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**Against criminal injustice, for social justice: reflections and possibilities**

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### Article

**Citation** (please note it is advisable to refer to the publisher's version if you intend to cite from this work)

**Scott, DG (2015) Against criminal injustice, for social justice: reflections and possibilities. European Group for the Study of Deviance and Social Control Newsletter, 02.**

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At the time of writing, April 2015, the general election in the United Kingdom is only a few weeks away. We are in urgent need of plausible and radical alternatives to the neoliberal rhetoric of mainstream political parties and the formulation of new social policies that can rewrite the old story of the 'rich getting richer and the poor getting prison'. We need to start with an honest appraisal of the limitations of contemporary political and penal governance in our times (in the UK and across many other countries in Europe) and formulate a new vision promoting social solidarity, human emancipation and genuine equality for all. In this paper I wish to make some progress in this direction by discussing the problem of 'criminal injustice' – that is the injustices and inequalities exacerbated by the criminal process – and the urgent need to tackle such 'criminal injustice' through radical interventions grounded in the principles of social justice. Let me start though by thinking about the nature and extent of 'criminal injustice'.

### **Against Criminal Injustice**

When thinking about 'criminal injustice' we first must focus on the people processed by the institutions of the criminal law. Exclusive focus on criminal acts renders invisible the social backgrounds of people who have been criminalised and the very real human costs of economic and social inequalities. Most people in some way or other operate through stereotypes, but when it comes to how the law is enforced it is essential that special

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<sup>1</sup> \* This paper was originally delivered at the 'Sites of Resistance' conference organised by the new Resisting 'Crime' and Criminalisation Group at Manchester Metropolitan University, 25<sup>th</sup> March 2015.

attention is given to investigating discriminatory stereotyping. By examining *who is criminalised* (individual biographies and social backgrounds) rather than just *what they have done* we gain a picture of how criminalisation works within a structurally unequal society. Critical criminologists and abolitionists have argued for many years that the application of the criminal label in the UK is determined not by what you do, but by *who* you are, and how closely you conform to stereotypes of respectability or un-respectability (Sim et al, 1987; Scraton and Chadwick, 1991; Hudson, 2003; Scott, 2013b; Bell, 2015).

### *Smokescreens*

People belonging to social classifications labelled as high risk with low respectability are the ones most likely to come under police suspicion and surveillance. Stereotyping of group characteristics, around 'race', class, gender, age, disability and sexuality, alongside current social constructions of 'crime', result in common sense perceptions of particular individuals as 'threats' to the social order. These 'suspect communities' (Hillyard, 1994; Pantazis & Pemberton, 2009), comprising of largely poor people, are not actually more criminogenic than the middle classes, but their 'illegalities' do become the main focus of the institutions of the criminal law. Despite the widespread prevalence of 'illegal activities' across all social classes, it is the poor and disadvantaged – those raised in care; unemployed or on benefits; victims of sexual violence; or those who have difficulties in reading and writing – who are most likely to be othered, criminalised and then penalised. It is the poor who are subject to 'categorical suspicion': people regarded as dangerous and problematic not because of what they have done 'but because of the groups to which they belong' (Hudson, 2003:61).

My focus on 'criminal injustice' today concerns primarily the criminalisation of poverty and the demonisation of the poor. Criminalisation and penalisation are one means of conveying an image of a concerned government taking vigorous action to alleviate troubles faced by the poor, marginalised and socially unequal. Thomas Mathiesen (1990) calls this the *action function* of the criminal law: the government through policing and punishment appears to be taking action against a pressing social problem – 'crime' in impoverished communities. But in so doing criminalisation can create a 'smokescreen', hiding the brutal and harmful realities of poverty (Box, 1983). Especially in times of economic crisis or decline – such as the period in Britain since the 2008 Financial Crisis – lawbreakers from socially marginalised and excluded backgrounds are presented as a menace to law abiding communities. Indeed, for Barbara Hudson (1993) such a strategy of 'blaming the poor for their poverty' and associated difficulties is absolutely necessary: anything other than their inherent criminality and individual inadequacies might lead to questions being asked as to *why* the economically powerful did not do more help ease their predicament. In other words, criminalisation becomes a means of justifying the neglect of the poor whose difficulties in life can now be passed off as individual pathologies. Such demonisation and monsterring falls most heavily upon those from Black and Minority Ethnic (BME) groups. This scapegoating has been long noted (Hall et al, 1978). Paul Gilroy (1987) some thirty years ago talked about the 'myth of black criminality' where BME groups in the UK are mythologically constructed as having a greater propensity to law breaking when compared to 'white' populations. The 'myths' of Black law-breaking provide a way to 'explain away' the abandonment and neglect of impoverished and marginalised BME communities. The current UK Coalition government strategy is undoubtedly one to blame the poor for their poverty, thus

creating a smokescreen around their systemic neglect of these same groups via social policy and welfare provision.

