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"THAT'S NOT WHAT I MEANT..." UNINTENDED EFFECTS AND POLICY OUTCOMES[1]

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SUMMARY

This paper looks at how years of campaigning by third sector groups may lead to policy promulgated by government, with it is argued, consequences which were unforeseen by those originating the policy ideas. This is explored by taking a historical, case study approach in the areas of drug misuse and youth justice within the UK where the policy origins of both showed similarities, with early campaigning to initiate change resulting in political commitment from incoming political parties. The question asked in this paper is could campaigners have anticipated the policy outcomes at the time they were campaigning?Is it possible to anticipate unintended consequences when formulating policy campaigns?

Keywords: *Drug policy; youth justice; policy formation; policy outcomes*

INTRODUCTION

How criminal justice and social policy is formed is an area with a considerable literature around it; the process can be described and empirically studied and the literature most frequently focuses on policy development and in particular how political impetus is formed (Newman, 2001; Deacon & Mann, 1999; Colebatch, 1998; Letizia, 1998; Levin, 1997). The role of numerous players within this policy process is often examined (Farrell & Hay, 2010; Downe & Martin, 2006; Larsen et al. 2006; Davies, 2002 & 2005; Clarke & Glendinning, 2002; Levin, 1997), and academic discussion often end with the writing of the policy; implementation is less often considered as a part of that process. When policy development and implementation are studied together consideration may be given to what is perceived, or described, as an 'implementation gap' (Farrell & Hay, 2010; Reuter & Stevens, 2007; Glendinning & Clarke, 2001; Powell & Dowling, 2006; Powell & Exworthy, 2002; Davies, 2002; Darke: undated; Barker & Runnicles, 1991). 'Implementation gap' mayhoweverbean inappropriate term, in part because implementation is a part of the policy process and shaped by numerous factors - the policy actors and their activities, national and international events, current and historical. Levin (1997) has said that academics need to investigate policy as it exists in the external policy making world; thus the focus in this paper is on the formative processes which led to the drug and youth justice policies which remain current in the UK.

The contention in this paper is that drug policy in 2004, twenty years after the first drug policy in the UK in 1995, was considerably different from that envisaged prior to Tackling Drugs Together (TDT, 1995), not because of an 'implementation gap', but because of social and historical factors which changed the prism through which the policies were refracted and thus affected the direction and outcomes. Campaigning by the third sector to bring drug use to the fore and affect policy changeand increased resourcing, led to a Conservative manifesto commitment in 1993. This was in marked contrast to the '*apathy about drugs*' in the 1970s (Stimson, 2000, 331) and in the subsequent ten yearsthere were three major drug policies Tackling Drugs Together, 1995; Tackling Drugs to Build a Better Britain, 1998; Updated Drug Strategy, 2002.

For youth justice, lobbying by charitable organisations in the 1990s (Liddle, 1998; Nacro, 1989)

1 This paper builds on ideas developed in papers given at the Social Policy Association Conference in July 2011 and The American Society of Criminology 2012. I would like to thank all of those who have commented on those papers and drafts of this paper.

and the use of research evidence (Farrington, 1992 & 1996) contributed to a policy commitment to change the way young offenders were dealt with in the UK by New Labour in 1997. During their time in power it remained a focus. On coming to power in 2010 the Coalition government announced major changes to the way the Youth Justice System (YJS) was organised but this hassince been retracted (Law Society gazzette, 24 November, 2011) as a result, it would seem, of campaigning to resist the proposed abolition of the Youth Justice Board (YJB).

Looking at the policy process over a period of time allows for reflection on the processes which have occurred and for consideration of key actors (Farrell & Hay, 2010; Berridge, 2005 & 2006). Moreover, different peopleare important at different periods of the policy process (Hill & Hupe, 2006; Glendinning et al. 2002; Levin, 1997) and their input is often role specific (Arnull, 2007). This factor is crucial to the events which unfold and which we will discuss with regard to drug policy and youth justice policy. In the early 1990s a handful of policy actors drove drug issues to prominence along with the concepts of policy change (Colebatch, 1998; Local Government Drugs Forum, 1997; Release, 1995; Druglink, 1992, 1994, 1997, 1997, 2000; Baker & Runnicles, 1991) has defined "*formal policy activity*" as a "*process... structured by a sense of authorised decision making...*", and it is this aspect which would seem to have led to changes to the original ideas. Thus, the campaigners for a drug policy received commitment in the Conservative 1993 manifesto but once they had done so, because of the aspect of "*authorised decision making*" (Colebatch, 1998), what then happened and how the policy was shaped was largely out of their hands. Over the next ten years other numerous factors came to inform the policy process and shape the subsequent drug policies. It these factors which it is argued lead to policy outcomes which the original campaigners did not intend; youth justice policy followed a similar trajectory.

