

CRIME, POLICY AND THE MEDIA

THE SHAPING OF CRIMINAL JUSTICE, 1989-2010

JON SILVERMAN



Crime, Policy and the Media

Although I don't agree with all its conclusions, I respect Jon Silverman's work. This is an interesting appraisal of an important area of our lives and our democracy. Silverman challenges us to maintain the checks and balances of a civilised society, the debate that underpins it and, in spite of the inevitable noises from the media which challenge the establishment, to respond with thoughtfulness and balance.

David Blunkett, MP

Media clamour on issues relating to crime, justice and civil liberties has never been more insistent. Whether on the murder of James Bulger or detaining terrorist suspects for long periods without trial, mediated comment has grown immeasurably over the last twenty years. So, how does it interact with and shape policy in these fields? How do the politicians both respond to and try to manipulate the media which permeates our society and culture?

Crime, Policy and the Media is the first academic text to map the relationship between a rapidly changing media and policymaking in criminal justice. Spanning the period 1989–2010, it examines a number of case studies – terrorism, drugs, sentencing, policing and public protection, amongst others – and interrogates key policymakers (including six former Home Secretaries, a former Lord Chief Justice, Attorney-General, senior police officers, government advisers and leading commentators) about the impact of the media on their thinking and practice.

Bolstered by content and framing analysis, it argues that, especially in the last decade, fear of media criticism and the *Daily Mail* effect has restricted the policymaking agenda in crime and justice, concluding that the expanding influence of the Internet and Web 2.0 has begun to undermine some of the ways in which agencies such as the police have gained and held a presentational advantage.

Written by a former BBC Home Affairs Correspondent, with unrivalled access to the highest reaches of policymaking, it is both academically rigorous and accessible and will be of interest to both scholars and practitioners in media and criminal justice.

Jon Silverman has been Professor of Media and Criminal Justice at the University of Bedfordshire since July 2007. He is a leading criminal justice analyst and authority on international war crimes tribunals and from 1989 to 2002 was the BBC Home Affairs Correspondent. His earlier BBC career included a spell in Paris as a correspondent (1987–89) and at Westminster as a political correspondent. In 1996, he won the Sony Radio Gold Award for his reporting of war crimes issues on Radio 4.

Crime, Policy and the Media

The shaping of criminal justice,
1989–2010

Jon Silverman

First published 2012
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon, OX14 4RN

Simultaneously published in the USA and Canada
by Routledge
711 Third Avenue, New York, NY 10017

Routledge is an imprint of the Taylor & Francis Group, an informa business

© 2012 Jon Silverman

The right of Jon Silverman to be identified as author of this work has been asserted by him in accordance with sections 77 and 78 of the Copyright, Designs and Patents Act 1988.

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Trademark notice: Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging in Publication Data

Crime, policy and the media : the shaping of criminal justice, 1989–2010 / Jon Silverman.

p. cm.

Includes bibliographical references.

1. Mass media and criminal justice—Great Britain. 2. Crime—Great Britain. 3. Criminal justice, Administration of—Great Britain. 4. Crime in mass media. I. Title.

P96.C742G775 2012

364.94109'049—dc23

2011022612

ISBN: 978-0-415-67231-3 (hbk)

ISBN: 978-0-415-67232-0 (pbk)

ISBN: 978-0-203-15693-3 (ebk)

Typeset in Times New Roman
by Bookcraft Ltd, Stroud, Gloucestershire

**To mum and dad, Len and Lili Silverman.
For everything.**

Contents

<i>Acknowledgements</i>	viii
<i>Preface</i>	ix
1 Introduction	1
2 The media and the punitive gene	11
3 Politicians, media and judges	22
4 Protecting the public or protecting the politicians?	35
5 Home Secretaries against the Home Office	52
6 In the shadow of Number 10	65
7 Addicted to distortion: the media and UK drugs policy	82
8 The cannabis conundrum	98
9 Police and the media	116
10 A changing media – and a new media	133
11 Terrorism and the politics of response	140
12 Conclusion	159
Appendix: List of interviewees	163
<i>Notes</i>	166
<i>References</i>	172
<i>Index</i>	181

