides from the fact that Garland's theory does not account for this differentiation, I do not comprehend why policymakers continue this way. Why use typical measures of prevention, stemming from the model of everyday life, when the cause of crime and stereotypical image of offenders are not perceived to be congruent to the those of the model of everyday life? Or, vice versa, why not opt for the nature and typical measures of prevention stemming from the model of the other, when the cause of crime and stereotypical image of offenders are perceived to be congruent to those of the model of the other?

Second, how come lay-theories from policymakers sometimes differ from the content of the policies they are involved with? In other words, what else influences the content of these policies?

The policymakers have also been asked this last question and consequently came up with many different explanations. The lay-theories of policymakers who write the policy documents (AC, MM, TB), general societal characteristics such as the perceived need to address problems with policy measures (AC), media-attention, pragmatic considerations, such as easily available information (CB and RP), lobbying policymakers and professionals (MM, MB), signals from the police (TB), pressure from the national level to adjust local policies (PB), traditional views from the criminal justice system, experiences from earlier incidents, which triggered pilots, the political climate taking a turn to the left or the right (CP).

From a public administration perspective, it would be interesting to try and measure how much influence each factor has at a certain moment of time and whether this level of influence differs as we enter new episodes of public upheaval.



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# Appendix I Overview analysed documents

## *National street-violence*

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- Knaap, L.M. van der, Nijssen, L.T.J. & Bogearst, S. *Geweld verslagen? Een studie naar de preventie van geweld in het publieke en semi-publieke domein* Boom Juridische Uitgevers, in opdracht van het WODC: 2006
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- Tweede Kamer, vergaderjaar 2005-2006, 28 684, nr. 65 – *Naar een veiliger samenleving – brief van de ministers van justitie en binnenlandse zaken en koninkrijksrelaties*, Sdu Uitgevers, 's-Gravenhage: 2005

## *Local street-violence*

- Boelaars, E. *Collegevoorstel – Veiligheid – Focus-projecten Gemeente Nijmegen*: raadsvoorstel 15 maart 2005
- Meeuwse, M. *Collegevoorstel – Veiligheid – Boog netwerken Gemeente Nijmegen*: raadsvoorstel 15 maart 2005
- Meeuse, M. *Collegevoorstel – Veiligheid – Jongerentoezichtteam Gemeente Nijmegen*

- Verdellen, R. *Collegevoorstel – Integraal jeugdbeleid – Integratie School en Hulpnetwerken, 12min-netwerken, buurtnetwerken en zorgcommissies tot 1 zorgadviesteam per stadsdeel* Gemeente Nijmegen: 19 juni 2006
- Minnema, A. *Jongeren toezichtteams stad Nijmegen 2005-2006* Politie Gelderland-Zuid, district stad Nijmegen
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- Oostveen, P. *Integrale Veiligheidsmonitor Nijmegen 2005* Gemeente Nijmegen, Oostveen Beleidsonderzoek en Advies: maart 2006

#### *National serial offending*

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- Minister van Justitie *Aanpak veelplegers – brief aan de G30 met aparte passages voor de G4, inclusief bijlage beleidsbrief veelplegers Tweede Kamer* 22 september 2003
- MinJus&MinBZK *Naar een Veiliger Samenleving*, Den Haag: oktober 2002
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- Wartna, B. & Tollenaar, N. *Bekenden van Justitie – Een verkennend onderzoek naar de 'veelplegers' in de populatie van vervolgte daders*

#### *Local serial offending*

- Arts, J. *Startnotitie – Project Ketenkracht, verbetering nazorg veelplegers*. Gemeente Nijmegen, versie 3, Nijmegen: maart 2006

- Nijmeegs Coördinatieteam, het *De Nijmeegse veelplegersaanpak – een evaluatie over 2003*, Oktober 2004
- Oostveen, P. *Integrale Veiligheidsmonitor Nijmegen 2005* Gemeente Nijmegen, Oostveen Beleidsonderzoek en Advies: maart 2006

# Appendix II Interview-list (in Dutch)

## *National – street-violence*

- Clijnk, Andy – Ministerie van Justitie – senior beleidsadviseur en Coördinator programma 'Geweld' (Actieplan tegen Geweld): 22-08-2006
- Beek, Carina van der – Ministerie van BZK – senior beleidsmedewerker Integraal Veiligheidsbeleid: 01-09-2006
- Posthuma, Rianne – Ministerie van BZK – beleidsmedewerker Integraal Veiligheidsbeleid: 01-09-2006

## *Local – street-violence*

- Meeuse, Marcel – Gemeente Nijmegen – senior beleidsadviseur Openbare Orde en Veiligheid: 23-08-2006

## *National – serial offending*

- Blaauw, Mark – Ministerie van Justitie – van 2003 tot 1 januari 2006 projectleider 'veelplegers': 01-09-2006
- Broek, Trees van der – Ministerie van Justitie – senior beleidsadviseur en projectleider 'veelplegers' tot 1 september 2006: 21-08-2006

## *Local – serial offending*

- Brandwacht, Peter – Gemeente Nijmegen – ketenregisseur veelplegers op operationeel niveau: 23-08-2006
- Polman, Carmen – Gemeente Nijmegen – strategisch adviseur integrale veiligheid en coördinator van het uitvoeringsprogramma integrale veiligheid: 29-08-2006

# Appendix III Interview-guide (in Dutch)

## Interview-guide veelplegers

### *Introductie*

In het kader van de Master Veiligheidsstudies aan de Universiteit Twente doe ik een afstudeeronderzoek naar beleid met betrekking tot veelplegers. Daarbij maak ik een vergelijking tussen het nationale niveau en het lokale niveau (voorlopig dat van de gemeente Nijmegen). Waar ik vooral geïnteresseerd in ben, zijn de argumenten van beleidsmakers die ten grondslag liggen aan de keuzes die er in het beleid zijn gemaakt (bepaalde maatregelen, bepaalde aandachtspunten).

Hiervoor heb ik eerst allerlei beleidsdocumenten geanalyseerd, zoals 'de Startnotitie Terugdringen Recidive en verschillende beleidsbrieven over veelplegers. Dit gesprek dient nu om aanvullende informatie te krijgen.

Het interview bestaat uit drie delen: eerst vraag ik u naar uw eigen ervaringen met het beleid met betrekking tot veelplegers, vervolgens leg ik u uitgeprint een aantal stellingen voor, en tenslotte heb ik nog een aantal open vragen, dat wil zeggen, voor zover die niet al beantwoord zijn in de eerste twee gedeeltes.

### *A) Positionering*

- Vanuit welke functie heeft u te maken (gehad) met het beleid op het gebied van veelplegers?
- Wat is uw persoonlijke bijdrage tot nu toe geweest aan het beleid zoals het er nu uit ziet?
- Bij welk type projecten bent u betrokken geweest? (Kunt u me daar een paar voorbeelden van geven en waar kan ik meer informatie over deze projecten vinden?)
- Wat is uw persoonlijke mening over het beleid met betrekking tot veelplegers, zoals het er nu uit ziet?

### *B) Stellingen – zie apart blad*

Vanuit deze ervaring en deze functie/positie, wil ik u per onderwerp een aantal stellingen voorleggen, met de vraag erbij welke stelling op dit moment het beste weergeeft hoe er in de praktijk van het huidige Nederlandse beleid met betrekking tot veelplegers wordt geredeneerd. Zou u dit formulier kunnen invullen? Per stelling is ook ruimte voor een korte toelichting, als dat nodig is.

### *C) Open vragen*

(even tijd om de antwoorden te bestuderen)

U zei zojuist, dat het huidige beleid op het gebied van ... vooral uitgaat van ...

- Wat is hiervan de oorzaak? (Heersende wetenschappelijke overtuiging? Mening politiek? Mening burgers?)
- Wat is uw eigen mening hierover?

### *D) Afsluiting*

- Heeft u nog vragen of opmerkingen naar aanleiding van deze serie vragen?
- Mag ik naar u verwijzen in het onderzoeksverslag?
- Mag ik nog eens contact opnemen, als ik nog aanvullende vragen heb?
- Zal ik u ook een digitaal exemplaar van het onderzoeksverslag opsturen?

Bedankt voor uw medewerking! De planning is dat de scriptie in December af is. Tegen die tijd zal ik dan ook iets van me laten horen. In de tussentijd ben ik natuurlijk altijd telefonisch en via de email bereikbaar.



## GEWELD OP STRAAT – Welke stellingen zijn van toepassing?

1 = helemaal niet, 2 = over het algemeen niet, 3 = enigszins, 4 = over het algemeen wel, 5 = helemaal

	1	2	3	4	5
a) Geweld op straat is het gevolg van armoede of sociale deprivatie. b) Geweld op straat zal zullen er altijd zijn, het is een normaal onderdeel van het alledaagse leven. c) Het fenomeen geweld op straat wordt veroorzaakt door het vervagen van centrale normen en waarden.					
a) Daders zijn achtergestelde of verwarde mensen b) Daders zijn gewone mensen die de gelegenheid zien en de winst het risico waard achten c) Daders worden niet gemotiveerd door dezelfde normen en waarden als die van de gewone samenleving, ze zijn anders en daarmee onvoorspelbaar.					
a) Het strafrechtelijk systeem is er om daders te behandelen, teneinde recidive te voorkomen. b) Straffen zijn bedoeld om delinquent gedrag minder aantrekkelijk te maken – straffen moeten bepaald worden al naargelang de kosten van de overtreding voor de samenleving. c) Straffen zijn bedoeld om de normen en waarden in de samenleving te bevestigen en slachtoffers te compenseren.					
a) De straf moet aangepast zijn aan de individuele dader, waarbij ook een element van behandeling hoort. b) Straffen moeten aangepast zijn aan verschillende (anonieme) groepen daders. c) Straffen moeten aangepast zijn aan de overtreding en aan de belangen van de slachtoffers / de samenleving.					
a) De beste preventie is het verbeteren van sociaal-economische levensomstandigheden in het algemeen. Hiervoor is de overheid, vanwege haar experts, het meest geschikt. b) De beste preventie is het aanpassen van de fysieke omgeving en het trainen van het gedrag van potentiële slachtoffers. Samenwerking met actoren buiten de overheid is onontbeerlijk. c) De beste preventie is het strikt handhaven van de wet door een krachtige overheid.					
a) Er moet gebruik worden gemaakt van individuele behandelingstrajecten binnen een algemeen sociaal emanciperend beleid. b) Er moet gebruik worden gemaakt van situationele aanpassingen. c) Er moet gebruik worden gemaakt van het zoveel mogelijk uit de roulatie nemen van de daders.					

