This is a repository copy of *Urban safety, anti-social behaviour and the night-time economy*.

White Rose Research Online URL for this paper:
http://eprints.whiterose.ac.uk/83482/

Version: Accepted Version

Article:

'Urban Safety, Anti-Social Behaviour and the Night-Time Economy'

Adam Crawford

Centre for Criminal Justice Studies

University of Leeds

Email: a.crawford@leeds.ac.uk

John Flint

Sheffield Hallam University

Email: J.F.Flint@shu.ac.uk

Abstract

The contemporary city is a contested space and its governance is the subject of complex global economic forces, local interests and political struggles as well as a response to the changing face of governing alliances in residential and commercial areas, forms of consumption, commercially-generated crime and disorder and cultural expressions of leisure. This article seeks to provide a thematic introduction to the manner in which the regulation of contemporary British cities has been influenced by concerns with tackling anti-social behaviour and promoting civility. It argues that in governing urban safety, the normative governmental agendas that seek to remoralise and cleanse city spaces and promote certain values of appropriate consumer-citizen, often clash with commercially-driven imperatives to (excessive) consumption and the allure of cities, for some, as places of difference that exhibit relaxed normative constraints; most notably in the night-time economy. It argues that the manner in which these forces are played out is conditioned by the interplay between different actors and organisations, as both regulators and regulated, some of whom have assumed new responsibilities in the governance of urban safety. The resultant pressures have produced mixed experiences of the city as a meeting place for loosely connected strangers, as a place of indulgence and as a place of cultural expression.

Biographical Note

Adam Crawford is Professor of Criminology and Criminal Justice and Director of the Centre for Criminal Justice Studies at the University of Leeds. He was principal investigator on the ESRC research seminar series 'Governing Anti-Social Behaviour'. He is currently managing a Nuffield Foundation research study into the use and impact of anti-social behaviour interventions with young people and recently edited *Crime Prevention Policies in Comparative Perspective* (Willan, 2009).

John Flint is Professor of Housing and Urban Governance in the Centre for Regional Economic and Social Research at Sheffield Hallam University. He was a member of the steering committee for the ESRC research seminar series 'Governing Anti-Social Behaviour'.

'Urban Safety, Anti-Social Behaviour and the Night-Time Economy'

Adam Crawford and John Flint,[1] *University of Leeds and Sheffield Hallam University*

For some, cities are places of difference, excitement, spontaneity and even unpredictability, where diverse populations come together, co-exist and interact in uncertain encounters (Sennett 1992). Increasingly, however, the imagining of and image of a city – particularly its urban core but also its residential environs – has become bound up with strategies for 'reclaiming' civility, imposing order and ensuring security, whilst 'designing out' uncertainty, risk and difference. The pervasiveness of concerns about security and order has led some critics to lament the sameness and sterility that mark many contemporary urban areas. From Koolhaas and colleagues' (1995) 'generic city' to Sorkin's (1992) 'variations on a theme park', many urban scholars have sounded a requiem for the city as a place of diversity and lamented the passing of a cosmopolitan urban civic culture. Such forecasts appear somewhat ahistorical, dystopian and one-dimensional and, perhaps, overly influenced by certain US developments. Commenting on current trends across Europe, Swyngedouw and colleagues (2002: 545) observe that cities remain 'brooding places of imagination, creativity, innovation' but which simultaneously also 'hide in their underbelly perverse and pervasive processes of social exclusion and marginalisation and are rife with all manner of struggle, conflict, and often outright despair in the midst of the greatest affluence, abundance, and pleasure'. The city appears more a place of contradiction and a site of contest, rather than coherent piece in a wider jigsaw of globalisation. It is a place in which different economic and social and professional and lay interests coalesce and collide and where commercial and business imperatives converge with moral claims over appropriate behaviour and conditions of citizenship. Moreover, the city is both host to, and generator of, diverse forms of crime and anti-social behaviour, as well as being increasingly regulated through concerns about urban disorder and perceptions of insecurity.