Acknowledgements

When I left the BBC in 2002, it was with the intention of exploring some fresh avenues, although I had only the haziest idea what they might be. Regular chairing of public policy conferences was one because, although it is sometimes a comfort as a broadcaster not to be able to see your audience, more often you feel like a horse wearing blinkers, racing towards a deadline but closed off from the crowd. So, in 2007, when my good friend and colleague, Ivor Gaber, suggested that the University of Bedfordshire might be willing to offer me a (part-time) home, I realized that it was just the intellectual spur I needed. So, my first debt of gratitude is to Ivor, Professor Alexis Weedon and my other colleagues at UoB, on both the media and social science sides, for providing me with the opportunity to develop and refine my ideas. Without that platform, this book would not have been written.

I am grateful to all those people who agreed to be interviewed, many giving up an hour or so of busy lives to be probed. The legendary American journalist, Bob Woodward, says he approaches his books in the spirit of ‘neutral inquiry’ and that you should take people as seriously as they take themselves. I concur. Anyway, with politicians, it is a necessity if you want to get past first base!

Thanks are due to Brian Willan for his positive response when I proposed a book on this theme at a British Society of Criminology conference in 2007 and for granting me an extra year to complete when I realized that the outcome of the 2010 election, while almost certainly dismal for New Labour, might unlock a few ex-ministerial (and other) doors for me. Julia Willan at Routledge has been an exemplary editor, reassuring and supportive.

As a technophobe, I leaned heavily on computer support while I was at the BBC. That role has been unofficially assumed by my son, Alex, and he has got me out of more scrapes than I care to reflect on. Thanks. His brother, Daniel, has provided welcome distraction with tales from the worlds of recruitment, football and trips to the US. And to my wife, Jackie, who retains only the haziest idea of what I look like after two years and more locked away with my laptop, I can only echo the Terminator by promising: ‘I’ll be back’ (and all my love and gratitude).

Finally, no words of praise are high enough for my research assistant and PhD student, Lisa Thomas, with whom I have shared an office, a dodgy printer and all the stresses and strains of this enterprise. Her cheerfulness and resourcefulness have seen me over the finishing line and I look forward with confidence to her own dissertation which will be a distinguished contribution to scholarship. Lisa, you’re a star.

Preface

Does a book need a preface when it is followed by an introduction which explains the purpose and context of the study with, one trusts, sufficient clarity? Self-evidently, I have decided that this one does and these few lines are intended to convey the spirit with which I approached this inquiry, to stake out, as it were, how I propose to cross that contested territory which divides the journalist from the academic, often the source of mutual suspicion and misunderstanding.

The *Times* columnist, Alice Miles, who returned to university after two decades to pursue a Master's course, wrote in the *New Statesman* (29 November 2010) that too much of what she was required to study 'was clothed in the abstruse and impenetrable discourse of academia'. Whilst acknowledging that journalism often 'goes too far the other way, prioritizing simplification over accuracy, opinion over fact', she concludes that, if nothing else, journalists are good at 'talking human'.

Since this is a book about the colliding and overlapping worlds of media and policymakers, the frequently fractious, sometimes collusive, relationship they share as they both, in their own ways, seek to capture either the attention or the votes of ordinary people, it seems to me incumbent to 'talk human' throughout. This does not, of course, absolve me of the requirement to be intellectually rigorous in my thesis, to build it on evidence and not conjecture, and to acknowledge and source the work of others who have toiled in this field. But in writing a book which, I hope, will be of interest to students, academics, journalists, policymakers, think tanks and those with no affiliation but merely an abiding preoccupation with the media, criminal justice and governance, accessibility has been my watchword throughout.

Only you, the reader, can decide whether I have been as good as my word.