## **Interview-guide geweld op straat**

### *Introductie*

In het kader van de Master Veiligheidsstudies aan de Universiteit Twente doe ik een afstudeeronderzoek naar beleid met betrekking tot geweld op straat. Daarbij maak ik een vergelijking tussen het nationale niveau en het lokale niveau (voorlopig dat van de gemeente Nijmegen). Waar ik vooral geïnteresseerd in ben, zijn de argumenten van beleidsmakers die ten grondslag liggen aan de keuzes die er in het beleid zijn gemaakt (bepaalde maatregelen, bepaalde aandachtspunten).

Hiervoor heb ik eerst allerlei beleidsdocumenten geanalyseerd, zoals het beleidskader met betrekking tot de ISD-maatregel / het Actieplan Tegen Geweld, het rapport Naar een veiliger samenleving, en andere. Dit gesprek dient nu om aanvullende informatie te krijgen.

Het interview bestaat uit drie delen: eerst vraag ik u naar uw eigen ervaringen met het beleid met betrekking tot geweld op straat, vervolgens leg ik u uitgeprint een aantal stellingen voor, en tenslotte heb ik nog een aantal open vragen, dat wil zeggen, voor zover die niet al beantwoord zijn in de eerste twee gedeeltes.

### *A) Positionering*

- Vanuit welke functie heeft u te maken (gehad) met het beleid op het gebied van geweld op straat?
- Wat is uw persoonlijke bijdrage tot nu toe geweest aan het beleid zoals het er nu uit ziet?
- Bij welk type projecten bent u betrokken geweest? (Kunt u me daar een paar voorbeelden van geven en waar kan ik meer informatie over deze projecten vinden?)
- Wat is uw persoonlijke mening over het beleid met betrekking tot geweld op straat, zoals het er nu uit ziet?

### *B) Stellingen – zie apart blad*

Vanuit deze ervaring en deze functie/positie, wil ik u per onderwerp een aantal stellingen voorleggen, met de vraag erbij welke stelling op dit moment het beste weergeeft hoe er in de praktijk van het huidige Nederlandse beleid met betrekking tot geweld op straat wordt geredeneerd. Zou u dit formulier kunnen invullen? Per stelling is ook ruimte voor een korte toelichting, als dat nodig is.

### *C) Open vragen*

(even tijd om de antwoorden te bestuderen)

U zei zojuist, dat het huidige beleid op het gebied van ... vooral uitgaat van ...

- Wat is hiervan de oorzaak? (Heersende wetenschappelijke overtuiging? Mening politiek? Mening burgers?)
- Wat is uw eigen mening hierover?

### *D) Afsluiting*

- Heeft u nog vragen of opmerkingen naar aanleiding van deze serie vragen?
- Mag ik naar u verwijzen in het onderzoeksverslag?
- Mag ik nog eens contact opnemen, als ik nog aanvullende vragen heb?
- Zal ik u ook een digitaal exemplaar van het onderzoeksverslag opsturen?

Bedankt voor uw medewerking! De planning is dat de scriptie in december af is. Tegen die tijd zal ik dan ook iets van me laten horen. In de tussentijd ben ik natuurlijk altijd telefonisch en via de email bereikbaar.

## VEELPLEGERS – Welke stellingen zijn van toepassing?

1 = helemaal niet, 2 = over het algemeen niet, 3 = enigszins, 4 = over het algemeen wel, 5 = helemaal

	1	2	3	4	5
a) Veelplegers zijn het gevolg van armoede of sociale deprivatie. b) Veelplegers zullen er altijd zijn, ze zijn een normaal onderdeel van het alledaagse leven. c) Het fenomeen veelplegers wordt veroorzaakt door het vervagen van centrale normen en waarden.					
a) Veelplegers zijn achtergestelde of verwarde mensen b) Veelplegers zijn gewone mensen die de gelegenheid zien en de winst het risico waard achten c) Veelplegers worden niet gemotiveerd door dezelfde normen en waarden als die van de gewone samenleving, ze zijn anders en daarmee onvoorspelbaar.					
a) Het strafrechtelijk systeem is er om daders te behandelen, teneinde recidive te voorkomen. b) Straffen zijn bedoeld om delinquent gedrag minder aantrekkelijk te maken – straffen moeten bepaald worden al naargelang de kosten van de overtreding voor de samenleving. c) Straffen zijn bedoeld om de normen en waarden in de samenleving te bevestigen en slachtoffers te compenseren.					
a) De straf moet aangepast zijn aan de individuele dader, waarbij ook een element van behandeling hoort. b) Straffen moeten aangepast zijn aan verschillende (anonieme) groepen daders. c) Straffen moeten aangepast zijn aan de overtreding en aan de belangen van de slachtoffers / de samenleving.					
a) De beste preventie is het verbeteren van sociaal-economische levensomstandigheden in het algemeen. Hiervoor is de overheid, vanwege haar experts, het meest geschikt. b) De beste preventie is het aanpassen van de fysieke omgeving en het trainen van het gedrag van potentiële slachtoffers. Samenwerking met actoren buiten de overheid is onontbeerlijk. c) De beste preventie is het strikt handhaven van de wet door een krachtige overheid.					
a) Er moet gebruik worden gemaakt van individuele behandelingstrajecten binnen een algemeen sociaal emanciperend beleid. b) Er moet gebruik worden gemaakt van situationele aanpassingen. c) Er moet gebruik worden gemaakt van het zoveel mogelijk uit de roulatie nemen van de daders.					

# Appendix IV Research-results street-violence

## *National policy documents and interviews – the Security Programme*

Dimension / model	Model of penal-welfarism	Model of everyday life	Model of the other
Cause of crime and stereotypical image of offenders	<p><b>A<sub>1</sub></b></p> <p>Individual dispositions in a context of social poverty and deprivation</p> <p>Pathological man</p>	<p><b>B<sub>1</sub></b></p> <p>Part of human nature / normal social behaviour</p> <p>Situational man</p>	<p><b>C<sub>1</sub></b></p> <p>Lack of state sovereignty and morally corrupt social arrangements</p> <p>The alien other</p>
Function of punishment	<p><b>A<sub>2</sub></b></p> <p>External rationality + specific deterrence and social solidarity</p>	<p><b>B<sub>2</sub></b></p> <p>Internal rationality + general deterrence (systematical and non-personal)</p>	<p><b>C<sub>2</sub></b></p> <p>Irrationality + expressive justice, retribution and general deterrence (symbolic)</p>
Nature and typical measures of prevention	<p><b>A<sub>3</sub></b></p> <p>Pro-active, social crime prevention + aimed at treating the individual offender and strengthening social cohesion</p>	<p><b>B<sub>3</sub></b></p> <p>Pro-active, situational crime prevention + aimed at offences: physical and environmental and behaviour of potential victims</p>	<p><b>C<sub>3</sub></b></p> <p>Re-active, preventative effect of law-enforcement + aimed at punishing the individual offender and strengthening social cohesion of the community at large</p>

### *A<sub>1</sub> - Cause of crime and stereotypical image of offenders / Model of penal-welfarism*

Within the model of penal-welfarism, individual dispositions in a context of social poverty and deprivation are considered the main cause of crime. The fitting stereotypical image of offender is then that offenders are either 'normal' or 'pathological' people, but the focus lies on the last type, since individual, criminal acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals.

Some quotes from national Dutch research documents considering this topic are:

- Some causes of violent behavior are: inborn tendency to aggression, hormones, psychic disorders (Erpecum: 42), 'delinquent environment, such as friends and

relatives' (Erpecum: 45), bad raising of children – social binding theory (Erpecum: 46), frustrations caused by problematic social backgrounds (Erpecum: 48).

- Violence without apparent cause is usually related to offenders with a psychological disorder, who choose their victims on the basis of delusions (Beke, de Haan & Terlouw: 70).
- Some causes of violent behavior are: alcohol, drugs (Erpecum: 43 and 45), violent movies (Erpecum: 48), computer games (Erpecum: 49). Also related to violent behavior is: urbanization-level, situational circumstances (Erpecum: 50), lack of supervision, possession of wapens (Erpecum: 51).
- Growing economical differences, social exclusion and the concentration of groups with little chances on legal success in an environment with little social control and supervision and an illegal opportunity-structure, create violent crime (Beke, de Haan & Terlouw: 33).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Violence is in part the result of causal factors (Startnotitie: 3).
- The profiles of violent offenders, young and old, show a significant number of similarities. Problems that occur often at the individual level are: ADHD, lack of social skills, sexual abuse, being depressed, having problems with studying and alcohol- or drugs-abuse. The social environment is characterized by many conflicts within the family, little or no attention of parents, bodily punishments, little connection to school and association with delinquent friends. At the societal level, youngsters find themselves in a social-economical poor environment, where drugs-trade, possession of weapons and the use of violence are more rule than exception (Startnotitie: 18).