As this special issue attests, concerns about disorder and urban safety have moved to centre stage in debates about the urban condition and the nature of city governance. In the contemporary rationales of housing and urban policy, symbols of reassurance have become assumed key magnets in attracting people and capital to move to, invest in, or remain, in certain urban locations and residential areas. In this, 'local growth coalitions' (Logan and Molotch 1987), often combining municipal authorities and business interests have played a crucial role. They have imported ideas and strategies from the commercial sector into the public management of urban areas (Crawford 2009). Town Centre Management (TCM) schemes and Business Improvement Districts (BIDs) across the UK are increasingly aping modes of regulation and security deployed in privately owned out-of-town shopping centres. BIDs, in particular, represent a more formalised 'contractual' relationship between key actors within a defined urban locale in which the nature of the public interest is reconfigured given that 'a different set of norms, professional values and behaviours are brought to bear in defining and resourcing what are determined as the local priorities' (Peel *et al*. 2009: 417). Here, creating an environment conducive to the targeted consumer audience is a key refrain.

In residential urban areas too, local interests have been rearticulated in ways that have heightened the salience of policing local social order. Changes to the public housing stock prompted by the 'right to buy' legislation have witnessed a process of residualisation, allied to which problems of behaviour, disorder and crime have become simultaneously more evident and more salient. Social housing constitutes places and spaces where poverty, problems behaviour and crime tend to be over-concentrated. Social housing presents not only 'a legitimate political and practical space for government intervention', but also 'the concentration of problems in social housing provides intuitive rationales for increasing the role of social housing in managing "problematic" populations' (Flint 2006: 172). In this context, policing through social housing has become a dominant logic in the regulation of some of the most economically marginalised groups, often through a paradigm of 'community' obligation rather different to the commerce and consumption imperatives governing city centres. A further major driver has been the transfer of much of the public housing stock – over the past two decades - into the hands of registered social landlords, who have been encouraged by government to take on a more central role in

managing behaviour of tenants and visitors both within and beyond the confines of their premises, as Flint and Pawson show (in this volume). Social housing management has largely embraced this more central position in crime control as expressed both through closer relations with policing providers and in the shared technologies of control now available (such as the ASBO, parenting orders/contracts and acceptable behaviour contracts). Crucially, this has also seen a realignment of professional interests and working assumptions among housing officers, police and local authority staff.

In large part, the current preoccupation with anti-social behaviour and disorder has its recent origins in the context of social housing. Its spread across urban environments is by no means new but rather the latest in a long tradition of public disquiet over the perceived decline in urban civility and order (see Wilson 2007). Nevertheless, the last decade has seen an unprecedented period of intensive activity and regulatory reform designed to tackle anti-social behaviour that has seen the introduction of various new powers, tools and initiatives. In what might be described - following Moran (2003) - as a period of 'hyper-innovation' in the context of 'hyper-politicisation', the consecutive New Labour governments have introduced a plethora of hybrid tools of regulation that blur traditional distinctions between civil and criminal processes. They also challenge established assumptions about due process, proportionality and the threshold for intervention, introduce 'geographies of exclusion' through diverse preventative control orders, foreground conditionality by holding out rewards and/or punishments contingent on behaviour, and refigure organisational competencies and responsibilities.

In this context, therefore, it is perhaps not surprising that the age-old phenomenon of young people congregating in public places and 'behaving badly' has been spotlighted as a key battleground. Youth disorder, incivility and crime, particularly where associated with the night-time economy have become staple features of 'real-life' television, political debate and media 'talk'. In the minds of many, British cities, and particularly their centres, – especially on a weekend evening - have become inextricably linked with visions of youth disorder, violence and inebriation. This was evocatively captured by the American *Time Magazine* in its cover story in April 2008

entitled: 'Unhappy, Unloved, and Out of Control - An epidemic of violence, crime and drunkenness has made Britain scared of its young' (Mayer 2008).

The governmental response to such 'moral panics', according to some commentators, has seen a pervasive 'vernacular of "safety"' linked to 'a moral recovery of space for the propertied and "respectable"' (Coleman 2004: 66). Others have highlighted how the adoption of 'zero tolerance' style policing approaches have sought to 'remoralise' and 'cleanse' urban streets through draconian measures influence by Wilson and Kelling's (1982) 'broken window' thesis, in the name of the 'responsible' citizen/consumer (Fyfe 2009). Here, eradicating difference and 'difficulty' in urban space are seen as linked to entrepreneurial 'urban boosterism' that informs regeneration agendas. Such agendas, it is argued, are an anathema to the 'benign disorder' of urban street-life as celebrated by Sennett and others.