1 Introduction

This book is about the interlocking relationships between the media and policymakers and shapers and the impact on criminal justice. Journalists, politicians, police officers and others in public life are fish that swim in the same sea. Occasionally, it is true, they eat each other but, on the whole, the ecological balance is maintained. But in July 2011, a fortnight before this manuscript was sent for typesetting, that balance was disturbed by a tide of effluence flowing from revelations about phone hacking and other ‘dark arts’ practised by those employed by, or on behalf of, the *News of the World*. So toxic was this outpouring of admitted fact and credible allegation that the newspaper, 168 years old and thriving on the country’s biggest circulation, was closed.

This book spans a period of 21 years, 1989–2010. Neither date was chosen at random. The year 2010 is a natural bookend because New Labour’s election defeat lends a necessary perspective to many of the shibboleths and strategies – from anti-social behaviour orders (ASBOs) to control orders – which sustained it in office. But why start in 1989, almost midway through the eighteen years of Conservative rule? There are three compelling reasons and one has a linear bearing on the tumultuous events of 2011 at Rupert Murdoch’s News Corporation.

Mr Murdoch’s current priority, at time of writing, is to purchase that portion of the highly lucrative satellite broadcast company, BSkyB, which News Corporation does not already own. Although the outcome of this story is impossible to predict, we know that it began in February 1989 with the inaugural broadcast of Sky News, the UK’s first 24-hour news service.

To many of today’s ravenous producer-consumers of Twitter, YouTube and Facebook, the arrival of satellite television is merely a cultural fossil, of interest only to media palaeontologists. But it was the start of something more significant than a new ‘licence to print money’.¹ It ushered in rolling news which brought with it a more intensive invigilation of politics, which, however tentative, and, many would say, over-focused on surface drama, is slowly transforming the relationship between state and citizen and underpinning what has been called a ‘monitoring democracy’ (Keane 2009: xxvii). We are still witnessing the evolution of this process but some of the developments of 2010, such as the scrutiny of public order policing via camera phone and YouTube, real-time dissemination of information on Twitter, and the disclosure of state secrets by Wikileaks, are helping to map a new landscape which this book explores.

The second reason for starting this study in 1989 is a more personal one. In the summer of that year, I became Home Affairs Correspondent for the BBC and was thus obliged to confront, for the first time, the issues dealt with in this book. And by 1993, feeling like a veteran in the post, I was sufficiently emboldened to offer some thoughts to the fresh-faced shadow Home Secretary, one Tony Blair, over lunch in Pimlico, when he probed the weaknesses of government policy on crime and justice. As it turned out, home affairs was merely a launch pad to greater things for Mr Blair, but it is significant that, alone among post-war Prime Ministers, he would have chosen the job of Home Secretary rather than any of the other great offices of state had he not made it to the very top. Indeed, one of the themes of this book is the way in which the Home Office, especially in New Labour's second term, often found itself dancing to the tune emanating from Downing Street. As Huw Evans, special adviser to David Blunkett in that post-2001 period comments: 'Tony always considered that he was the best Home Secretary this country never had' (Interview with author, 10 February 2010).²

It would be immodest to claim that my induction into the masonry of crime/home affairs specialists was of any media significance, though it gave me a privileged view of many of the events which left an indelible mark on the 1990s: the quashing of the convictions of the Guildford Four and the Birmingham Six, the response to the killing of James Bulger, the Stephen Lawrence murder, the IRA's mainland bombing campaign, and so on. But many of the ideas which have come to maturity in this study sprang from this background of reporting and analysis.

A third reason for viewing 1989 as a landmark is that it was the last shout of a style of governance in home affairs which believed in party consensus rather than confrontation, and reflection rather than rapid response. As Garland, writing in 2001, put it: 'criminal policy has ceased to be a bipartisan matter that can be left to professional experts and has become a prominent issue in electoral competition' (Garland 2001: 13). Douglas Hurd left the Home Office in October 1989, after more than four years in the post, and with him went a set of assumptions about the discharging of the role of Home Secretary which have never made a comeback. As will be explained, this, too, can be linked to the changing media of the 1990s.