It is important to uncover and consider policy processes, including policy formation, in order to understand the role of campaigners in driving policy change forward and to begin to think about the consequences, foreseen and unforeseen, of so doing. Most immediately in-put by campaign and policy influencing groups is sustainable and negotiated, but over time, as policy progresses, moves into the mainstream, or becomes important within a political context, the impact of campaigners lessens and other factors come to influence the resultant policy. It is probable that this pattern repeats itself in most countries and policy making bodies where there is the ability to campaign for changes in existing policy and seek to influence policy formation.

As a result of the policy process it is probably a frequent occurrence that policy outcomes are different from those originally intended by those seeking to influence policy. If so, this has particular pertinence for campaign groups, and perhaps especially so at periods where government states that it is seeking policy ideas and in-put from the third sector. In 2010 following their election the UK Coalition government said that it placed particular emphasis on the third sector with regard to social policy and delivery (Giving White Paper May, 2011). If, as this paper contends, wider social policy trajectories such as civic Conservatism (Wiggan, 2011), contractarian ideologies and "*the use of social citizenship as a disciplinary tool...*" (Lister, 2011, 70) are likely to impact on and fundamentally influence future social policy changes, it is probable that there will be unforeseen policy outcomes for some campaign and policy formation influencing groups in the future.

CASE STUDIES: DRUG POLICY AND YOUTH JUSTICE

Most policy areas are subject to campaigns by charities, pressure groups and third sector organisations who seek to influence policy making in their area of specialism (Farrell & Hay, 2010; Larsen et al. 2006; Donnison, 2000; Levitas, 1996 & 1998; Levin, 1997, 48; also Darke, undated). They may identify policy areas for development or requiring improvement or refinement, often based on evidence which they assemble in order to interest government and politicians in the changes they are seeking to make. There is evidence that this occurred in the areas of drug and youth justice policy in the early 1990s and that the ideas were taken up.

The two case study examples are based on a review of the key documentation and published speeches or those given in the House Of Commonswhich were related to policy campaigning leading to Tackling Drugs Together (1995) and the creation of the Youth Justice Board (YJB) and Youth Offending Teams (Yots) in the Crime and Disorder Act (1998). In the area of drug policy it is also based on interview data which included all of those responsible for developing and writing Tackling Drugs Together 1994. This was a purposive, snowballed sample where interviews were conducted until all of the key players named

by other key players were exhausted. Many of the interviewees were also involved in the early discussions which influenced the creation of the YJB and Yots: in particular around partnership formation and the effective inclusion of senior people at a local level, a key issue which the design of TDT had sought to address (1995, 59).

Contextually, it is important to recall that Tackling Drugs Together (1995) was innovative and exciting[2], it created partnership bodies (Drug Action Teams, DATs) for drug policy implementation, requiring the most senior local representatives of the key statutory organisations to come together to work on an issue which all considered peripheral to their principle area of focus. Three years later the Crime and Disorder Act (1998) made partnership structures the mode of youth justice policy implementation (Yots). Both areas appeared driven by radical and innovative policies and informed by research; there was considerable excitement about what they might be able to deliver in terms of social change. The mechanisms for implementing them were partnership (Clarke & Glendinning, 2002; Davies, 2002; Arnull & Patel, 2002) mechanisms which were especially created (DATs and Yots). Through the partnerships the link with the issues they dealt with and communities was formed (JRF, 2002) and from that beginning conceptions of citizenship and respect were able to develop.