During the interviews, the following arguments were used that apply to this category:

- AC – Human beings are 'tabula rasa' at birth. Only afterwards correction mechanisms and stimulating mechanisms form the behaviour of the individual (this is opposed to the view that offenders are evil from the start).
- CB – That punishments have a deterrent effect is not true. The real cause of crime should be sought, among others, in social-economical factors.

#### *A<sub>2</sub> – Function of punishment / Model of penal-welfarism*

The function of punishment is external rationality: to improve social and individual dispositions, in order to reduce crime, both essential functions in society. Punishment is therefore aimed at specific deterrence (personalized punishments and/or treatments) and

social solidarity (improving social and economical conditions for offenders or potential offenders).

Some quotes from national Dutch research documents considering this topic are:

- Primary preventative measures are: enhancing the persons knowledge about violence and changing his reasoning on violence and behavior, learning new and non-violent behavior in conflict-situations, combining knowledge and skills in reducing/preventing of violent behavior and reducing impulsivity, enlarging insight in one's own behavior and that of others, learning to judge one's own behavior and that of others, learning to opt for non-violent behavior, stimulating empathic reasoning, supporting the environment, such as the school and the family, using peerleaders for youngsters to associate themselves with (Knaap, Nijssen & Bogaerts: 32).
- Secondary prevention consists of decreasing the influence of risk-factors and supporting the influence of protective factors, such as improving life conditions (Knaap, Nijssen & Bogaerts: 32).

In national policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interviews, no arguments were used that apply to this category.

### *A<sub>3</sub> – Nature and typical measures of prevention / Model of penal-welfarism*

Within the model of penal-welfarism, the nature of prevention is pro-active, it is about social crime prevention (social problems are best managed by specialist bureaucracies that are dictated by the state, informed by experts, and rationally directed towards particular tasks). Typical measures are concerned with strengthening social cohesion and focus on the individual offender.

Some quotes from national Dutch research documents considering this topic are:

- On the long term measures that have a positive influence are programmes such as parental guidance. Specific risk-factors who have a negative influence on the youngster (or child) can also be targeted – this form of secondary prevention requires good cooperation of all institutions involved (Knaap, Nijssen & Bogaerts: 9).
- An important possibility to prevent violence lies in the reinforcement of inner deterrents of violent offenders, which makes it possible for them to control their aggressive nature (Beke, de Haan & Terlouw: 13).

- There should be further-going research to the psychic disorders of offenders (Beke, de Haan & Terlouw: 109).
- The promotion of expertise should get full attention within all organizations involved (Beke, de Haan & Terlouw: 112).
- Policies to decrease risk-factors: regulating violence on television, reducing exuberant alcohol-consumption (Erpecum: 15).
- It is very important to be able to identify youngsters within a group with a higher chance of becoming a violent offender (Erpecum: 71).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Exercises can help offenders to control their aggression and enhance their social skills. This will guide them to other ways of handling conflict situations (Startnotitie: 19).
- It is very important to establish potential delinquent behavior at an early stage (Startnotitie: 18).

During the interviews, the following arguments were used that apply to this category:

- AC – It is a very good thing the other departments are involved in the Action Plan Against Violence as well, since it is inevitable to try and solve the problem through all relevant channels, also outside the department of Justice: social care, social-economic policies, policies regarding education and child-raising, etc. (there are correctional mechanisms everywhere).
- AC – The common approach within the department of justice is a target-group-approach, from the view of effectiveness and efficiency. But: individual policies are better! Every policy regarding the criminal justice system should follow the approach used on serial offenders: person-oriented in combination with a track of social care.
- AC – There should be even more attention for 'continuing lines' in the future, or the so-called 'chain-approach': this entails the further integration of separate policy domains, concerned with the same problem, such as school and neighbourhood.

#### *B<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of everyday life*

Within the model of everyday life one sees no specific cause of crime. Crime is caused by the same factors as any other social behavior, it is a part of human nature and crime is a routine risk. The stereotypical image of offender is therefore that of the situational man,



who could be anyone, who lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.

Some quotes from national Dutch research documents considering this topic are:

- There is no univocal image of victims of violence. More often the victim just meets the wrong person in the wrong place at the wrong time (Erpecum: 10).
- The availability of weapons, or the use of daily objects as weapons, often leads to an escalation of violence (Beke, de Haan & Terlouw: 82).
- Violent offenders more often receive time in prison than other offenders, which on average also lasts longer. But they do not let this deter them. They wrongly believe the chances of getting caught are minor (Erpecum: 11). This implies that if they did know the chances of getting caught are high, this knowledge would deter them.

In national policy documents concerning street-violence, the following arguments apply to this category:

- Aggression and violence are inextricably intertwined with human nature. A society without violence is therefore an utopia (Startnotitie: 3) (Tweede Kamer: 3).
- Violence is in part the result of risk-factors (Startnotitie: 3).

During the interviews, the following argument was used that applies to this category:

- CB – That punishments have a deterrent effect is not true. The real cause of crime should be sought, among others, in the physical corruption or physical corruption of the environment.

### *B<sub>2</sub> – Function of punishment / Model of everyday life*

The function of punishment is internal rational: punishments should be efficient (the gains should be bigger than the costs). For the (potential) offenders, punishment is the price-mechanism in the supply and demand structure of crime. Punishment is concerned with general deterrence, not in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime.

Some quotes from national Dutch research documents considering this topic are:

- The consequences of violence have a significant financial impact on society. A careful estimation of these costs results in an amount of 790 million euro per year (Erpecum: 11).
- It is possible, and desirable, to deploy the police-force more effectively and flexible (Ferwerda & Beke: 37).

- Primary preventative measures aimed at the context contain the following mechanisms: camera surveillance has a deterring effect, it discourages the offender, it enhances the chances on apprehending the offender (this also goes for street-lighting), street-lighting enhances people's feeling of security and decreases the vulnerability of the potential victim, the enhancement of social skills of potential victims can improve the decision-making process in a possible conflict-situation (Knaap, Nijssen & Bogaerts: 42).
- Prevention of violence should focus on potential victims. Programmes should be aimed at people to ensure they are able to analyze situations properly and adjust their behavior accordingly (Beke, de Haan & Terlouw: 107).

In national policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interviews, no arguments were used that apply to this category.

### *B<sub>3</sub> – Nature and typical measures of prevention / Model of everyday life*

Within the model of everyday life, the nature of prevention is pro-active, it is about situational crime prevention. Programmes often beyond state apparatus, so it has much to do with public-private partnerships and community-building. Programmes are also focused on the conduct of potential victims, criminogenic situations, and those routines of everyday life that create criminal opportunities as an unintended by-product. There is a focus on aggregate, unobtrusive solutions. Typical measures are physical and environmental (but also aimed at behavior of potential victims). Measures are aimed at situations or offenses, rather than at individuals.

Some quotes from national Dutch research documents considering this topic are:

- There are three context-oriented measures which have proven to be effective: enhancing street-lighting, police-effort aimed at 'hot spots' and focused surveillances. A careful analysis of the situation leads to the focused use of opportunity-decreasing and deterring measures (Knaap, Nijssen & Bogaerts: 8).
- One policy is to try and decrease a risk-factor: reducing the illegal possession of weapons (Erpecum: 15).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Many organizations are involved in dealing with violence. A good cooperation between these institutions is therefore of vital importance. Attention to a better

exchange of knowledge about, experience with and information on violent offenders between different domains would mean a great improvement (Startnotitie: 24).

- Effectiveness is an important criteria in the evaluation of preventative projects against violence (Startnotitie: 25).
- Instruments have to be effective (Tweede Kamer: 3).
- The Department of Justice wants to evaluate the effectiveness of the broad range of initiatives civilians, companies, societal organizations and the government have deployed so far, as to be able to stimulate the ones that have been most successful (Midterm: 25).
- The focus of stricter enforcement is only in places with a heightened risk on crime, violence and nuisance (MinJus&MinBZK: 55).
- Organizations and individuals involved have to be stimulated to act on their responsibilities, for which the government can offer support (Tweede Kamer: 3).

During the interviews, the following arguments were used that apply to this category:

- AC – The two most important factors in the new programme are: sharing and integrating of knowledge and integrating work-routines from different institutions involved.
- AC – Instead of formulating the most ideal policy at the beginning, it is better to analyze what is possible at that moment in time, and work from there. The action programme is not perfect, but for that time it was the highest achievable.
- AC – Nowadays the government tends to emphasize the own responsibility of corporate organisations and citizens themselves. There are, for example, initiatives to enhance the collective feeling of groups of citizens and more and more manuals to report crime are published.

#### *C<sub>1</sub> - Cause of crime and stereotypical image of offenders / Model of the other*

Within the model of the other, the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values). The corresponding stereotypical image of offender is that of the alien other. It relates to the wanton, amoral behaviour of dangerous anti-social offenders, who typically belong to (racial and/or cultural) groups bearing little resemblance to 'us' - intrinsic otherness.

Some quotes from national Dutch research documents considering this topic are:

- Some causes of violent behavior are: frustrations caused by jealousy, 'wrong friends and relatives' (Erpecum: 43), bad norms and values – in deviant subcultures (Erpecum: 53), ideological differences (Erpecum: 54).