Hurd is one of six former Home Secretaries who submitted to semi-structured interviews for this research along with a former Lord Chief Justice, a former Attorney-General, a former head of UK Counter-Terrorism, the current president of the Association of Chief Police Officers, two former heads of the National Offender Management Service, a number of government special advisers and other policy actors over this 21-year period. Quotations from one or two have been anonymized at their own request because they are still working in government. Forty-four of the interviewees, most of whom were recorded digitally, are listed towards the back of the book. (The recordings will be housed in a Special Collections archive at the University of Bedfordshire and made available to other researchers.)

Some of these people – Douglas Hurd, David Blunkett, the former counter-terrorism chief, Andy Hayman, former Assistant Commissioner, Brian Paddick – have written their own accounts of this period. But memoirs are almost, by definition, self-serving, while an interview, testing their account of key episodes,

illuminated by analysis of relevant documentary material, can provide a form of triangulation (journalists might be more comfortable with the term ‘second source’), regarded as the minimum requirement for arriving at a well-grounded judgment.

Taming the feral beast

The starting point for this inquiry was the last major speech delivered by Tony Blair before he handed over the prime ministerial reins to Gordon Brown in June 2007. On 12 June, he spoke to an invited audience at the headquarters of Reuters, the long-established international media organization. It is the speech in which he referred to the media as ‘like a feral beast, just tearing people and reputation to bits’ (Blair 2007a). Blair’s analysis is worth examining in a little detail here:

The media world ... is becoming more fragmented, more diverse and, above all, transformed by technology. ... When I fought the 1997 election ... we could take an issue a day. At the last election, in 2005, we had to have one [issue] for the morning, another for the afternoon, and by the evening, the agenda had already moved on ... the relationship between politics, public life and the media is changing as a result of the changing context of communication in which we all operate: no-one is at fault – this change is a fact; but it is my view that the effect of this change is seriously adverse to the way public life is conducted; and that we need, at the least, a proper and considered debate about how we manage the future, in which it is in all our interests that the public is properly and accurately informed.

ibid.

Perhaps predictably, that ‘debate’ was both short-lived and framed largely in terms of New Labour’s relentless focus on media presentation, both before and during its years in power. Typical was the response of the former *New Statesman* editor, Peter Wilby: ‘The difficulty with Blair’s speech is one of chicken and egg. Did the pressures of 24-hour news come first, or the politicians’ more manipulative approach to supplying news?’ (*Guardian*, 13 June 2007).

But it is all too easy to get trapped in a somewhat circular argument which serves only one purpose – that of attaching blame. Another of Blair’s thoughts offers a more fruitful line of inquiry:

I am going to say something that few people in public life will say, but most know is absolutely true: a vast aspect of our jobs today – outside of the really major decisions, as big as anything else – is coping with the media, its sheer scale, weight and constant hyperactivity. At points, it literally overwhelms.

Blair 2007a

If media watchers and practitioners found plenty of red meat in Blair’s speech, those more interested in governance would have found it tantalizingly incomplete. After all, he does not spell out what ‘coping’ with the media means, other than

to imply that feeding the voracious appetite of a 24/7 news machine – satisfying what the *Newsnight* presenter, Jeremy Paxman, has called the ‘expectation inflation’³ – places strains on ministers and officials which did not exist in the less frenzied political environment enjoyed by some of his predecessors. Bearing in mind the exponential growth in information sources in the four years since that speech, and, if it is true, that, taking into account the many and varied influences on a government – parliament, the business community, organized labour, international obligations and partnerships, think tanks, pressure groups and so on – the outpouring of the media is ‘as big as anything else’, then the question of what this means for the making of policy and taking of crucial decisions must merit close attention.

