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# The Troubling Governmentalities of the Troubled Families Civilising Offensive

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*'Carrots and Sticks': New Regulatory Approaches to Crime and Behavioural Control* symposium

University of Leeds, 15<sup>th</sup> -16<sup>th</sup> July 2013

# Troubled Families

*“In the UK today there are hundreds of thousands of individuals and families living profoundly troubled lives marked by multiple disadvantages”*

(Iain Duncan Smith, foreword to HM Government, 2012).

- 120,000 troubled families (HM Government, 2012).
- 500,000 ‘forgotten families’ (Riots, Communities and Victims Panel, 2012).

## Discourse: Naming the World

- *“Values necessary to support respect are becoming less widely held” and there is “an increase in disrespectful behaviour”* (Respect Task Force, 2006; see Millie, 2009a and 2009b; Flint and Powell, 2012).
- ‘Broken Britain’, based upon *“a complete absence of self-restraint”* and *“a slow motion moral collapse that has taken place in our country these last few generations”* (David Cameron, 2011; see also Cameron, 2010; Conservative Party, 2010).
- Fiona Pilkington and the 2011 riots.
- ‘Triple-track’ approach of prevention, support and enforcement (Respect Task Force, 2006) or what Phoenix (2008) terms ‘coercive welfare’.

# Rhetorical Fantasy and Fallacy

- Coalition Government pledged to *“turn around the lives”* of 120,000 families during this Parliament and *“To stop anti-social behaviour once and for all”* (HM Government, 2012; Home Office, 2011, 2012).
- It is possible *‘to make people who need help to take it’*; *‘households can be ‘forced to take help’* (Respect Action Plan, 2006): non-negotiable support.
- Parenting Orders can *‘compel’* parents to attend programmes (Ministry of Justice, 2010) and sanction as a deterrent.
- A *‘rehabilitation revolution’* focused on prevention and a *‘second chance society’* (HM Government, 2012; Ministry for Justice, 2010).
- *“Current formal powers impose stringent conditions to stop future ASB but don’t address underlying causes”* (Home Office, 2012, p. 16).
- To provide support beyond the welfare support system (HM Government, 2012, p 9) and to *‘reduce top down state intervention’* (Ministry of Justice, 2010).

# Anti-social Behaviour, Crime and Policing Bill

Theme	Existing Tools	New Powers
People	ASBO, Individual Support Order, Intervention Order, ASB Injunction, Drink Banning Order  CRASBO, Drink Banning Order on Conviction	<b>Injunction to Prevent Nuisance and Annoyance (IPNA)</b>  <b>Criminal Behaviour Order (CBO)</b>
Places	Litter Clearing Notice, Street Litter Control Notice, Defacement Removal Notice  Designated Public Place Order, Dog Control Order, Gating Order  ASB Premises Closure Order, Crack House Closure Order, Noisy Premises, Closure Order, S.161 Closure Order	<b>Community Protection Notices</b>  <b>Public Space Protection Orders</b>  <b>Closure Notices and Closure Orders</b>
Police Powers	S.30 Dispersal Order S.27 Direction to Leave	<b>Dispersal Powers</b>

# New Regulatory Approaches (1)

- **There is a broadening of the definition of ASB-** to conduct 'capable of causing nuisance or annoyance to any person' rather than conduct 'causing (or likely to cause) harassment, alarm and distress'. In addition, Community Protection Notices and Public Space Protection Orders enable a wider range of behaviours to be targeted' 'all behaviour detrimental to a community's quality of life' (rather than the specified behaviours in some previous measures) and new Closure Notices and Closure Orders have a lower threshold.
- **The powers have become easier to use.** Standards of proof are civil rather than criminal and powers may be used if they are 'just and convenient' or 'will help', rather than being 'necessary.' The potential duration of the measures has also been increased. The Bill attempts to expedite the eviction of tenants on the grounds of ASB. A new mandatory ground for possession means that courts have no discretion to refuse the order as long as the notice requirements and other conditions (including an assessment of proportionality) have been met.

## New Regulatory Approaches (2)

- **Powers extend their geographical reach.** For dispersal powers it is no longer required for ASB to have been a persistent problem in an area or for the public to have previously been 'harassed and intimidated'. Landlords will be able to seek possession where a tenant (or a person living in or visiting the tenant's home) is guilty of conduct likely to cause nuisance or annoyance to the landlord or someone employed in connection to the landlord's housing management functions. This conduct does not have to take place in the locality of the tenant's home. In addition, a new discretionary ground for possession will be created where a tenant or person living with them has been convicted of an offence committed at the scene of a riot anywhere in the UK.
- Injunctions to Prevent Nuisance and Annoyance and Criminal Behaviour Orders can **impose positive requirements** upon individuals as well as prohibitions (this was not possible with ASBOs or ASB Injunctions- it was possible with Individual Support Orders but these were not widely used).