- A culture of indifference can lead to a society where fear rules and where no measure is able to positively influence general apathy. Solely because of this a broad offensive against violence is necessary. Some even plead for a civilization-offensive, in which there is room for reflection on modern citizenship and the related tension between individualism and social consciousness, between self-fulfillment and solidarity, between rights and obligations that stem from societal rules of conduct (Erpecum: 85).
- In the government notice 'Street-violence' the causes of violence are said to be: decay of values and norms and hardening of society, individualism that has gone too far and loss of social cohesion and lack of supervision (social control) (Beke, de Haan & Terlouw: 31). This also leads to deviant subcultures (Beke, de Haan & Terlouw: 33).
- Violence without apparent cause is also often instigated by youngsters, who choose their victims out of boredom or frustration (Beke, de Haan & Terlouw: 70).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Threats are considered a preview on physical violence: they represent a decay of manners in society. For an adequate prevention of violent crime, an adequate repressive approach is necessary in addition to a preventative approach (Startnotitie: 1).
- Violence is in part the result of public views on how to interact with each other in this society (Startnotitie: 3).
- Violent offences in general and threats specifically, reflect a decrease in good manners in society (Tweede Kamer: 2).
- Part of the aggression and violence in society is the result of an ambiguity in norms (Midterm: 25).
- There is a clear deficit in enforcement of the rules by the government. This undermines the trustworthiness of the government. This is reinforced by the visible absence of governmental organizations in the public space, an effect of the so-called 'gedoogcultuur'. The discussion about new and sometimes unorthodox measures should not be avoided (MinJus&MinBZK: 20-21).

During the interviews, the following argument was used that applies to this category:

- AC – violence has always been considered a problem. Nowadays society has become more sensitive: both offenders as victims have a shorter fuse. Everyone starts to feel like a potential victim and is not afraid to acknowledge that feeling and act on it.

## *C<sub>2</sub> – Function of punishment / Model of the other*

The function of punishment is irrational (negative form). It is about expressive justice (the assertion of absolute moral standards and affirmation of tradition and common sense), retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses).

Some quotes from national Dutch research documents considering this topic are:

- A strict approach on (also relatively minor) offences has a deterring effect on heavier offences (Beke, de Haan & Terlouw: 111). It also helps to prevent recidivism (Beke, de Haan & Terlouw: 113).
- The police will always be necessary as the repressive authority, when rules of conduct and codes have been exceeded (Erpecum: 17). Criminal law is also an authoritative force (symbolism).
- There should be more attention for the communication with victims (Ferwerda & Beke: 44).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Material and immaterial damage should be compensated, on principle by the offender (Startnotitie: 23).
- Victims need good support and sometimes medical care to process the suffering they endured and to limit the damage (Startnotitie: 20).
- The legal position of the victim needs to receive more attention, since this will help victims cope with their experiences (Startnotitie: 22).

During the interviews, the following argument was used that applies to this category:

- CB – Unfortunately, the judicial side of heavier punishments and short term goals dominates the current system. This is caused by the attention of the media and the contemporary political climate. Since violence scares people, policies regarding this topic are extra sensitive for this kind of thinking.

## *C<sub>3</sub> – Nature and typical measures of prevention / Model of the other*

Within the model of the other, the nature of prevention is re-active. One relies on the preventive effect of law enforcement. It is focused on 'taking criminals out of circulation' and measures taken on whatever evidence there is - forget stigmatized marking contribute to the problem, or that predictions of future dangerousness are notoriously

unreliable. Typical measures are intended to strengthen social cohesion, although they more aimed at the community at large rather than the individual. Measures are aimed at situations or offenses, rather than individuals.

Some quotes from national Dutch research documents considering this topic are:

- Since civilians and profit organizations have limited means to handle conflict situations and correct the behavior of others, it is unwisely to leave it all to them. Societal organizations and institutions can formulate rules of conduct and make arrangements with the local authorities to enforce them (Erpecum: 17).
- Concerning groups that provoke violence, measures should be very repressive. Prosecution on the basis of collective offending should be applied more often. En maybe it is possible to hold group-members that did not stop their friends into account later (Beke, de Haan & Terlouw: 108).
- The idea of undoing the culture of indifference is realized in the mobilization of civilians, corporations and societal organizations against violence (Erpecum: 16). These have to formulate and enforce codes of conduct.
- Some measures also aim at changing people's norms concerning violence (Knaap, Nijssen & Bogaerts: 55).

In national policy documents concerning street-violence, the following arguments apply to this category:

- Supervision and enforcement of the rules will be intensified (MinJus&MinBZK: 55) and police and municipalities will gain more authorities to achieve this.

During the interviews, the following argument was used that applies to this category:

- CB & RP – An example of national policy regarding violence is the campaign to stimulate assertive behaviour among bystanders of a violent offence. This is initiated from a line of thinking among politicians, policy makers and municipalities: there should be more participation and less social distancedness between citizens.

*Local policy documents and interviews – the municipality of Nijmegen*

Dimension / model	Model of penal-welfarism	Model of everyday life	Model of the other
Cause of crime and stereotypical image of offender	<p><b>A<sub>1</sub></b></p> <p>Individual dispositions in a context of social poverty and deprivation</p> <p>Pathological man</p>	<p><b>B<sub>1</sub></b></p> <p>Part of human nature / normal social behaviour</p> <p>Situational man</p>	<p><b>C<sub>1</sub></b></p> <p>Lack of state sovereignty and morally corrupt social arrangements</p> <p>The alien other</p>
Function of punishment	<p><b>A<sub>2</sub></b></p> <p>External rationality + specific deterrence and social solidarity</p>	<p><b>B<sub>2</sub></b></p> <p>Internal rationality + general deterrence (systematical and non-personal)</p>	<p><b>C<sub>2</sub></b></p> <p>Irrationality + expressive justice, retribution and general deterrence (symbolic)</p>
Nature and typical measures of prevention	<p><b>A<sub>3</sub></b></p> <p>Pro-active, social crime prevention + aimed at treating the individual offender and strengthening social cohesion</p>	<p><b>B<sub>3</sub></b></p> <p>Pro-active, situational crime prevention + aimed at offences: physical and environmental and behaviour of potential victims</p>	<p><b>C<sub>3</sub></b></p> <p>Re-active, preventative effect of law-enforcement + aimed at punishing the individual offender and strengthening social cohesion of the community at large</p>

*A<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of penal-welfarism*

Within the model of penal-welfarism, individual dispositions in a context of social poverty and deprivation are considered the main cause of crime. The fitting stereotypical image of offender is then that offenders are either 'normal' or 'pathological' people, but the focus lies on the last type, since individual, criminal acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals.

A quote from a local Dutch research document considering this topic is:

- One of the factors influencing the escalation of violence are (Oostveen, 2006: 66) the personal characteristics of the offender, such as the inability to communicate, mentality (lack of empathy, low intelligence or impulsive behavior), lack of a daily routine, cultural differences between offender and victim and/or psychic and social problems.

In local policy documents concerning street-violence, the following arguments apply to this category:

- Youngsters learn the most from their peer-group. They are also stimulated by activities that are exciting (Minnema: 4).
- Youngsters get into problematic situations as a consequence of the lack of a healthy environment wherein to be raised. This can have several causes, such as insecurity of parents, relationship-problems, drugs- and alcohol-abuse, sexual suppression and violence (Meeuse, raadsvoorstel: 2).
- These problems occur relatively often in neighborhoods that show signs of deprivation (Meeuse, raadsvoorstel: 2).
- Social problems can lead to various forms of nuisance and conflicts, but also violent outbursts. The individuals involved are also usually more susceptible to committing other forms of crime (Oostveen, 2006: 73).

During the interview, the following argument was used that applies to this category:

- MM – The severe nuisance causing persons, who are associated with violence, are also often associated with addiction problems.

#### *A<sub>2</sub> – Function of punishment / Model of penal-welfarism*

The function of punishment is external rationality: to improve social and individual dispositions, in order to reduce crime, both essential functions in society. Punishment is therefore aimed at specific deterrence (personalized punishments and/or treatments) and social solidarity (improving social and economical conditions for offenders or potential offenders).

In local policy documents concerning street-violence, the following arguments apply to this category:

- As a way of contributing to a positive identity-change, young people from a criminal environment or young people who seems to be heading that way, are employed to supervise certain locations in Nijmegen (Meeuse: 1).
- By making youngsters responsible for supervising duties, they gain self-respect and self-confidence. They are more stimulated to show morally responsible behaviour to friends and acquaintances. And they enlarge their social skills, such as effort and reliability (Minnema: 5).

During the interview, no arguments were used that apply to this category.



### *A<sub>3</sub> – Prevention (nature, typical measures) / Model of penal-welfarism*

Within the model of penal-welfarism, the nature of prevention is pro-active, it is about social crime prevention (social problems are best managed by specialist bureaucracies that are dictated by the state, informed by experts, and rationally directed towards particular tasks). Typical measures are concerned with strengthening social cohesion and focus on the individual offender.

In local policy documents concerning street-violence, the following arguments apply to this category:

- There are many programmes aimed at and institutions involved in preventing children to become associated with criminal behaviour (Verdellen: 1).
- The youth-team is a prevention-track for youngsters who have become involved in the criminal circuit. The main goal is to get them out and keep them out (Minnema: 4).
- The so-called 'Boog-netwerken' are aimed at youngsters between 12 and 18 who show signs of criminal behaviour. Goal is to reduce nuisance by identifying these youngsters and referring them to public services. The attempt is to influence their behaviour in a positive way (Meeuse, raadsvoorstel: 1).

During the interview, no arguments were used that apply to this category.

### *B<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of everyday life*

Within the model of everyday life one sees no specific cause of crime. Crime is caused by the same factors as any other social behavior, it is a part of human nature and crime is a routine risk. The stereotypical image of offender is therefore that of the situational man, who could be anyone, who lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.

In local policy documents concerning street-violence, the following arguments apply to this category:

- Problems concerning nuisance causing youngsters are mostly situational, complex and intertwined with the situation in the environment (the neighborhood) in which group manifests itself (Boelaars: 2).

During the interview, the following argument was used that applies to this category:

- MM – Physical corruption of the environment is an important criminogenic factor, because it creates an atmosphere in which offences are more easily committed.