This may seem like a statement of the obvious but some of those working inside government to devise and mould policy would not necessarily agree. Dr Geoff Mulgan provided intellectual ballast to many of the innovative programmes of the Blair premiership as director of the PM’s Strategy Unit. In a discursive analysis of the intersection between knowledge and policymaking, delivered at a conference in Australia, he mentions the media only once, two lines from the end (Mulgan 2003: 11). Even in ‘policy fields in flux ... where the knowledge base is contested’, among which he includes crime, he concedes no role for the influence of the media in acting, either as a conduit for the unfettered filtering of knowledge or the wilful distortion of it.

Douglas Hurd, however, is prepared to give due weight to the impact which the media can have on ministers and their advisers:

Because the media is a more hectic and feverish thing now, the quality of analysis is cruder and it is more difficult to take decisions based on thought and proper reflection. Ted Heath [former Conservative Prime Minister] used to say ‘the first account of anything is always wrong – 48 hours later it will look different’. Well, today you have not got 48 hours.

Interview with author, 21 July 2008

Today’s media increasingly exhibits two tendencies which, at first glance, can strike one as contradictory. On the one hand, it suffers from a form of attention deficit disorder which drives it to constantly search for something ‘new’ (or at least different) to report on the hour every hour. While on the other, it is able to direct an unwavering and merciless focus on a story of perceived wrongdoing (think MPs’ expenses) or incompetence (the demise of Charles Clarke as Home Secretary over the foreign prisoners debacle – see Chapter 6) which bears out Alastair Campbell’s dictum that a minister cannot survive more than eleven days of hostile headlines. The question for this study is: how does Mulgan’s purist notion of a knowledge-based policymaking, incubated in a strategy hothouse, fit into this framework? As Koch-Baumgarten and Voltmer rightly point out: ‘The policy agenda develops over long time spans, often involving several different legislative terms’. Whereas, ‘the substance of the media agenda ... is driven by newsworthy events rather than structural problems’ (2010: 2). How, then, to map the contours of this turbulent and shifting relationship between media and policy?

Indexing, agenda-setting and attention allocation

If not quite virgin territory, the way that media and policymakers interact bears relatively few academic footprints. Koch-Baumgarten and Voltmer express ‘surprise’ that neither political science nor communication studies have given this field much attention (*ibid.*: 1). For Walgrave and Van Aelst, ‘the field of media and political agenda-setting is disparate and under-theorized’ (Walgrave and Van Aelst 2006: 89). While it is true that the impact of the media on US foreign policy has been the subject of a celebrated study which has spawned its own theory, ‘the CNN Effect’ (Robinson 2002), there is comparatively little research into the media’s role in the domestic policy nexus and nothing of note on the subject of this research – criminal justice; though some attempt has been made to correlate the media’s influence on crime policy in the US in the 1980s and 1990s (see Jones and Wolfe 2010: 35–7).

That is one reason why this book will lean heavily towards practical case studies from the fields of crime and justice to make its points. Nevertheless, as the unnamed French philosopher memorably (and perhaps apocryphally) said: ‘Yes, it works in practice, but will it work in theory?’ Well, there is certainly no shortage of theories to sift through. Jones and Wolfe (*ibid.*) suggest that the role of the media in the public policy process can be characterized by three established theories. These are:

- 1 Influence theory: the media tell the politicians what to think.
- 2 Agenda-setting theory: the media tell the politicians what to think about.
- 3 Indexing theory: the politicians tell the media what to write about.

And a fourth model which they propose:

- 4 Detection theory: politicians and the media struggle to identify, characterize and prioritize complex multiple information streams.

This last is a refinement of the theory of ‘information processing’ developed by Jones and Baumgartner (2005). Jones and Wolfe ascribe a key role to the allocation of attention to an issue: ‘By ... highlighting particular aspects of the information stream, the media may help to set the tone for subsequent policy action’ (2010: 19).