We cannot understand criminalisation without also reflecting upon social inequalities and social injustice. The bigger the social distance between individuals the easier it is to use the criminal label (Scott, 2013b). Growing social and economic inequalities result in the social production of moral indifference, psychic distance and dehumanisation. 'Us and Them' mentalities pertain that are highly corrosive for solidarity, cooperation and trust. Inequalities provide a hotbed for practices of Othering and the application of the criminal law as a means to deal with social problems. Through such a focus on a person's illegalities we can lose sight of the human being and the difficulties and troubles they face in everyday life; the harms and traumas they have experienced; their impoverished social backgrounds and their impoverished future life chances. 'Us and Them' mentalities lead to the targeting of 'incorrigible' and 'undeserving'. This scapegoating may or may not deliver increased security and safety for the rich and powerful but what it definitely does is exacerbate existing forms of social exclusion. Through Othering processes we inevitably lose sight of the common humanity of those people who are struggling to just survive in modern Britain.

In this context we should not be surprised to learn that the criminal law is a central means of regulating poverty. The management of poverty via the criminal process has increasingly become a key governmental strategy following successive political administrations' embrace of neo-liberalism in the late 1970's in the UK and elsewhere. Whatever terms we use to describe the criminalised poor – 'scroungers', 'layabouts', 'enemies within', 'risk posers' and so on and so forth, what is undoubtedly true is that it

is the people who are most disadvantaged that are being targeted by the contemporary 'risk control' policies and repressed by the penal apparatus of the capitalist state (Scruton and Chadwick, 1991; Hudson, 2003; Scott, 2013b).

Human wrongdoing and the application of the criminal label must be understood within wider social contexts and the social constraints shaping people's lives. The game is fixed – we are not all playing the game of life with the same rules or on the same kind of playing surface. The extent to which a wrongdoer deserves to be punished must be linked to levels of culpability, individual responsibility and blameworthiness because the application of the criminal law does not have equality of impact or provide equal justice in unequal societies. Where an individual's social situation may not only leave them more vulnerable to offending but also, whatever their behaviour, more vulnerable to criminalisation, culpability must be evaluated. Punishment sends a moral message that conveys blame, but obligations to obey 'white middle class man's law' (Hudson, 1993) are not something possessed equally by all. In a materially unequal society we do not all have the same life opportunities or attachments. A person's choices are constrained by their socially situated set of lived circumstances (Box, 1983). Poor offenders will have less attachment to society and as Joe Sim (1991) has argued, 'if you ain't got nothing, you ain't got nothing to lose'. Many of the risk posers sentenced by the courts have little chances of completing the conditions imposed. Indeed, the criminal process simply creates a new set of hurdles for offenders to fall over. In socially unequal societies we must reflect carefully on the current distribution of both of benefits and pains and what this means in terms of justice and injustice.

*The perfect storm*

This leads us to consider the nature and extent of social injustice, poverty and social exclusion in the UK and acknowledge how daily choices and lived realities are constrained by such structural inequalities. We also need to recognise that these pressures and constraints have been intensifying over the last four decades. Since 1979 we have witnessed a concentration of wealth and power at the top of society and an erosion of the power, status and opportunities for the rest of us, especially those at the bottom of society. A great storm called neo-liberalism has hit the shores of the UK and the lives of many poor people have been shipwrecked in the interests of the rich and powerful.

As the gap between the rich and the rest has grown, social solidarity has weakened. Ultimately the rich believe they deserve to be rich because of *who they are* – that is their riches are based on their own personal merit, aptitudes and worth – and as a direct consequence of this they believe that the poor deserve to be poor based upon *who they are* - their personal inadequacies, weakness and moral degeneracy. The greater the inequality gap, the fewer opportunities to share the lived realities of those struggling for daily bread, the harder it is to undermine such assumptions. Inequalities breed psychic distancing and Othering which allow for people to neglect the needs of fellow humans. It leads to anti-poor rhetoric and the monsterring of the working classes. The distinction between the ‘respectable’ / ‘deserving’ and the ‘unrespectable’ / ‘undeserving’ poor finds fertile ground in Britain today. In contemporary day parlance this ‘Us and Them’ mentality is expressed in terms such as ‘workers and strivers’ vs ‘shirkers and skivers’ (Lansley and Mack, 2015:121). Those on benefits are hardest hit – they are seen as ‘pulling the rope’ and scrounging benefits from the respectable and law-abiding tax payer. The principle of less eligibility – that the living standards of those on benefits should be