Yet, those who contend that we are witnessing attempts at a '*re*moralisation' of the city, not only imply some previous 'golden age' in which city spaces were more 'moral' and ordered, than today (see O'Neill, 2006 for a critique), but also (somewhat contradictorily) suggest that the nature and extent of problems of disorder are severely exaggerated. By contrast, Hughes and colleagues (2008) demonstrate – from the perspective of public health – the extent and adverse impact of alcohol consumption and violence in the contemporary night-time city. They highlight the significance of 'pre-loading' – drink at home before going out – for young night-time revellers and the manner in which drinking patterns place significant burdens on city centre resources (and health services) and question the burden of blame on bars and nightclubs, especially where customers arrive already drunk.

Furthermore, this and other evidence suggest that urban management does not adhere whole-heartedly to a coherent moral agenda, but rather is informed by an 'amoral' – neo-liberal – impulse that prioritises instrumental demands of capital accumulation and inward investment over normative priorities. This is most evidently so in the night-time economy. Whilst urban streets and precincts cleansed of disorder by forms of zero tolerance policing and civility laws might suit the commercial interests and allure of consumers in the day-time economy, this is far less evident after nightfall. Here, the city becomes a more ambiguous, expressive and indeterminate place of

'liminal' zones, 'within which the familiar protocols and bonds of restraint which structure routine social life loosen and are replaced by conditions of excitement, uncertainty and pleasure' (Hobbs *et al*. 2003: 43).

Commentators who suggest that urban centres are becoming remoralised and sanitised for a particular 'responsible' citizen, must confront the fact that the night-time economy constitutes a place in which disorder is an essential by-product of a brand of alcohol-infused consumption. The revitalisation of British city centres in the 1990s was directly tied to the expansion of the night-time economy, with the alcohol industry playing a pivotal place in this regeneration. Pubs, clubs and other night-time outlets have become important elements of post-industrial urban prosperity by attracting inward flows of capital investment and new consumers. It was estimated that in England and Wales alone the licensed trade employs around 1 million people and creates one in five of all new jobs, whilst the pub and club industry presently turns over £23 billion, equivalent to 3 per cent of the UK Gross Domestic Product (Hayward and Hobbs 2007: 448). As Roberts argues (in this volume), the British approach to licensing and regulation has framed alcohol consumption in terms of increasing tourism and economic development rather than disorder.

Whilst, undoubtedly, 'the culture of respect is manifest largely as a mode of conduct - namely, consumption' (Bannister *et al*. 2006: 924), that consumption can take both crimogenic and disorder-inducing forms. The commercial imperative of the night-time economy - 'the exploitation of hedonism' (Meacham and Brain 2005: 275) - finds diverse expression in bars, clubs and sex-work. This engenders a tense relationship with those forces that seek to exert moral order and control over the resultant drink-induced problems and visible street-based displays of sex-work and other forms of unrestrained behavioural transgression. As a result, we have seen the embedding of dominant forms of consumption which take different shapes, both before and after 'the sun goes down'. This competitive, consumerist-driven economy is simultaneously re-configuring the forms of social disorder, incivility and inter-personal violence in the city thus, exerting new pressures on the management of the urban environment and prompting the proliferation of novel dynamics of governance. These pressures have produced mixed experiences of the city as a meeting place for loosely connected strangers; as a place of indulgence; and as a place of cultural

expression. One by-product of this is growing segmentation and stratification of parts of the city aimed at attracting different users. Consequently, night-time public spaces remain contested arenas with radically different meanings for night-time consumers, leisure businesses, police, public health agencies, local residents, night workers, voluntary agencies and local government.

This special issue arose directly out of an Economic and Social Research Council (ESRC) funded research seminar series entitled 'Governing through Anti-Social Behaviour'.[2] The central aims of the series were: to bring together research evidence from contemporary studies of anti-social behaviour and its regulation in a systematic and cross-cutting forum; to foster inter-disciplinary insights and cross-disciplinary analysis; to forge debate and dialogue between researchers, practitioners and policy-makers; and to increase the scope for evidence-based policy regarding the governance of anti-social behaviour. To this end, between November 2007 and April 2009 five seminars and a final conference were held across England at which delegates heard from over 40 formal presentations of research.[3] The papers collected here are drawn primarily from those initially presented at a seminar held on 17 April 2008 at the University of Leeds, under the title *Anti-Social Behaviour, Urban Spaces and the Night-time Economy*.