All of the above theories have been modelled on what we can call ‘traditional’ mass media and if anything seems clear in an often opaque and contested field, it is that a great deal of fresh theorizing will have to be done in the light of the sudden impact of ‘new media’ on events and policy developments around the world. These range from the overthrow of authoritarian rulers in the Middle East (so-called ‘Twitter revolutions’) to the suppression of free speech in China to the strategy adopted in public order policing in London. Where the onrush of these developments is leading us ‘only time will tell’ (the clichéd payoff of many a broadcast news report). Thus, this review of a 21-year period, in which politicians have focused their attention chiefly on mass circulation newspapers and

mainstream broadcast outlets, will also concentrate on 'old' media, while pointing up, where appropriate, how technology is changing the rules and learned behaviour of the relationship.

It is important at this early stage to make it clear that the case studies which follow this introduction have not been chosen because they are round pegs to be fitted neatly into the round theoretical holes already outlined. Counter-terrorism, sentencing, drugs policy, public order policing and so on, reflect some of the major criminal justice challenges for government over the past 21 years and, as such, have been the subject of intense media scrutiny. Although facets of Jones and Wolfe's four theories can be found in the intersection of media and policy in each of these areas, it is apparent that no off-the-shelf model will provide us with the means to fully understand the relationship.

Take the example of drugs strategy, where, arguably, agenda-setting might be thought to be most strongly at work in corralling the policymakers within a narrow legislative space which refuses to countenance decriminalization or legalization. It is true that the agenda of certain influential newspapers like the *Daily Mail* seems to have weighed heavily with Prime Minister, Gordon Brown, and his Home Secretaries. But how does one explain the Blair administration's general inflexibility on drugs even at a time (admittedly a fairly brief period) when a majority of newspapers, including the *Mail*, were receptive to reform, if not actively advocating it?

Or, to take another issue, there is the theorizing on the 'populist punitiveness' (Bottoms 1995) which followed the murder of James Bulger. Was the media to blame for generating a discourse and thereby creating a 'manufactured and manipulated climate' (Scruton 2004: 138) which took it for granted that society's moral compass had gone askew? Or is this an example of indexing theory (Bennett 1990) writ large, with Tony Blair, a rising politician on the make, stamping his political vision on a media which had grown weary of a four-term Tory administration and was ripe for a new star to follow? His carefully crafted, faux lyrical, description of crimes such as the Bulger murder as 'hammer blows struck against the sleeping conscience of the country' was intended to be picked over in newspaper leaders and op-ed columns and it duly was.⁴ It is equally true that the media demonization of youth, some no older than the Bulger killers, had begun well before Blair's emergence, as will be seen in Chapter 2.

This is not to suggest that criminal justice somehow defies the theoretical patterns which have helped to define this area of research. There appears to be much evidence for Koch-Baumgarten and Voltmer's contention that 'less established policy fields provide plenty of opportunities for new actors to enter the arena and they usually do this by mobilizing the media for their cause' (2010: 5). In the realm of public protection, especially dealing with sex offenders, there was undoubtedly a policy vacuum when New Labour came to power in 1997, which enabled 'new actors' (for example, Sara Payne, later to be appointed Victims Champion), in alliance with sections of the media (the *News of the World*), to galvanize legislative change in the form of the Criminal Justice and Court Services Act, 2000, which introduced Multi Agency Public Protection Arrangements (Silverman and Wilson 2002).

The corollary of this is that in policy fields where there is a ‘high degree of path dependency and the dominance of civil servants, there is probably less media influence [on policy]’ (Koch-Baumgarten and Voltmer 2010: 5). This is an accurate characterization of the Home Office of the early 1990s, where Oxbridge-educated mandarins such as David Faulkner⁵ held sway. It took the arrival of Michael Howard and a tabloid media seeking to discredit some of the liberal certainties underpinning the Criminal Justice Act 1991 to clear a pathway for policy change of the ‘prison works’ variety⁶ (see Chapter 5 for a more detailed exposition).