lower than the waged labourer – is alive and well and its influence is growing. Yet despite claims of mass benefit fraud, government statistics show that the levels of benefits being fraudulently claimed is less than 1% and that people are more likely to not claim benefits they are entitled to than falsely claim for benefits (Ibid).

The popular media, government policies in recent years and neoliberal labour market realities perpetuate stigmatising myths and exacerbate social exclusion. People want to work, but there are just not enough good jobs out there. There are a significant number of bad jobs (but even here not enough to meet the demand of 2 million unemployed) and these bad jobs are characterised by low-pay; insecure work; increased forms of surveillance and competition in the workplace; demanding targets around productivity; and unsocial hours. ‘Zero-hour contracts’ have grown exponentially in recent times and Lansley and Mack (2015) note that in 2014 there were 1.4 million people on ‘no guaranteed hours’ contracts. The government response has not been promising. What we are witnessing is a growing punitiveness of welfare provision. The ‘penalisation of poverty’ is no longer just restricted to the criminal process: ‘criminal injustice’ has spread beyond criminalisation with its presence now increasingly evident in the policies and practices of welfare institutions. The end result is the same: the blaming, stigmatising and ‘punishing of the poor’.

Government welfare policies now look to responsabilise and sanction the poor rather than provide help, aid and assistance. Last year 1 million people receiving either *Job Seekers Allowance* (unemployed) or *Employment and Support Allowance* (disabled) were sanctioned by the welfare agencies for infractions such as missing an interview or refusing to take a job (including those with zero-contract hours) (Ibid). *The Guardian*



journalist Patrick Butler (2015) gives us some indication of some of the reasons why benefits have been withheld:

1. Man who missed appointment due to being at hospital with his partner, who had just had a stillborn child.
2. Man sanctioned for missing an appointment at the jobcentre on the day of his brother's unexpected death. He had tried to phone Jobcentre Plus to explain, but could not get through and left a message which was consequently not relayed to the appropriate person.
3. Man who carried out 60 job searches but missed one which matched his profile.
4. Man had an appointment at the jobcentre on the Tuesday, was taken to hospital with a suspected heart attack that day, missed the appointment and was sanctioned for nine weeks.
5. Man who secured employment and was due to start in three weeks. He was sanctioned in the interim period because Jobcentre Plus told him he was still duty bound to send his CV to other companies.
6. Young couple who had not received any letters regarding an appointment that was thus subsequently missed. Their address at the Department for Work and Pensions was wrongly recorded. They were left with no money for over a month.
7. One case where the claimant's wife went into premature labour and had to go to hospital. This caused the claimant to miss an appointment. No leeway given.
8. One man sanctioned for attending a job interview instead of Jobcentre Plus – he got the job so did not pursue grievance against the JCP.
9. Man who requested permission to attend the funeral of his best friend; permission declined; sanctioned when he went anyway.
10. A diabetic sanctioned and unable to buy food was sent to hospital by GP as a consequence.

There may well be thousands of deaths related to benefit cutbacks and austerity measures in recent times, and 49 deaths directly related to benefit sanctions have been officially investigated. One of the biggest problems people face is that for two weeks following suspension of benefits there is no financial support available (Butler, 2015).

Since 2013 benefits have been capped; the Social Fund (emergency loans) has been abolished and the recently introduced '*Universal Credit*' (replacing six previously existing different benefits) has proved to be an administrative nightmare. The targeting of people who are disabled has been one of the most repugnant aspects of the current government's welfare reforms. Severely disabled people are likely to lose around £8,000 per person

per year under the new policies; the *Disability Living Allowance* is being phased out and the new *Personal Independence Payment* which could see around half a million people lose benefits; whilst the Work Capability Assessments – exploring what people can do and what work they could undertake – have been traumatic, unrealistic in their assessments of capacity and have led to tens of thousands losing benefits and many more involved in a convoluted appeal process (Lansely and Mack, 2015).