As the collective summary findings from the ESRC research seminar series attest (Crawford *et al*. 2009) the reality of governing anti-social behaviour often belies the rhetoric of central government. Despite the plethora of new powers that exist to tackle diverse forms of anti-social behaviour and the zealous manner in which their use was promoted in the early years by the Anti-Social Behaviour Unit and Respect Taskforce (notably under the stewardship of Louise Casey), practitioners on the ground have often modified their effects and adapted their use. More recently in some quarters, there has been a shift from an initial over-emphasis on the use of enforcement powers towards a more balanced approach involving supportive interventions to address the underlying causes of behaviour and preventive actions to help avoid the need for recourse to formal legal measures. This approach is reflected in the evidence

---

[3] A separate collection of papers arising from the series will be published in a special issue of *Social Policy and Society* in 2010.

presented by Hadfield and colleagues in their contribution to this volume. However, as Sanders (this volume) argues, forms of support and welfare can (and often have) become entangled with behavioural conditions supplemented by coercive sanctions that amount to 'forced welfare'.

Both within and between parts of the UK, there has been considerable local variation in the take-up and use of formal tools and powers. This has not necessarily been linked directly to differences in the extent or type of behaviour or problems, but often appears to be due, in large part, to local preferences for particular approaches to the balance between enforcement and support, the willingness of key individuals to experiment with new tools and the capacity of local interests to organise and promote an enforcement-led or alternative responses. The local governance of urban spaces and regulation of anti-social behaviour diverges considerably between, for example, the cities of Manchester, Leeds and Sheffield. This highlights the manner in which national policies are often resisted and refashioned at local levels, as a result of which the expectations of Whitehall are modified and given distinct concrete form. This process of policy translation is most evident in the context of devolved government, notably Scotland and to a lesser degree Wales, producing divergent local cultures of control.

The contributors to this special edition all approach allied questions about the nature of crime and disorder problems in the night-time city or residential locales, the policing of anti-social behaviour and the regulation of urban environments, by drawing on different intellectual disciplines – including urban planning, housing studies, sociology, socio-legal studies and criminology - and with somewhat different concerns. We commence in the context of social housing where much of the anti-social behaviour agenda and its regulatory toolbox were first forged. Flint and Pawson begin by outlining the evolving role of social landlords in the governance of residential neighbourhoods. They map the range of technologies and instruments provided to, and deployed by, social landlords and the elements of surveillance, conditionality, discipline and support that comprise such interventions. They show how social landlords have become more intimately involved in the regulation of the private realm of the home, domesticity and family life of their tenants and simultaneously expanded their role in the regulation of the vicinity of properties and

entire neighbourhoods. Their analysis underscores the increasingly pivotal role of social landlords in the regulation of many urban spaces and reminds us that the social rented sector, given the nature of the populations housed therein, remains a vital domain in which rationalities and technologies of governing the 'conduct of conduct' (Foucault 1982) are conceived and enacted.

Measham and Moore focus on drug use in the night-time economy. They report greater polydrug use amongst those who frequent clubs as opposed to bars and discern a growing popularity of emergent drugs such as MDMA powder. They show how polydrug use is related to particular types of clubs, genres of music and life-styles. Importantly, such weekend polydrug repertoires exposes the manner in which the night-time economy – notably in relation to the distribution of clubs – rather than being an homogenous mass of free floating customers is actually segmented into culturally, spatially and pharmacologically distinct social groupings. Some of these social groupings have very distinct night-life drug consumption habits from those found in the wider night-time population, demonstrating the complexity and limitations facing regulation regimes and the agency of the subjects of governance

Hadfield, Lister and Traynor direct their attention to the emergent complex and extensive framework of rules and powers that governs the regulation of licensed premises in and around British city centres. They highlight tensions and ambiguities in the *ad hoc* nature of the regulatory architecture which enlists diverse actors, including the licensed premises themselves, alongside the council, police and local residents, in forms of regulation. They use interview data to explore the nature and effectiveness of regulatory responses to the disorder consequences of the night-time economy. They suggest that some powers are wilfully not being used because of implementation difficulties or because they are not seen as effective in addressing the fundamental causes of behavioural problems. They also provide evidence of considerable negotiation in the shadow of powers, where recourse to formal enforcement is deployed as a threat of last resort but rarely actually used.