This period of the 1990s is also a good example of what Koch-Baumgarten and Voltmer call ‘interpretative communities’, in which a two-way interaction between policymakers and ‘elite’ journalists influences the formation of policy (ibid.: 4). Michael Howard admits to exploiting newspaper revelations about ‘lax’ offender supervision to impose more stringent requirements on the probation service (Interview with author, 9 July 2008). While the commentator, Nick Cohen, found to his surprise that what had been intended as an ironic comment during a phone conversation in 1996 with the then shadow Home Secretary, Jack Straw, about curfews for 10-year-olds, quickly transmuted into official New Labour policy (Cohen 1999: 2–3).

Mediating emotional governance

In its methodology, this research – a thesis based on a series of semi-structured interviews with policy ‘actors’ – is in the spirit of some of the work done by Aeron Davis on the media–politics nexus (Davis 2007a, Davis 2007b). Davis concludes that:

Politicians use news and their interactions with journalists to get other sorts of information that are relevant to the political process on a day-to-day level. The two also combine, sometimes consciously in alliances and sometimes by playing off each other, to influence political agendas and the search for policy solutions.

Davis 2007a: 194

There are any number of examples from the recent history of criminal justice which bear witness to this media–politics symbiosis. But underlying the surface arguments over ASBOs, control orders and DNA databases, one can often detect deeper currents. Adopting a psychological approach and writing in the context of terrorism, Barry Richards uses the term ‘emotional governance’ to describe the deliberate attention paid by politicians to the emotional ‘dynamics’ of the public (Richards 2007). It is a useful theme which will be explored in more depth later in this book. The reason for highlighting it here is that, under New Labour, there was an almost perfect congruence between the empathic style of leadership – Blair as Prime Minister and, during 2001–4, David Blunkett as Home Secretary – and a media increasingly confessional in tone, in which opinion, no matter how rancorously ill-informed, lorded it over fact-telling. As Blunkett puts it: ‘almost

imperceptibly, the British print media (and gradually, the broadcast media) had moved away from reporting fact and moved instead into opinion. I am afraid that democracy is the worse for it' (Blunkett 2006: 293).

Like the dinosaurs, the Douglas Hurds of politics had no chance of surviving the media climate change. In this new ecology, the way to prosper was by 'feeling the pain' of the voter or citizen, as David Blunkett explains in interview. And although he, too, had a limited lifespan and could not cheat the avenging media when his tangled love life became the story rather than his policies, he did, at least, enjoy the satisfaction of purveying opinion himself when he was employed as a columnist for the *Sun* in 2005.

One of the earliest policy expressions of 'feeling the pain' was almost a literal one – the rise to prominence of the 'victim' in criminal justice thinking. Like many developments which are associated chiefly with New Labour, victim discourse began to be taken seriously in the Home Office towards the end of the Major premiership (the Victims Charter was introduced in February 1996).⁷ As Home Secretary, Michael Howard consistently presented himself as the champion of the victim of crime but his perceived lack of empathy failed to carry the message much beyond Tory Party conferences. So, like a rough diamond, the idea of privileging the victim in policy formation awaited refining by those better equipped to exploit its potential political allure. No one was more adept at that than Tony Blair.

Putting victims 'at the heart of the criminal justice system' – by, for example, introducing into court proceedings victim impact statements and the appointment of a Victims Commissioner (the aforementioned Sara Payne) – is about public confidence rather than a means of making the system run more efficiently. It is an illustration of the 'message-sending' aspect of governing, which has run alongside the stated commitment to evidence-based policymaking. For Geoff Mulgan, it is a proper function of democracy that governments should sometimes ignore sound evidence and follow a contrary route. He cites the issue of police numbers, where there is little of substance to suggest that more officers on the beat will help cut crime, but a clearly expressed desire by the public for more visible policing (Mulgan 2003: 10).