## New Regulatory Approaches (3)

- **A wider range of agencies** are able to apply for or utilise these powers.
- **There is enhanced community involvement and an emphasis on restorative justice:** a 'community remedy' requires Police and Crime Commissioners to consult the public about a range of possible sanctions and a menu of these sanctions will be produced, which police officers or prosecutors may use rather than other forms of sanction. A new community trigger mechanism imposes a duty on Community Safety Partnerships to take action on cases where at least five different individuals from five different households in the same neighbourhood had complained or behaviour has been reported at least three times by an individual and no action had been taken (this scheme has been piloted and resulted in a very low take up).

See House of Commons Library (2013a)



# The Scottish Government's Housing Bill

- Introducing a qualifying period before succession to a tenancy.
- Allowing a minimum period to be put in place before anti-social tenants are eligible for the allocation of social housing.
- Allowing landlords to use Short Scottish Secure Tenancies for applicants and tenants with a history of anti-social behaviour.
- Simplifying evictions for tenants convicted of a serious offence.
- Tenants given the right to request a review of a decision to seek eviction action and will require landlords to give tenants reasons why eviction action is being taken.
  
- NOT introducing an initial probationary tenancy for all new social housing tenants.

See Scottish Government (2012) and:

<http://register.scotland.gov.uk/scotland-housing-and-regeneration-news-alerts/2013/25/7/d88773d4-3ef9-46cd-8322-a1d300b81d48>

# Private Landlords

- Growth of Private Rented Sector: in some East London Boroughs 220% increase (0.8 increase in owner occupation).
- Local Housing Allowance and Bedroom tax.
- Focus on rogue landlords as causal element of criminality and ASB.
- Mandatory or Additional Licencing of Houses in Multiple Occupation, discretionary selective licencing and Special Interim Management Orders.
- Discharge of homelessness duties in the private rented sector.
- Enhancing the responsibilities of private landlords to tackle ASB.

(Department for Communities and Local Government, 2012a; Minton; 2012; House of Commons Library, 2013b)

# The Will to Empower

- Sanctioning of non-take up of support: Parenting Orders and Housing Benefit sanction pilots.
- New powers for ‘positive requirements’ in ASB legislation.
- Yarlington Housing Group’s Household Ambition Plan: signing is an obligation of tenancy agreement (7 years, not lifetime):
  - “Support to help you reach your goals and improve the lives of you and your family.”
  - Employment, education and training
  - Skills for life (including parenting).
  - Money management.
  - Health and wellbeing/ self-esteem.

# Household Ambition Plan

*It's important to keep to the terms of your tenancy conditions. This will include basic things like maintaining your garden, paying your rent on time, ensuring you are a good neighbour and **attending residents' meetings**. We will expect you to respond to surveys when we want to find out the views of residents. It is your responsibility to deal with minor issues of anti-social behaviour by talking it through with your neighbours wherever this is appropriate.*

(Emphasis Added)

See:

<http://www.yhg.co.uk/resident-zone/SHAPE.aspx>

# The Troubled Families Programme

- Early Intervention Grant (£2.2b), Early Intervention Foundation.
- £448m from six government departments (including £28m from DWP) and coordinated by the Troubled Families Unit, headed by Louise Casey.
- Local authorities in England required to identify most troubled families, appoint a coordinator and redesign services. Government provided figures on required numbers of families to be supported (see Communities and Local Government, 2012a).
- By June 2012 all local authorities signed up and were working with a third of their families in 2012/2013.
- Must meet three of four criteria: involvement in ASB; children not in school; an adult on out of work benefits; high costs to the public purse (but some discretion).

# Payment by Results and Evidence Base

- 40 per cent of the cost of extra interventions (estimated at £10,000 per family).
- Advance 'attachment fee'- 80 per cent in 2012-2013 reducing to 40 per cent in 2014-2015.
- Payment by (self-verified) results based on reductions in ASB; reduced school exclusions/unauthorised absences; engagement in work programmes and/or movement off out-of-work benefits.
- (Retrospectively) supported by two research publications Department for Communities and Local Government, 2012b and 2012c).
- Continuing emphasis on Family Intervention Projects.
- Five key intervention factors: a dedicated worker; practical hands on support; a persistent, assertive and challenging approach; considering the family as a whole and gathering the intelligence; and a common purpose and agreed action.