In a related vein, Roberts draws on insights from and developments in urban and town planning, highlighting the demarcation and tensions between planning, on the one hand and licensing, on the other. She shows how, in Britain, planning has remained

largely marginal in much of the governance of the night-time economy, largely due to neo-liberal inspired deregulation. Whilst more recent legislation – in the form of the Licensing Act 2003 has given planners greater scope to introduce social and environmental objectives into their development plans and, hence, to afford them a greater degree of regulatory control, she questions the extent to which this has been vigorously pursued. As such, Robert's article serves as an important corrective to some of the prevailing assumptions within criminology about the manner in which crime and security-related concerns have (or have not) informed and transformed urban design, architecture and planning.

Finally, Sanders provides insights into the manner in which the contemporary regulatory gaze has focused on a particular group within the night-time economy, namely the 'oldest profession' of sex workers. She suggests that new social technologies of control applied by a range of policing agencies have been brought to bear on the management of female street prostitution. These regulatory forms include gendered and sexual dimensions to enforce 'acceptable' conduct among those considered to be sexually 'inappropriate', particularly where this occurs in public space or appears visible to the community. She highlights the manner in which government drives to promote the 'exiting' of sex workers from the profession have tied welfare, through mechanisms of coercion and conditionality, to behavioural changes that enforce 'correct' sexual citizenship. In this way, the development of forms of 'contractual governance' has seen the move not to criminalise commercial sex *per se*, but to criminalise non-compliance with directed 'support' and imposed 'self-regulation'.

One of the key themes to emerge from the collection of essays is the complex role of different actors and organisations, as both regulators and regulated, and their inter-relations. From social landlords, through licensed businesses and commercial enterprises, to local authorities, TCM and BIDs schemes, crime and disorder reduction partnerships, the courts and the police, as well as customers themselves, an increasingly variegated mix of agencies – straddling the public, private and voluntary sectors - has become implicated in the tasks of governing anti-social behaviour and urban (dis)order. Pivotal in the new vernacular of safety and implicit in the capacious (and vacuous) concept of 'anti-social behaviour' is the manner in which, as a site of

policy and practice, it transcends crime, interconnecting its governance with a matrix of wider social problems and prompting linked responses. The concept of anti-social behaviour increasingly constructs a city-wide geography of spaces of disorder which links the 'new' incivilities of the city centre to the longstanding concern with the conduct of residents of deprived residential areas. In line with Simon's (2007) 'governing through crime' thesis, anti-social behaviour has come to constitute an organising narrative central to the exercise of contemporary authority. Just as 'we can expect people to deploy the category of crime to legitimate interventions that have other motivations' (Simon 2007: 4), so too 'anti-social behaviour' serves similar purposes. It is able to incorporate and absorb the governmental activities of much wider institutions and organisations, from housing to schools via health, urban planning and commerce. It has a much more extensive quality that reaches beyond the more limited purview of 'crime and disorder', to incorporate perceptions of insecurity and belonging, incivilities, manners and quality of life concerns. As such, it affords a more all-encompassing lens through which to redefine the ambitions of government (both central and local), the responsibilities of diverse actors and agencies as well as the conduct of citizens.

Finally, there are evident concerns that in the confluence of commercial imperatives to revitalise city centres and urban environments and the managerial drive to create aesthetically pleasing and orderly environments 'flawed consumers' are being pushed to the margins. Bauman sagely notes that whilst 'consumers are the prime assets of a consumer society; flawed consumers are its most irksome and costly liabilities' (2004: 39). In a context in which the idea of the city as a place of diversity is being eroded and the nature of the public realm is being squeezed by dominant private interests, questions about the social and civic qualities of urban life remain largely unspoken. The concern is that troublesome and disturbing behaviour serves less as a reminder of the need for a politics of social solidarity and care, but is seen more as an outcome of personal choice in which individuals are constructed as the architects of their own predicament, be they prostitutes, marginalised youths inhabiting urban housing estates, struggling parents, the homeless or inebriated groups of weekend revellers.