### *B<sub>2</sub> – Function of punishment / Model of everyday life*

The function of punishment is internal rational: punishments should be efficient (the gains should be bigger than the costs). For the (potential) offenders, punishment is the price-mechanism in the supply and demand structure of crime. Punishment is concerned with general deterrence, not in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime.

A quote from a local Dutch research document considering this topic is:

- One of the factors influencing the escalation of violence is (Oostveen, 2006: 66) the response of the victim: assertive intentions are misunderstood, fear makes the victim more closed up, reporting the threat can lead to escalation. Some victims seem more or less to attract intimidation, a few others commit offences themselves.

In local policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interview, no arguments were used that apply to this category.

### *B<sub>3</sub> – Nature and typical measures of prevention / Model of everyday life*

Within the model of everyday life, the nature of prevention is pro-active, it is about situational crime prevention. Programmes often beyond state apparatus, so it has much to do with public-private partnerships and community-building. Programmes are also focused on the conduct of potential victims, criminogenic situations, and those routines of everyday life that create criminal opportunities as an unintended by-product. There is a focus on aggregate, unobtrusive solutions. Typical measures are physical and environmental (but also aimed at behavior of potential victims). Measures are aimed at situations or offenses, rather than at individuals.

In local policy documents concerning street-violence, the following arguments apply to this category:

- In several municipalities the youth-teams are set-up with a rewarding system. For every hour of supervision the youngster receives a financial reward (Minnema: 5).
- Several governmental, non-profit and profit organizations work together to support the functioning of the youth-teams (Minnema: 8).
- 'Focus-projects' are aimed at specific groups of youngsters that threaten to enter the criminal circuit. Goal is to reduce the nuisance caused by these groups, by offering them a track which leads to employment and/or education (Boelaars: 1).

- Since these problems can not be seen as separate from the context, an integral approach is necessary to ensure structural solutions (Boelaars: 2).

During the interview, the following argument was used that applies to this category:

- MM – When the different groups have been categorised, it is possible to prioritise. The main criterion for the criminal groups, is the available capacity.

#### *C<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of the other*

Within the model of the other, the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values). The corresponding stereotypical image of offender is that of the alien other. It relates to the wanton, amoral behaviour of dangerous anti-social offenders, who typically belong to (racial and/or cultural) groups bearing little resemblance to 'us' - intrinsic otherness.

A quote from a local Dutch research document considering this topic is:

- One of the factors influencing the escalation of violence is (Oostveen, 2006: 66) the influence of the environment/surroundings: in certain areas/neighborhoods nuisance and intimidating behavior is publicly tolerated. In many neighborhoods residents will look the other way or will refuse to report on neighbors or family.

In local policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interview, the following arguments were used that apply to this category:

- MM – the most desirable future-scenario is that we would be living in a society where people would not be afraid anymore to point out other people's irresponsible behaviour, that is: confronting people with it and mobilising others to act social responsible as well. Nowadays people often feel unprotected and vulnerable.
- MM – The contemporary 'culture of fear' is caused by a more individual minded and assertive youth and the laziness of people who pollute their environment.

#### *C<sub>2</sub> – Function of punishment / Model of the other*

The function of punishment is irrational (negative form). It is about expressive justice (the assertion of absolute moral standards and affirmation of tradition and common sense), retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses).

In local policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interview, the following argument was used that applies to this category:

- MM – There should be more opportunities for victims to report crimes, while staying anonymous. Of course punishments should be individualised, but the overall picture should not be too 'soft'. For example, in one residential area within Nijmegen that has a bad reputation, strict measures are being applied on problem-families, causing them to be forced to move instead of their victims.

### *C<sub>3</sub> – Nature and typical measures of prevention / Model of the other*

Within the model of the other, the nature of prevention is re-active. One relies on the preventive effect of law enforcement. It is focused on 'taking criminals out of circulation' and measures taken on whatever evidence there is - forget stigmatized marking contribute to the problem, or that predictions of future dangerousness are notoriously unreliable. Typical measures are intended to strengthen social cohesion, although they more aimed at the community at large rather than the individual. Measures are aimed at situations or offenses, rather than individuals.

In local policy documents concerning street-violence, no arguments could be found that apply to this category.

During the interview, no arguments were used that apply to this category.

## Questionnaire on street-violence

### GEWELD OP STRAAT – Welke stellingen zijn van toepassing?

1 = helemaal niet, 2 = over het algemeen niet, 3 = enigszins, 4 = over het algemeen wel, 5 = helemaal

AC = Andy Clijnk

MM = Marcel Meeuse

CB = Carina van der Beek

RP = Rianne Posthuma

	1	2	3	4	5
a) Geweld op straat is het gevolg van armoede of sociale deprivatie.			mm rp	ac/cb	
b) Geweld op straat zal zullen er altijd zijn, het is een normaal onderdeel van het alledaagse leven.		cb/rp		ac	mm
c) Het fenomeen geweld op straat wordt veroorzaakt door het vervagen van centrale normen en waarden.			mm ac/cb rp		
a) Daders zijn achtergestelde of verwarde mensen	ac	mm cb	rp		
b) Daders zijn gewone mensen die de gelegenheid zien en de winst het risico waard achten		mm ac/rp	cb		
c) Daders worden niet gemotiveerd door dezelfde normen en waarden als die van de gewone samenleving, ze zijn anders en daarmee onvoorspelbaar.		ac/cb rp		mm	
a) Het strafrechtelijk systeem is er om daders te behandelen, teneinde recidive te voorkomen.		mm		cb/rp	ac
b) Straffen zijn bedoeld om delinquent gedrag minder aantrekkelijk te maken – straffen moeten bepaald worden al naargelang de kosten van de overtreding voor de samenleving.			rp	ac/cb mm	
c) Straffen zijn bedoeld om de normen en waarden in de samenleving te bevestigen en slachtoffers te compenseren.			cb/rp	mm ac	
a) De straf moet aangepast zijn aan de individuele dader, waarbij ook een element van behandeling hoort.				ac/cb rp	mm
b) Straffen moeten aangepast zijn aan verschillende (anonieme) groepen daders.			cb/rp	mm ac	
c) Straffen moeten aangepast zijn aan de overtreding en aan de belangen van de slachtoffers / de samenleving.				ac/cb rp	mm

a) De beste preventie is het verbeteren van sociaal-economische levensomstandigheden in het algemeen. Hiervoor is de overheid, vanwege haar experts, het meest geschikt.				mm ac/rp	cb
b) De beste preventie is het aanpassen van de fysieke omgeving en het trainen van het gedrag van potentiële slachtoffers. Samenwerking met actoren buiten de overheid is onontbeerlijk.			mm rp	ac	cb
c) De beste preventie is het strikt handhaven van de wet door een krachtige overheid.	mm ac		cb	rp	
a) Er moet gebruik worden gemaakt van individuele behandelingstrajecten binnen een algemeen sociaal emanciperend beleid.			rp	mm ac/cb	
b) Er moet gebruik worden gemaakt van situationele aanpassingen.			rp	mm ac/cb	
c) Er moet gebruik worden gemaakt van het zoveel mogelijk uit de roulatie nemen van de daders.	mm ac	cb		rp	

# Appendix V Research-results serial offending

*National policy documents and interviews – the Security Programme*

Dimension / model	Model of penal-welfarism	Model of everyday life	Model of the other
Cause of crime and stereotypical image of offenders	<p><b>A<sub>1</sub></b></p> <p>Individual dispositions in a context of social poverty and deprivation</p> <p>Pathological man</p>	<p><b>B<sub>1</sub></b></p> <p>Part of human nature / normal social behaviour</p> <p>Situational man</p>	<p><b>C<sub>1</sub></b></p> <p>Lack of state sovereignty and morally corrupt social arrangements</p> <p>The alien other</p>
Function of punishment	<p><b>A<sub>2</sub></b></p> <p>External rationality + specific deterrence and social solidarity</p>	<p><b>B<sub>2</sub></b></p> <p>Internal rationality + general deterrence (systematical and non-personal)</p>	<p><b>C<sub>2</sub></b></p> <p>Irrationality + expressive justice, retribution and general deterrence (symbolic)</p>
Nature and typical measures of prevention	<p><b>A<sub>3</sub></b></p> <p>Pro-active, social crime prevention + aimed at treating the individual offender and strengthening social cohesion</p>	<p><b>B<sub>3</sub></b></p> <p>Pro-active, situational crime prevention + aimed at offences: physical and environmental and behaviour of potential victims</p>	<p><b>C<sub>3</sub></b></p> <p>Re-active, preventative effect of law-enforcement + aimed at punishing the individual offender and strengthening social cohesion of the community at large</p>

## *A<sub>1</sub> - Cause of crime and stereotypical image of offenders / Model of penal-welfarism*

Within the model of penal-welfarism, individual dispositions in a context of social poverty and deprivation are considered the main cause of crime. The fitting stereotypical image of offender is then that offenders are either 'normal' or 'pathological' people, but the focus lies on the last type, since individual, criminal acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals

A quote from a Dutch research document considering this topic is:

- Several criminogenic factors are identified, such as drugs addiction and exuberant alcohol consumption (Wartna: 51).

In national policy documents concerning serial offending, the following arguments apply to this category:

- There are two types of young serial offenders. One of these are youngsters without a structured life, who commit crime based on a problematic background. These youngsters often suffer from several behavioral disorders (Minister van Justitie: 19).
- There is also a difference between serial offenders with a hard-drugs addiction and without. The profile of a hard-drugs addicted serial offender consists of the fact that he is a real burglar, almost exclusively concerned with financial crime. He is almost always unemployed and without permanent housing. The percentage of immigrants is relatively high. And a large proportion has psychic problems (Minister van Justitie: 20).