In the early 1990s, Conservative Home Secretaries were faced with what appeared to be the same choice between evidence and 'emotion' when presented with findings from the Audit Commission that police officers on foot patrol were not a cost-effective form of deployment, even if they reassured the public (Audit Commission 1990). The politically significant aspect of this finding was public confidence. Yet, despite a plethora of media stories that the police were losing control of the streets, the government opted to surrender the power to set numbers in the Police and Magistrates Court Act 1994, and to put budgets in the hands of Chief Constables, who gave priority to updating their fleets of patrol cars and other hardware.

Given the centrality of police numbers to the party political debate post-2000, this policy phenomenon, so different from the route taken by New Labour, is puzzling. It is only part of the answer to say that, deep in a recession, the Tories were counting the pennies and looking primarily at the bottom line. The larger

truth is that the administration of John Major had used up the ‘emotional governance’ capital which had given Mrs Thatcher such longevity and could not spot an issue which might help re-connect it with a disillusioned populace. By contrast, at the end of the 1990s, Home Secretary Jack Straw was making profligate pledges to boost police numbers to record levels, notwithstanding knowing, as a statistician, that they would have little or no bearing on the crime figures.⁸ (This issue is dealt with more fully in Chapter 9.) But what goes around comes around, and a decade later, when Gordon Brown encountered a mildly disillusioned Labour voter while campaigning in Rochdale and called her ‘that bigoted woman’, the world realized that New Labour’s hard-won capital had also drained away to nothing.⁹

Conclusion

Anyone who has worked in the media during the last decade will almost certainly have spent a great deal of time navel-gazing. In such a notoriously self-obsessed world, this is not new. But what is different is that, in the face of a devastating series of mainly technological and economic changes, practitioners have been forced to lift their eyes from the perennial argument about whether journalism is a trade or a profession, to consider larger, more fundamental questions about the place of reporting in a democratic society. If any one book seems to have caught this zeitgeist it is *Flat Earth News*, a broadside against what the author terms ‘churnalism’, the unreflective regurgitation by overworked reporters of press releases and handouts in place of independent inquiry (Davies 2009).

Davies’s analysis is certainly correct but it raises a pertinent question of aetiology. Did changes in the media make inevitable this relentless spewing out of ‘soft’ stories and spin, which news outlets greedily lap up? Or has the policy diarrhoea of government helped change the character of the media, making it more difficult for it to see the wood for the trees, to separate the significant from the ephemeral? ‘A good day to bury bad news’ may have been one of those suggestions dashed off unthinkingly in an email, but it carried a toxic legacy for New Labour.¹⁰ One example is that in 2006, frustration that the Home Office was in the habit of issuing a deluge of research reports on the same day each month boiled over into a rare letter of complaint from the Home Affairs ‘lobby’ of correspondents. It is worth quoting from:

Yesterday [March 30 2006], there were eight papers published on your website, including major sets of figures on race, crime and motoring offences. They totalled 550 pages of complex data – all, of course paid for by the taxpayer. The documents were issued just half an hour before the Home Secretary held a press conference on the Identity Cards Bill gaining Royal Assent. ... Additionally, your department issued material on the extension of drug testing on arrest to 14 more police forces, and on controversial restructuring of the probation service ... This leads many of us to fear that the practice has been instituted deliberately to ‘bury bad news’.

Confidential letter from the Home Affairs lobby to Julia Simpson,
Home Office Director of Communications, 31 March 2006¹¹

As part of the research for this book, the Home Office was asked to supply a copy of every press notice it had issued between 2001 and 2009. The several large boxes which arrived contained 3,214 releases and probably would have been at least double that had the department not been divested of many of its functions – prisons, offender management, sentencing and so on – when the Ministry of Justice was formed in May 2006. Many of these press notices are repeat announcements of something the Home Office had already publicized in one form or another. Whether this over-feeding was intended to give Tony Blair's 'feral beast' bulimia and skew its judgment about what was important and what was not is a matter of conjecture. But, sometimes, too much information can be as unsettling as too little.