### *Britain isn't eating*

The intensification of the principle of less eligibility in welfare policies and the increasingly stringent and punitive means-testing and surveillance of benefits is leading to rising debts and desperate measures to find basic essentials. In the UK today average personal debt for those at the bottom of the society stands around 160% of their personal income. There has also been a massive rise in the use of foodbanks. In 2009 the Trussel Trust organised 28 foodbanks in UK. In 2014 this number exceeded 400 (Lansley and Mack, 2015:207). This alarming trend goes hand in hand with the growing inequalities blighting Britain today. Incomes at the top are rising at four times the rate of those at the bottom. The top 2.4 million households own assets worth around £1,300 billion, while the bottom 12 million own assets of around £150 million, The top 1% of UK population owns around 23% of the UK's marketable wealth and if housing is excluded this rises to 33%. More broadly the top 50% own 95% of wealth whereas the bottom 50% own only 5 % of wealth (Scott, 2013b).

Poverty means not being able to participate fully in society. It prevents someone from feeling like they belong. Poverty is best understood as a “necessary need” (Heller, 1976) that develops and reflects the social norms of a given society at a given time. As such,

necessary needs are not static but reflect the levels of material production (Ibid). This understanding is reflected in the 'Poverty and Social Exclusion' and 'Breadline Britain' surveys (Lansley and Mack, 2015) which focus upon the extent of 'deprivation poverty' – a term which refers to people who are not able to afford **three or more basic necessities**. In 2015 18 million people (30% of the population) live in poverty in the UK. This is double the number of 1983 (Ibid). The financial squeeze is also being felt by those with middle-range incomes, who are gradually being dragged to the bottom. We are witnessing an increasing polarisation between those at the top and the rest of the population, something which Karl Marx predicted would happen some 150 years ago (Heller, 1976).

Economic inequalities intersect with and compound other social inequalities linked to gender, age, 'race', and as we discussed earlier, disability. It has long been noted that women in financial difficulties provide a human shield to protect their children from the worst excesses of poverty, and in recent times we have seen the emergence of the '*feminisation of poverty*' (Lister, 2003). Young people in the poorest areas struggle to achieve success in formal education. Schools in the poorest areas have 10-25% of pupils achieving five GCSE passes at grades A-C against a national average of just under 50%. 70% of people from BME backgrounds live in the 88 most deprived local authority districts and over 30% of Pakistani and Black pupils and 50% of Bangladeshi pupils, are eligible for free school meals. These children may well be eating, but those children who are entitled to free school meals do less well at gaining GCSE's (Child Poverty Action Group, 2015). According to Lansley and Mack (2015) over half of Black or Black British households and forty-two percent of Pakistani or Bangladeshi households are in poverty

whilst on average African/Caribbean and Pakistani men earn £6,500 less than white men with similar qualifications (Lansley and Mack, 2015).

Poverty engenders Othering practices and processes of differentiation and demarcation, determining where the line is drawn between 'Us and Them'. Othering operates as a 'strategy of symbolic exclusion' which makes it easier for the rich to blame the poor for society's problems. The monsterring of the poor also acts as a warning to others. Poverty leads to the denial of choices and opportunities; mental health and physical health problems; violations of dignity; inferior education; shorter life expectancy; susceptibility to violence; and general feelings of powerlessness. Yet, poverty cannot be understood purely in material terms. Both as a concept and as a lived reality, it has to be understood also as a social relation – primarily between the poor and the non-poor. It is one of the greatest harms facing humanity today (Lister, 2003). Poverty crushes hope, undermines self-esteem, breeds ignorance and resentment, and not only damages health but can also considerably curtail life expectancy. It is a breeding ground for dividing practices of 'Us and Them', which not only demonise the 'have nots' but also engender fear and insecurity among those that have (Scott, 2013b).

### *Knowing we've taken the wrong path*

Abolitionists and other critical criminologists must not remain silent about such 'criminal injustice'. It is important that critical criminologists give priority to highlighting the human costs, harms, injury and damage of neo-liberalism and its obsession with penalisation. The lived realities and experiences of those on the margins of society too often are hidden or ignored. They are invisibilised by the smokescreens created in advanced capitalist societies. The poor are forgotten and their claims to legal rights

ignored. We need to make their lives visible – telling truth to power. We must recognise the inherent limitations of the aims of the ‘criminal justice system’. Justice is aspirational and shaped by equal respect and non-hierarchical relationships whereas criminal law is characterised by hierarchies of power, inflexible rules, violence, pain and death (Scott, 2013b). There is no path to justice via the penal law. The harms and problems that we have discussed above cannot be adequately addressed by the criminal process. As the late Barbara Hudson (1993, 2003) argued on many occasions, *there can be no legal justice in a socially unjust society*.