During the interviews, the following arguments were used that apply to this category:

- TB – Offenders usually belong to the lowest classes of the population.
- TB – These people are very different from us, in the sense that the chances on recidivism are higher because of psychic problems, addictions or mental incapacities.
- TB – Serial offenders are mostly individuals to be pitied, with a great need for care.
- MB – The causes of the phenomenon of serial offending should be sought, among others, in the cutbacks made regarding care and social well-being services.

#### *A<sub>2</sub> – Function of punishment / Model of penal-welfarism*

The function of punishment is external rationality: to improve social and individual dispositions, in order to reduce crime, both essential functions in society. Punishment is therefore aimed at specific deterrence (personalized punishments and/or treatments) and social solidarity (improving social and economical conditions for offenders or potential offenders).

In national policy documents concerning serial offending, the following arguments apply to this category:

- The approach concerning serial offenders is aimed at behavior-alteration, focused interventions and social after-care (website Veiligheidsprogramma).
- Point of departure is that a track-oriented approach exceeds trying, confining and releasing again. Prevention, treatment and after-care play a central role in this (website Veiligheidsprogramma).



- Chances on recidivism will decrease when societal reintegration is successful (Startnotitie: 1).
- 'When they are detained for a longer period of time (two years), it is better possible to follow intervention-tracks, aimed at an alteration of behavior' (VG: 1)
- A behavior-intervention is a programmatic and structured combination of (methodic) actions, aimed at the alteration of someone's behavior and/or circumstances, with the purpose of reducing chances on recidivism. Examples are: debt-control-help, selfcontrol, social skills practice, employment-practice and the training in cognitive skills ('cognitieve vaardigheden' = COVA) (VG: 2).
- One of the three policy-aims is to prevent youngsters at risk to become serial offenders (website Veiligheidsprogramma).

During the interviews, the following argument was used that applies to this category:

- MB – A later interpretation of the ISD-measure stated that the confinement was necessary, not specifically to punish, but to be able to treat the serial offenders. This is what policy-makers had lobbied for.

### *A<sub>3</sub> – Nature and typical measures of prevention / Model of penal-welfarism*

Within the model of penal-welfarism, the nature of prevention is pro-active, it is about social crime prevention (social problems are best managed by specialist bureaucracies that are dictated by the state, informed by experts, and rationally directed towards particular tasks). Typical measures are concerned with strengthening social cohesion and focus on the individual offender.

In national policy documents concerning serial offending, the following arguments apply to this category:

- It is very important the transfer from ex-inmates to the municipalities goes fluently to prevent the ex-inmate ending up on the street without guidance or services (VG: 7)
- The lack of housing is an important criminogenic factor. Therefore, it is important that serial offenders who do not have a permanent place to stay, acquire one. Municipalities are responsible for this (Minister van Justitie: 5-6).
- Since deviant behavior is often related to personal problems, like a harddrugs-addiction, problematic alcohol-consumption, a psychic disorder or homelessness, it is important to pay attention to permanent housing, health services, employment and income (Minister van Justitie: 27).
- It is very important to register and respond to deviant behaviour of youngsters on time (Ministerie van Justitie: 17)

- Policies on young serial offenders should not be limited to those category of delinquents who have already gone too far. They should be applied broadly to prevent a growth of this category as much as possible. That is why it is very important to register deviant behavior at an early stage. This is the responsibility of the services present around schools and the police (Minister van Justitie: 21).

During the interviews, the following arguments were used that apply to this category:

- TB – Policy has shifted focus from a case-oriented approach to a person-oriented approach.
- TB – During the track-oriented approach an individual programme is created for every serial offender, based on the analysis of the professional rehabilitation service.
- TB – The actors involved originate within the government and the non-profit sector. They are: the prisons, the department of Justice, municipalities, the rehabilitation service, the municipal bank (for debt-control-issues) and the branch-organisation for mental health and addiction care (GGZ = Geestelijke Gezondheid- en Verslavingszorg).
- MB – Although some criticize the effort the system is putting in the most difficult category of serial offenders (of which only 10% is likely to alter their behaviour after treatment) and argue for focusing solely on youth (to prevent them from becoming serial offenders), MB believes it is unjust for the state to close your eyes for their problems. The state should also be there for those who are worst off.

#### *B<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of everyday life*

Within the model of everyday life one sees no specific cause of crime. Crime is caused by the same factors as any other social behavior, it is a part of human nature and crime is a routine risk. The stereotypical image of offender is therefore that of the situational man, who could be anyone, who lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.

In national policy documents concerning serial offending, the following arguments apply to this category:

- The cause of crime can partially be found in the failure of coordination between all parties involved. It is also a matter of lack of recourses (Minister van Justitie: 14-15).
- There are two types of young serial offenders. One of these are youngsters with a relatively structured life, who commit crime for financial gain. These youngsters

act calculated and are usually in the possession of a substantive amount of money (Minister van Justitie: 19).

- Serial offenders are refrained from offending by measures that make sure crime is not the easiest way of achieving something anymore (Minister Donner: 1).

During the interviews, the following argument was used that applies to this category:

- TB – Only numbers and statistics are used to determine the target-group. This is a good thing, since Justice is supposed to be as neutral and unjudgemental as possible.

### *B<sub>2</sub> – Function of punishment / Model of everyday life*

The function of punishment is internal rational: punishments should be efficient (the gains should be bigger than the costs). For the (potential) offenders, punishment is the price-mechanism in the supply and demand structure of crime. Punishment is concerned with general deterrence, not in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime.

In national policy documents concerning serial offending, the following arguments apply to this category:

- Detaining serial offenders for a longer period of time, relieves the criminal justice system of having to process them repeatedly, this saves time and money (MinJus&MinBZK: 27).
- If in part these recidivists – maybe limited in number – can be held responsible for a large portion of the registered crime, an intensive approach is justified (Minister Donner: 1).
- Interventions (intensive reintegration-tracks) will only be initiated when there is a realistic expectation they will result in reducing chances on recidivism, in frequency or nature of the offences (Startnotitie: 2) (website Veiligheidsprogramma) (Minister van Justitie: 22).
- Because the group of serial offenders is too large (website Veiligheidsprogramma), it is impossible to take on they entire group of serial offenders, policies are targeted at the very active serial offenders at first (Minister van Justitie: 4 & 22).
- On of the policy-aims is to stop youthful offenders with effective punishments (website Veiligheidsprogramma). Youthful serial offenders will be handled as quick as possible with effective punishments (Directie Voorlichting: 1).

- 'When they are detained for a longer period of time (two years), it is better possible to follow (effective) intervention-tracks, aimed at ... and decrease chances on recidivism (VG: 1)
- A structured approach of serial offenders has a potentially significant effect on crime, especially if this approach focuses on those areas most serial offenders occur, the large cities. Of course it also depends on the availability of sufficient financial means (Minister van Justitie: 19).

During the interviews, no arguments were used that apply to this category.

### *B<sub>3</sub> – Nature and typical measures of prevention / Model of everyday life*

Within the model of everyday-life, the nature of prevention is pro-active, it is about situational crime prevention. Programmes often beyond state apparatus, so it has much to do with public-private partnerships and community-building. Programmes are also focused on the conduct of potential victims, criminogenic situations, and those routines of everyday life that create criminal opportunities as an unintended by-product. There is a focus on aggregate, unobtrusive solutions. Typical measures are physical and environmental (but also aimed at behavior of potential victims). Measures are aimed at situations or offenses, rather than at individuals.

A quote from a Dutch research document considering this topic is:

- All the background-research in the reports is set up to be as neutral as possible, 'mapping the problem' (Wartna: 16-34) It is all about how percentages of crime are distributed among the offenders, what kind of offenses are mostly committed by serial offenders, the number of serial offenders, and characteristics of serial offenders concerning gender, country of birth, age, addictions, etc.

In national policy documents concerning serial offending, the following arguments apply to this category:

- RISc: a diagnostic instrument to determine whether a person is influencable concerning an alteration in his behaviour and what the risks of recidivism are. It helps, for example, to determine the form in which the ISD-measure is implemented: a sober 'basisregiem' or behaviour-influencing programmes. It is not an end-product, it is to be used for reports, monitoring-plans, and plans for the set up of the reintegration-programme, aimed at the criminogenic factors (VG: 2).
- HKS = automatic system of the police to determine instantly if a person is known as a serial offender (VG: 3).

- A close cooperation between police, (youth)services, health services, justice and municipalities is necessary (website Veiligheidsprogramma).
- Several proposed actions concerning potential young serial offenders are: the implementation of a national model of a crime-map, the set-up of a national database with examples of effective approaches of hard-core problem youth, stimulating a broad application of effective approaches, research to effectiveness of sanctions (Minister van Justitie: 21).
- An optimal implementation of the ISD-measure is totally dependent on the cooperation of all parties involved (Directie SRS: 9).
- The fundamental variables that can be focused upon are: effectiveness, feasibility, tempo, flexibility and efficiency (Startnotitie: 5).

During the interviews, the following arguments were used that apply to this category:

- TB – RISC is the instrument that forms the basis for the set-up of a track, within the so-called track-oriented approach. It focuses on criminogenic factors and analyses all the possibilities and impossibilities, to determine what is the most efficient and effective programme.
- TB – although actors are mostly identified within the public sphere, and there is a focus on aggregate, but not especially on unobtrusive solutions: still there is talk about increasing effectiveness by paying attention to the so-called 'chain' of institutions involved.
- TB – A possible improvement in the approach concerning serial offending, could be the use of prioritisation. In the Securityprogramme youths are appointed as a specific target-group, in the approach against serial offending no such prioritisation is visible. To increase efficiency it could be wise, for example, to focus on the very young and very old serial offenders, from the idea that they are more susceptible to behaviour altering programmes (since young people learn faster and old people might have a stronger impetus to stop their self-destructive lifestyle)
- MB – From the programme 'reducing recidivism' the idea originated that one should only work on those aspects deemed important in a scientific and standardised screening-programme (Risc).
- MB – The new approach is a good thing, because it is more efficient – sharing information has become the standard, not the exception. This saves time and money and is more effective (crime rates are dropping).