# 'Listening' to Troubled Families

*"A once in a lifetime opportunity...to give kids in households a chance not to repeat the pattern of unemployment, lawlessness and failure of their parents and often grandparents."*

(Louise Casey, 28 March, 2012).

- Report by Louise Casey (Department for Communities and Local Government, 2012b).
- Based on 'formal interviews' with 16 families in six local authorities in May and June 2012.
- 'Dipstick/informal information gathering' (Ramesh, 2012).
- Challenged by Nick Bailey on grounds of ethical approval (see Ramesh, 2012).
- From 'evidence-based policy' to 'policy by dipstick' (see Ramesh, 2012) and 'government advisers swoop[ing] in for a couple of hours to peer at the destitute' (Williams, 2012; see also Prior, 2009).

# Framing the 'Research'

- “It was thought important to listen directly to troubled families in order to get a true and recent understanding of the problems they faced, their histories and what the real challenge of ‘turning around’ thousands of other such families nationwide would entail.” (p 4)
- “Of course the case studies do not pretend to be an exact science- although the families were often shockingly candid and open during the interviews.” (p 5)
- “It must also be noted that this is not formal research and that these interviews and the information they gave us is not representative...” (p 5)
- “I wanted to get to know these families.’ (p 1)
- “...but when probed it was clear...” (p 2)
- “...fairly brief portraits of families I spent a lot of time listening to.” (p 3)
- “To get underneath the skin of these families” (p 3)
- “No judgements are made on these families” (p 3)



# Troubled Families as Family Troubles

- “Family, and its influence past and present was the pervading subject of conversation.” (p 1)
- Overwhelmingly, the experiences of the women and couples we spoke to grew out of the families they grew up in...Intergenerational transmission of problems...was rife.” (p 46)
- “Many of the people we interviewed were just not very good at relationships- unsurprising perhaps in light of their own upbringings” (p 48)
- “There were many examples of the mothers recognising how they had not given their children a good start in life” (p48)
- “Several families talked of needing a bigger house from the council as a cause of problems for them, or of not getting enough free childcare, or they blamed teachers and schools for failing their children- when it was clear that their troubles were arising from their home life.” (p51)

## Troubled Domesticity and Morality (again)

- “The most striking common theme that families described was the history of sexual and physical abuse.” (p 1)
- “Unexpectedly, arson was cited in a significant proportion of families.” (p2)
- “The majority involved domestic violence.” (p 49)
- “There were also incidents when families talked about incest.” (p 52)
- “Many of the families we interviewed had large numbers of children.”
- “When asked why they had so many children, there was also a strong sense of pregnancies ‘just happening’ as if it were not in their control to prevent them occurring.”
- “It was often the threat of eviction...that would be the spur.” (p61)

# Building Rhetorical Cuttleslowe Walls

- “Parents often don’t connect their own problems and their own subsequent behaviour with the problems and behaviour of their children. They have very low aspirations for themselves and their kids.” (p 2)
- “Families also explained that difficult episodes in their lives (that other families would be expected to recover from and cope with) such as a family bereavement- were a reason for the family being completely derailed.” (p 2)
- “Often the mothers describe having given up, being exhausted and abdicating all control for what is happening in their lives.” (p 3)
- “The impression of families’ isolation from more ‘normal’ or positive friends came across strongly...their partners came from the same street or moved between women in the area. They tended to stick within a network of other dysfunctional peers.” (p 50)

# Troubling Governmentalities

- Family as the arena (schools and communities in Respect Agenda; 'character' and 'resilience' in riots reports) and isolation from social and structural forces.
- Very long-standing tropes of deviant sexuality and domesticity (see Wise, 2009, p 119-120 on Victorian London; and Welshman, 2012).
- Intergenerational transmission, the legacy of the 'transmitted deprivation' theory and the role of the academy in this (Welshman, 2012).
- Misunderstanding of both families and Family Intervention Projects.
- Even in the second evidence/ good practice publication there are no theories of change, gradations of outcomes or sequencing of these (see Batty and Flint, 2012). How *will* 'lives be turned around'?

# Our Challenge

- “We are focussed on the task of turning around the lives of 120,000 troubled families by 2015, which we are on track to achieve, not engaging in academic debate” (See Ramesh, 2012).
- A test of the ability of social scientists to contribute to a real debate (Welshman, 2012).
- Need to locate these developments in a much broader attempt to reframe the narrative of social problems and to reconfigure the (conditional)welfare state.
- Need to recognise the fallacy of ‘non-negotiable’ support and the role of formal and informal sanctions and support (Flint, 2011).
- Flaws in the governmentality/panopticon paradigm: prioritises clinical settings and relationships; downplays social class and relational elements; and negates forms of power and agency of all actors (Flint, 2012).

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