We should not forget that pain infliction is directed against the human being rather than the wrong perpetrated. Pain infliction, stigmatisation, suffering and harm creation – the core dimensions of penalisation – are morally problematic. Punishment cannot deliver *justice* but it can exacerbate existing forms of *injustice*. Punishment is a tragedy and its justifications a farce. Pain delivery is always a sign of failure – a reflection of injustice. The harmful implications of social inequality are a warning sign. We need to act now to stop the damage that is being wrought by neoliberal political economy. Inequalities foster resentment, insecurity and despair. Growing insecurities leave too many with a sense of injustice. Alongside this there are increasing concerns over yet more privatisation, more criminalisation, and more punitive responses to people who need help and assistance. Because they create so much political disillusionment, social and economic inequalities are a major threat to democracy itself (Bell, 2015).

We need to acknowledge that we have taken the wrong path and start thinking about radical alternatives. What we need is the strength and courage to take a different path and look for solutions grounded in the principles and values of *social justice*.

## **For Social Justice**

We need to embrace a social justice agenda that can adequately address the problem of 'criminal injustice'. I think that this will entail recognition and respect for irreducible differences and an equitable redistribution of the social product. Alongside this, social justice calls for freedom from dominance and oppression of the majority and solidarity with, and responsibility for, sufferers. Principles of social justice are grounded in the assumption that people should always be regarded as our equals and we should avoid constructing false hierarchies that either superficially raise an individual's sense of importance or degrade another human. Majorities should not be allowed to dominate but to negotiate and hear the voice of minorities with equanimity. They must also be prepared to interrogate their own values and assumptions and demonstrate a willingness to pay attention to the voices of 'concrete others'. To be treated the same is not equivalent to being treated equally. As Barbara Hudson (1993:194) argued some twenty and more years ago:

to do justice, we need to be alert not just to disparities arising from the unlike treatment of sameness, but also to discrimination in the like treatment of difference.

What is required then is a commitment to a social justice normative framework that can recognise the fluidity and contingency of categorisations; demonstrate a willingness to pay attention to the voices of 'concrete others'; and acknowledge that each voice comes from a specifically situated position, standpoint or worldview rather than a generalised and abstract universalism.

The principles of social justice demand the deconstruction of hegemonic white male power and its reconstruction with the recognition of human diversity and justice. Drawing upon the insights of Paul Gilroy (1987), we can see that rather than being neutral the law reflected existing discriminatory power relations: the presuppositions of law are male, white and middle class and reflect their material and property interests. Given the extent of human diversity and that we are not all the same, genuine *equality for all* is impossible under the assumptions of white male hegemony. The criminal law has failed to adequately protect Black and Minority Ethnic groups and migrant populations and as described above, the enforcement of law is often blatantly discriminatory. Equality will be complex but we must somehow find a way in which it can encompass the diversity of human subjectivities.

#### *An abolitionist real utopia*

Critical analysis should bring to attention alternatives to capitalism and the punitive rational that are ripe in our current historical conjuncture – what I have described elsewhere as an ‘abolitionist real utopia’ (Scott, 2013a). Building on the insights of Eric Olin Wright, this approach calls for radical alternatives that can (in effect) abolish poverty and the worst aspects of ‘criminal injustice’. A good place to start would be the introduction of a Universal Basic Minimum Income (UBI) that is guaranteed for *all*. The UBI is a universal benefit that is not means tested. It could abolish poverty and undermine less eligibility. It is also a ‘competing contradiction’ (Mathiesen, 1974) in that it undermines the logic of capitalist exploitation but at the same works on the same logic as that of state benefits. The UBI would be a hugely radical change in the nature of helping and assisting those in dire need. It would also lead to increased freedom in terms of choosing participate or not in the labour market for other people on middle incomes. The

UBI would have a positive impact on the lives of most of the UK population. It changes power relations in the labour market for it shifts the balance of power away from multinational corporations and back to the workers (Scott, 2013a).

How would we pay for this? The answer is simple but not easy: Tax the Rich. If we increased taxation against the 120,000 richest people in the UK rather than penalise 120,000 poorest people in our prisons we would have enough money to pay for the UBI (Ibid). Funds could also be generated by clawing back money from off-shore tax avoidance schemes and legal loopholes. It has recently been estimated that £25 Billion has been lost in tax revenue in the UK in recent years through such schemes (Lansely and Mack, 2015).