*C<sub>1</sub> - Cause of crime and stereotypical image of offenders / Model of the other*

Within the model of the other, the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values). The corresponding stereotypical image of offender is that of the alien other. It relates to the wanton, amoral behaviour of dangerous anti-social offenders, who typically belong to (racial and/or cultural) groups bearing little resemblance to 'us' - intrinsic otherness.

In national policy documents concerning serial offending, the following arguments apply to this category:

- For serial offenders without a hard-drugs addiction it is harder to find out what the motivation is behind the repeating of offending (Directie SRS: 7).
- Serial offenders do not let themselves be refrained by rules and programmes (Minister Donner: 1).
- Any decreasing numbers of offences are in part the consequence of the way serial offenders is handled (this is related to capacity government) (Minister Donner: 1).

During the interviews, the following argument was used that applies to this category:

- MB – The causes of the phenomenon of serial offending should be sought, among others, in the increasing level of individualism in society and the decay of certain values and norms.

#### *C<sub>2</sub> – Function of punishment / Model of the other*

The function of punishment is irrational (negative form). It is about expressive justice (the assertion of absolute moral standards and affirmation of tradition and common sense), retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses).

A quote from a Dutch research document considering this topic is:

- 'The deviant style of serial offenders causes all kinds of nuisance' (Wartna: 5) for civilians and companies, especially in the urban areas. Society has to be protected (Wartna: 4) and therefore the vicious circle of confining-releasing-judging-confining has to be broken.

In national policy documents concerning serial offending, the following arguments apply to this category:

- This situation infringes upon the Security of persons and society as a whole and should not be allowed to persist (website Veiligheidsprogramma).

- It is very frustrating that the offender is usually out in the open again before the victim is finished reporting the crime. It is unacceptable to sustain a situation that infringes upon the Security of people and of the society as a whole and that is handled insufficiently by current policy (Minister van Justitie: 15).
- Society has to be protected, the community has to be protected from routine offending, and therefore very active serial offenders have to be taken out of circulation for a longer period of time (Directie SRS: 6).
- Very active serial offenders will be taken out of circulation and be confined within a sober regime (website Veiligheidsprogramma).
- Instead of an offence-oriented approach, a person-oriented approach is taken concerning serial offenders. This entails the entire criminal record is taken into account when trying the offender, which makes heavier sentencing possible (website Veiligheidsprogramma) (Directie Voorlichting: 2).
- Legal immigrants who commit offences, should be considered for the termination of their stay or their naturalisation-procedure (Minister van Justitie: 23).

During the interviews, the following arguments were used that apply to this category:

- TB – The criminal justice system is in essence still a punitive system, aimed at inflicting suffering on offenders, despite the new focus on rehabilitation. This is also what the general public wants / needs. On this matter, it is possible to draw a parallel between serial offenders and asylum seekers: when people do not know them in person, they tend to be quite harsh.
- MB – The adagium of the ISD-measure, was 'a sober regime, unless...'. This was criticised by several of the parties involved as unfair and resulting in two years of sober detention for most of the serial offenders. But this very harsh approach was indeed what the government had in mind, when formulating the letter that was the basis for the new policy approach.
- MB – Although some argue from efficiency-arguments that it is better to focus on youth than on the very active serial offenders (of which only 10% is likely to alter their behaviour after treatment), MB feels it would be unwise to ignore this group, among others because it would lead to societal upheaval.
- MB – Policy in general is more (than MB would like) aimed at punishment, more black and white, more 'if you don't want to listen, feel' and 'it is your own fault you ended up in this situation'.

### *C<sub>3</sub> – Nature and typical measures of prevention / Model of the other*

Within the model of the other, the nature of prevention is re-active. One relies on the preventive effect of law enforcement. It is focused on 'taking criminals out of circulation'

and measures taken on whatever evidence there is - forget stigmatized marking contribute to the problem, or that predictions of future dangerousness are notoriously unreliable. Typical measures are intended to strengthen social cohesion, although they more aimed at the community at large rather than the individual. Measures are aimed at situations or offenses, rather than individuals.

In national policy documents concerning serial offending, the following arguments apply to this category:

- Several proposed actions concerning potential young serial offenders are: broader application of the possibility of preliminary confinement, stricter enforcement of current modalities concerning re-socialisation, national implementation of night-detention (Minister van Justitie: 21).
- If there are no points of departure (anymore) to set-up a reintegration-project aimed at preventing recidivism or if a serial offender is not motivated to participate in such, the punishment will be applied in the form of a very strict regime (Minister van Justitie: 26).
- In practice, the new law means serial offenders will be taken out of circulation for a longer period of time based on the notion 'basis-regime, unless' (Directie SRS: 9).

During the interviews, no arguments were used that apply to this category.



*Local policy documents and interviews – the municipality of Nijmegen*

Dimension / model	Model of penal-welfarism	Model of everyday life	Model of the other
Cause of crime and stereotypical image of offenders	<p><b>A<sub>1</sub></b></p> <p>Individual dispositions in a context of social poverty and deprivation</p> <p>Pathological man</p>	<p><b>B<sub>1</sub></b></p> <p>Part of human nature / normal social behaviour</p> <p>Situational man</p>	<p><b>C<sub>1</sub></b></p> <p>Lack of state sovereignty and morally corrupt social arrangements</p> <p>The alien other</p>
Function of punishment	<p><b>A<sub>2</sub></b></p> <p>External rationality + specific deterrence and social solidarity</p>	<p><b>B<sub>2</sub></b></p> <p>Internal rationality + general deterrence (systematical and non-personal)</p>	<p><b>C<sub>2</sub></b></p> <p>Irrationality + expressive justice, retribution and general deterrence (symbolic)</p>
Nature and typical measures of prevention	<p><b>A<sub>3</sub></b></p> <p>Pro-active, social crime prevention + aimed at treating the individual offender and strengthening social cohesion</p>	<p><b>B<sub>3</sub></b></p> <p>Pro-active, situational crime prevention + aimed at offences: physical and environmental and behaviour of potential victims</p>	<p><b>C<sub>3</sub></b></p> <p>Re-active, preventative effect of law-enforcement + aimed at punishing the individual offender and strengthening social cohesion of the community at large</p>

*A<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of penal-welfarism*

Within the model of penal-welfarism, individual dispositions in a context of social poverty and deprivation are considered the main cause of crime. The fitting stereotypical image of offender is then that offenders are either 'normal' or 'pathological' people, but the focus lies on the last type, since individual, criminal acts are symptoms of underlying dispositions that are typically found in poorly socialized or maladjusted individuals.

In local policy documents concerning serial offending, the following arguments apply to this category:

- Serial offenders are mostly persons addicted to hard-drugs. Because of this addiction they are no longer capable of creating a 'normal' life for themselves (Nijmeegs Coördinatieteam: 2).
- People believe ISD to be a sober form of SOV ('Strafrechtelijke Opvang Verslaafden'). As such, the expectation is ISD-places will be less successful when

it comes to integrating serial offenders back into society (Nijmeegs Coördinatieteam: 4).

- Serial offenders are mostly persons, who had dreams and ambitions once, who slipped somewhere along the road and who have a right to expect extra care from the government (Arts: 3).
- One of the main causes of the continued addiction of serial offenders is the lack of a social Security-net outside of the world of fellow addicts (Arts: 24). This should be point of attention in resocialisation-programmes (Arts: 24).

During the interviews, the following argument was used that applies to this category:

- CP – Serial offenders, especially the very active ones, should usually be seen as seriously addicted or mentally disturbed persons.

#### *A<sub>2</sub> – Function of punishment / Model of penal-welfarism*

The function of punishment is external rationality: to improve social and individual dispositions, in order to reduce crime, both essential functions in society. Punishment is therefore aimed at specific deterrence (personalized punishments and/or treatments) and social solidarity (improving social and economical conditions for offenders or potential offenders).

In local policy documents concerning serial offending, the following arguments apply to this category:

- Main goal of measures is to integrate serial offenders with society again (Nijmeegs Coördinatieteam: 3). Building up a 'normal' way of living is the primary aim (Nijmeegs Coördinatieteam: 3).
- It is very important to make contact with the suspect at an early stage of the process. On the basis of a screening or diagnosis, concerning problem areas such as addictions, financial situation, housing, employment, etcetera, 'De Grift' decides on starting a (possibly forced by the judiciary system) rehabilitation-track. Other institutions can be involved in this (Nijmeegs Coördinatieteam: 3-4).
- Some serial offenders need help to determine what kind of help they need and to ensure it is successful. Case-management or a less far reaching form of guidance can be thought of (Arts: 13).

During the interviews, the following argument was used that applies to this category:

- CP – This new policy is costing a lot of money, but the expectation is that it certainly will have positive societal effects, and that is what matters (financial gains are only a positive side-effect).

### *A<sub>3</sub> – Nature and typical measures of prevention / Model of penal-welfarism*

Within the model of penal-welfarism, the nature of prevention is pro-active, it is about social crime prevention (social problems are best managed by specialist bureaucracies that are dictated by the state, informed by experts, and rationally directed towards particular tasks). Typical measures are concerned with strengthening social cohesion and focus on the individual offender.

In local policy documents concerning serial offending, the following argument applies to this category:

- Asides from repressive measures, care and attention for serial offenders is necessary to prevent any recidivism (Arts: 7).