References

Bannister, J., Fyfe, N. and Kearns, A. (2006) 'Respectable or Respectful? (In)civility and the City', *Urban Studies*, 43(5/6), 919-37.

Bauman, Z. (2004) *Wasted Lives: Modernity and its Outcasts*, Cambridge: Polity.

Coleman, R. (2004) *Reclaiming the Streets: Surveillance, Social Control and the City*, Cullompton: Willan.

Crawford, A. (2009) 'From the Shopping Mall to the Street Corner: Dynamics of Exclusion in the Governance of Public Space', in A. Crawford (ed.) *International and Comparative Criminal Justice and Urban Governance*, Cambridge: Cambridge University Press.

Crawford, A. *et al*. (2009) *Situating Anti-Social Behaviour and Respect*, ESRC Findings, Leeds: CCJS press. Available at: www.law.leeds.ac.uk/esrcASB

Flint, J. (2006) 'Maintaining an Arm's Length? Housing, Community Governance and the Management of "Problematic" Populations', *Housing Studies*, 21(2), 171-86.

Foucault, M. (1982) 'Afterword: The Subject and Power', in H.L. Dreyfus and P. Rabinow (eds) *Michel Foucault: Beyond Structuralism and Hermeneutics*. Chicago: University of Chicago Press, pp. 208-26.

Fyfe, N.R. (2009) 'In search of safety? The governance of crime and the remoralisation of city spaces', in S. Smith, R. Pain, S.A. Marston and J.P. Jones (eds) *The SAGE Handbook of Social Geographies* London: Sage.

Hayward, K. and Hobbs, D. (2007) 'Beyond the binge in "booze Britain": market-led liminalization and the spectacle of binge drinking', *British Journal of Sociology*, 58(3), 437-56.

Hobbs, D., Hadfield, P., Lister, S. and Winlow, S. (2003) *Bouncers: Violence and Governance in the Night-time Economy*, Oxford: Oxford University Press.

Hughes, K, Anderson, Z., Morleo, M. and Bellis, M.A. (2008) 'Alcohol, nightlife and violence: the relative contributions of drinking before and during nights out to negative health and criminal justice outcomes', *Addiction*, 103(1), 60-5.

Koolhaas, R., Mau, B., Werlemann, H. and Sigler, J. (1995) *S, M, L, XL*, Rotterdam: 010 Publishers.

Logan, J.R. and Molotch, H. (1987) *Urban Fortunes: The Political Economy of Place*. Berkeley, CA: University of California Press.

Mayer, C. (2008) 'Britain's Mean Streets', *Time Magazine*, 2 April.

Measham, F. and Brain, K. (2005) '"Binge" Drinking, British Alcohol Policy and the New Culture of Intoxication', *Crime, Media, Culture*, 1(3), 262–83.

Moran, M. (2003) *The British Regulatory State: High Modernism and Hyper Innovation*, Oxford: Oxford University Press.

O'Neill, G. (2006) *The Good Old Days: Crime, Murder and Mayhem in Victorian London,* London: Viking.

Peel, D., Lloyd, G and Lord, A. (2009) 'Business Improvement Districts and the Discourse of Contractualism', *European Planning Studies*, 17(3), 401-22.

Sennett, R. (1992) *The Conscience of the Eye: The Design and Social Life of Cities*, New York: WW Norton & Co.

Simon, J. (2007) *Governing Through Crime*, Oxford: Oxford University Press.

Sorkin, M. (1992) (ed.) *Variations on a Theme Park: The New American City and the End of Public Space*, New York: Hill and Wang.

Swyngedouw, E., Moulaert, F. and Rodriguez, A. (2002) 'Neo-Liberal Urbanization in Europe: Large-Scale Urban Development Projects and the New Urban Policy', *Antipode*, 34(3), 542-77.

Wilson, B. (2007) *Decency & Disorder: The Age of Cant 1789-1837*, London: Faber and Faber.

Wilson, J.Q. and Kelling, G. (1982) 'Broken Windows', *The Atlantic Monthly*, March, 29-37.