An even more radical funding proposal for the UBI would be to call to 'Abolish Inheritance Now!' This is an idea that goes back to the great socialist thinker Emile Durkheim (cited in Scott, 2013a). Abolition of inheritance and would effectively not only abolish poverty but economic inequalities. Significantly it is something that can be done in our times (Scott, 2013b). There are a number of other key aspects of a social justice approach. These include creating full time, permanent and meaning creating work; a renewed focus on deep-seated-learning at *all* levels, in effect moving from common sense to 'good sense' on core societal health; promoting the re-nationalisation of public utilities; improving the current transport networks and providing free public transport (trains and buses) where possible; supporting the NHS and demanding free physical and mental health care for *All*.

Human relationships must be the very heart of justice, for justice and injustice are always more than simply processes: they are intimately tied to human outcomes and lived



realities. Justice should be pursued via conflict handling processes, reparation and reconciliation as the *norm* rather than *exception*. We must meet each other without violence, hostility, negative stereotyping and with recognition of the others' dignity and respect for their differences. When responding to wrongdoing this means promoting interventions which locate the victim at the centre of the response; providing a voice to all parties, including the voice of the wrongdoer; downplaying or removing coercive solutions; making relationships the focal point of the reaction to a given problematic or troublesome act; focusing on positive and constructive *outcomes* and emphasising fixing, compensating, repairing or restoring balance; and ensuring that appropriate legal safeguards and forms of democratic accountability are in place for all parties (Hudson, 2003; Scott, 2013a; Scott, 2013c).

Rather than following a punitive logic we need to explore how our responses to wrongdoing can best meet basic human values of kindness, compassion and care. We need interventions that are grounded in an 'ethic of care' that will encourage friendship, support and solidarity with those in need, whether they have broken the law or not. But we must also be closely attuned to the realities around disparities in power and wealth. Where there are economic inequalities there will be power differentials, and where there are deposits of power there will be exploitation, domination and corruption. For too long have the powerful been able to act without consideration of responsibilities. We need to invert the logic of neo-liberalism and call for the responsabilisation of the powerful with immediate effect (Bell, 2015).

### **Toward social justice**

Let me bring this discussion to some kind of conclusion. What we need is a clear agenda for challenging 'criminal injustice' grounded in the values and principles of social justice. First of all we need to challenge neoliberal political economy and try and find a path towards social and economic equality. Equality is not equivalent to treating everyone the same but in meeting each persons' individual needs. It is also about ensuring that everyone can maximise their potential so that they can fully participate in and contribute towards a just and decent society. Equality will inevitably be rather complex but it must involve a *recognition of human diversity*. We must learn to accept differences, but also acknowledge what we share – common humanity (Cohen, 2001). It is important that rather than focus on the 'enemies within' we should look to find new suitable friends (Scott, 2013b). Our responsibilities to other humans stretches way beyond our close family, friends and community to include those not known to us directly or sharing similar characteristics or social backgrounds. This is the true meaning of social justice (Cohen, 2001).

Justice involves thinking beyond the criminal process and repressive means of handling individual troubles and conflicts. We need to re-appropriate the word 'security' and re-articulate it in a way that it once again is focused on 'social security' and security against social harms. We also need to recapture the debate on 'freedom' – loosening it from its attachment to the 'market' and once highlighting the importance of freedom from authoritarian policies and practices. To achieve such a goal, critical criminologists and penal abolitionists must strengthen ties with progressive social movements. We need solidarity and fidelity with grass roots activism. As Thomas Mathieson has argued on a number of occasions, we must restore our faith in the power of local grass roots resistance. This means direct engagement and the building of movements which

enshrine democratic participation. Following Lansley and Mack (2015), what we need in the North of England today, and something the MMU critical criminology research group and other like centres in the region can contribute towards, is a 'Northern Truth and Social Justice Commission' to shed new light upon contemporary injustices in the North East and North West of England. Such a commission would be means of facilitating the bearing witness to the terrible hardship which is being created in the social and penal policies of the Coalition government. A 'truth and social justice commission' is also something that could be replicated in other parts of the UK, across different regions in Europe and indeed in many other countries all around the world.

Finally, let me return to the penal apparatus of the capitalist state and the punitive means testing and sanctioning welfare policies of the current government where I only have one thing to say - *a plague on both your houses*.

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