During the interviews, the following arguments were used that apply to this category:

- PB – No distinction should be made between different categories of serial offenders, since all measures are personalized: the person-oriented approach.
- PB – Even if the focus shifts to target-groups that are more easy to influence, it is desirable that the group of most heavy serial offenders keeps receiving attention. This is part of the responsibility of the municipality.

### *B<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of everyday life*

Within the model of everyday life one sees no specific cause of crime. Crime is caused by the same factors as any other social behavior, it is a part of human nature and crime is a routine risk. The stereotypical image of offender is therefore that of the situational man, who could be anyone, who lacks a strong moral compass or any effective internal controls, aside from a capacity for rational calculation and a healthy will to pleasure.

In local policy documents concerning serial offending, the following argument applies to this category:

- The problem (of serial offending) is usually approached from the point of view of society, that endures nuisance and damage because of the behavior of serial offenders (Arts: 3).

During the interviews, no arguments were used that apply to this category.

### *B<sub>2</sub> – Function of punishment / Model of everyday life*

The function of punishment is internal rational: punishments should be efficient (the gains should be bigger than the costs). For the (potential) offenders, punishment is the

price-mechanism in the supply and demand structure of crime. Punishment is concerned with general deterrence, not in the symbolic sense, but in the sense of systematical and non-personal means of reducing crime.

In local policy documents concerning serial offending, the following argument applies to this category:

- Interventions are determined after a process of screening and central coordination. Only once the picture is complete can be determined to which category the serial offenders belongs and which intervention is most useful (Arts: 24).

During the interviews, no arguments were used that apply to this category.

### *B<sub>3</sub> – Nature and typical measures of prevention / Model of everyday life*

Within the model of everyday life, the nature of prevention is pro-active, it is about situational crime prevention. Programmes often beyond state apparatus, so it has much to do with public-private partnerships and community-building. Programmes are also focused on the conduct of potential victims, criminogenic situations, and those routines of everyday life that create criminal opportunities as an unintended by-product. There is a focus on aggregate, unobtrusive solutions. Typical measures are physical and environmental (but also aimed at behavior of potential victims). Measures are aimed at situations or offenses, rather than at individuals.

In local policy documents concerning serial offending, the following arguments apply to this category:

- Local police officers are a vital source of information. New facts will be processed in a system, which is updated daily by the information-detectives. A special track-team ensures the obtained information leads to finding and arresting serial offenders (Nijmeegs Coördinatieteam: 3).
- For adult serial offenders, youthful serial offenders and very active nuisance causing persons (in order of priority), operational case-meetings are conducted periodically, in which information of all different governmental and non-profit services involved is combined (Arts: 12).
- The numbers of offences by serial offenders is also reduced by situational measures. Better security measures within residencies have lead to less burglaries. Cars are more often better secured and car-radios integrated so stealing is pointless (Oostveen, 2006: 68 and 69).

During the interviews, the following arguments were used that apply to this category:

- PB – Implementing the serial offender policy led to a better insight in the percentage of serial offenders that can still be influenced. About twenty-five percent is untreatable.
- PB – in the future one could consider whether we are actually targeting the right group (the most heavy serial offenders). The chances on succesfull intervention could be bigger with other target-groups (such as young or old serial offenders).
- CP – National and local policy are often based on the so-called bathtub-model. At a certain point in someone's criminal career interventions are more useful (usually when the serial offender gets a girlfriend, forms a family, obtains a job, etc.). Locally, at least, costs and expected gains are always weighed carefully: sometimes people are so far gone, it is not worth investing (much) anymore.
- CP – only if serial offenders are (cooperative and) at a moment in their life where intervention is possibly successful, will they receive the special tracks designed for them.
- CP – The new approach regarding serial offenders (person-oriented, chain-approach, individualised measures) was actually inevitable. It is the only way to handle these problems in any efficient and effective way.

#### *C<sub>1</sub> – Cause of crime and stereotypical image of offenders / Model of the other*

Within the model of the other, the main causes of crime are a lack of state sovereignty and morally corrupt social arrangements (norms and values). The corresponding stereotypical image of offender is that of the alien other. It relates to the wanton, amoral behaviour of dangerous anti-social offenders, who typically belong to (racial and/or cultural) groups bearing little resemblance to 'us' - intrinsic otherness.

In local policy documents concerning serial offending, the following argument applies to this category:

- On frequent occasions the generosity of the municipality is abused: serial offenders do not use the financial aid they receive for the proper causes (Arts: 23).

During the interviews, the following arguments were used that apply to this category:

- CP – The ISD-measure is a last attempt to correct the behaviour of serial offenders. If that does not work, they will be labeled as untreatable and measures will be solely aimed at damage-control.

- CP – Prejudices, among citizens but also among different organisations involved, concern mostly the categories of offenders that are right below the serial offenders, such as severe nuisance causing persons.

### *C<sub>2</sub> – Function of punishment / Model of the other*

The function of punishment is irrational (negative form). It is about expressive justice (the assertion of absolute moral standards and affirmation of tradition and common sense), retribution (rights of the victim and/or the family of the victim supersede those of the offender) and general deterrence (punishing is the symbolic means of affirming the dominant value-system, thereby influencing members of society not to commit offenses).

In local policy documents concerning serial offending, the following argument applies to this category:

- The aim of the approach on serial offending is primarily to ensure citizens are less inconvenienced by their criminal behavior (Nijmeegs Coördinatieteam: 2).

During the interviews, no arguments were used that apply to this category.

### *C<sub>3</sub> – Nature and typical measures of prevention / Model of the other*

Within the model of the other, the nature of prevention is re-active. One relies on the preventive effect of law enforcement. It is focused on 'taking criminals out of circulation' and measures taken on whatever evidence there is - forget stigmatized marking contribute to the problem, or that predictions of future dangerousness are notoriously unreliable. Typical measures are intended to strengthen social cohesion, although they more aimed at the community at large rather than the individual. Measures are aimed at situations or offenses, rather than individuals.

In local policy documents concerning serial offending, the following arguments apply to this category:

- For some individuals reintegration is not feasible. These members of the target group should be detained as long as possible to keep them off the streets (Nijmeegs Coördinatieteam: 3).
- There are coordination-agreements between the police and the justice department, that are mostly repressive (Arts: 7).

During the interviews, no arguments were used that apply to this category.

NB. It should be noted there are no references to research documents in the section above. This is so, because even more than with street-violence, many of the reports referred to in policy documents are the same national research documents and the local research documents contain mostly local statistical information, inventarising the current situation without formulating opinions on the cause of crime and stereotypical image of the offender, the function and nature of punishment and the nature and typical measures of prevention. There is one research document, that of Oostveen, in the sense that it has been produced by a consultancy agency. Since it is an evaluation, however, and it inventarises the current situation, thereby referring to the working of actual policies, I chose to combine this information with the policy documents.

## Questionnaire on serial offending

### VEELPLEGERS – Welke stellingen zijn van toepassing?

1 = helemaal niet, 2 = over het algemeen niet, 3 = enigszins, 4 = over het algemeen wel, 5 = helemaal

TB = Trees van der Broek

PB = Peter Brandwacht

CP = Carmen Polman

MB = Mark Blaauw

	1	2	3	4	5
a) Veelplegers zijn het gevolg van armoede of sociale deprivatie.			pb/cp mb	tb	
b) Veelplegers zullen er altijd zijn, ze zijn een normaal onderdeel van het alledaagse leven.			tb/cp mb	pb	
c) Het fenomeen veelplegers wordt veroorzaakt door het vervagen van centrale normen en waarden.	cp	mb	pb	tb	
a) Veelplegers zijn achtergestelde of verwarde mensen			pb	tb/cp mb	
b) Veelplegers zijn gewone mensen die de gelegenheid zien en de winst het risico waard achten	mb	tb/cp	pb		
c) Veelplegers worden niet gemotiveerd door dezelfde normen en waarden als die van de gewone samenleving, ze zijn anders en daarmee onvoorspelbaar.		pb	tb/cp	mb	
a) Het strafrechtelijk systeem is er om daders te behandelen, teneinde recidive te voorkomen.	pb	tb		cp/mb	
b) Straffen zijn bedoeld om delinquent gedrag minder aantrekkelijk te maken – straffen moeten bepaald worden al naargelang de kosten van de overtreding voor de samenleving.			pb	tb/cp mb	
c) Straffen zijn bedoeld om de normen en waarden in de samenleving te bevestigen en slachtoffers te compenseren.				tb/cp pb/mb	
a) De straf moet aangepast zijn aan de individuele dader, waarbij ook een element van behandeling hoort.				pb mb	tb cp
b) Straffen moeten aangepast zijn aan verschillende (anonieme) groepen daders.			pb mb		tb cp
c) Straffen moeten aangepast zijn aan de overtreding en aan de belangen van de slachtoffers / de samenleving.		cp	tb	pb	mb



<p>a) De beste preventie is het verbeteren van sociaal-economische levensomstandigheden in het algemeen. Hiervoor is de overheid, vanwege haar experts, het meest geschikt.</p> <p>b) De beste preventie is het aanpassen van de fysieke omgeving en het trainen van het gedrag van potentiële slachtoffers. Samenwerking met actoren buiten de overheid is onontbeerlijk.</p> <p>c) De beste preventie is het strikt handhaven van de wet door een krachtige overheid.</p>				tb/cp pb/mb	
		pb	cp		tb mb
		tb/cp pb		mb	
<p>a) Er moet gebruik worden gemaakt van individuele behandelingstrajecten binnen een algemeen sociaal emanciperend beleid.</p> <p>b) Er moet gebruik worden gemaakt van situationele aanpassingen.</p> <p>c) Er moet gebruik worden gemaakt van het zoveel mogelijk uit de roulatie nemen van de daders.</p>				tb pb/mb	Cp
		pb		tb cp	mb
	tb		pb	cp/mb	