DRUG POLICY

Social forces and policies led to an increase in crime during the 1980s and 1990s in the UK (Farrall & Hay, 2010) and some Labour MPs in particular became concerned about this and apparently spiralling heroin use. This led them to take up the issue of drug misuse and its apparent effects on their communities. In a House of Commons debate in 1989 a number of MPs spoke about their concerns. They linked images of urban decay and fragmentation with drug misuse and asked what would happen if drug misuse "*got such a grip on this country*" as the United States (Summerson MP: Walthamstow, 1989). MPs spoke of the "*horrendous nightmare*" (Baldry MP: Banbury, 1989) of crack misuse and the consequent effects on the USA. They told stories of their visits abroad and what they had witnessed; in so doing they created powerful images. Labour MPs such as Sherman and McCartney were receptive to the links made between poverty, crime and drug misuse. They used the information fed to them by campaign groups such as SCODA and ISDD[3] in their speeches, for example Sherman (MP Huddersfield) drew on ISDD proposals regarding a 'caution plus' type scheme, and the work of Pearson (1991) regarding a "*major heroin epidemic... concentrated mainly in areas of high unemployment and social deprivation*". This link was emphasised by campaigners who wereinvolved in the development of TDT (1995)[4] who recalled that some MPs became important to them as speakers on this subject, open to briefings and prepared to draw on research brought to their attention (Arnull, 2007). This small group of campaigners influenced the formation of TDT (1995) and were a mixture of individuals from the voluntary and campaigning sector, politicians and latterly civil servants. Documents identified by them askey were the Home Affairs Committee Report (1984) and two 'independent' reports: 'Across the Divide' (Howard, 1994) and that by Barker and Runnicles (1991) on community safety (Arnull, 2007, 182). They described how through recourse to individual lobbying, documents and research they were able to impact on the formation of drug policy as Levin has suggested through*"... direct linkages to either ministers...or officials"* (Levin, 1997, 234). Interestingly other notable actors were absent, and these included in particular many from the Advisory Council of Drug Misuse (ACMD) who were portrayed by interviewees as 'out of touch' and 'irrelevant' to the way the debate was moving (Arnull, 2007). The ACMD should have been the institutionalised advisory body on drug issues for government, but they were at the time dominated by a medical view and this was not the way the policy direction was flowing in the UK where harm minimisation and social models were dominating, in part influenced by what was seen as their success in containing HIV/Aids epidemic in the UK in the 1980s/90s.

MPs with power such as Tony Newton became very important, as commitment by the Conservatives to adopt drug policy as a manifesto commitment in 1993 grew. However, Conservative MPs at this time were more likely to argue that drug misuse was not about wealth or poverty, but about "*aim-*

2 Newman (2001, 122) noted that practitioners might *'welcome a release from traditional organisational restraints'* and it is important not to overlook the excitement, energy and drive which can accompany new policy directions.

3 SCODA (Standing Conference on Drug Abuse) and ISDD (Institute for the Study of Drug Dependence) were two of the leading voluntary campaign and information groups around drug misuse at this time; they later merged to become Drug Scope.

4 All respondents who were key players in the formation of drug policy pre Tackling Drugs Together 1995 and who all indentified one another as the key players were interviewed on the basis that they would remain anonymous in subsequently published work.

lessness, hopelessness, lack of direction..." (Norris MP: Epping Forest) orto link drug misuse with a failure in personal moral values and a "*permissive society"*(John Marshall MP: Hendon South).

During a time of considerable social and political strife during the late 1980s the drug policy debate was remarkable for the cross-party cooperation and support which it engendered. Drug policyat this time has been described as "*sexy*", with "*political excitement*" about it (Campaign respondent: Arnull, 2007, 183) and concern was reinforced by fears about HIV/Aids. Drug issues were important and policy was seen to transcend party politics and MPs apologised in the House of Commons for being "party political" (Sherman MP: Huddersfield). As time went on, each Prime Minister from Thatcher, to Blair, was seen to be interested in drug issues and this provided continuity of concern at a high level.

Nevertheless in 1989 the underlying assumptions and analyses were quite differentabout the causes of drug misuse on each side of the House. The difference in attribution may seem unsurprising, and the concerns of Labour appeared to have been generated, at least in part, by Conservative social policies. Thus the social factors which each politician took into account and attributed as relevant to drug misuse were at this point different; what both can be observed to have had in common was a clear moral undertone. For the Conservatives the moral issue with regard to drug misuse was personal responsibility, for Labour it was social responsibility and the impact on communities. Both types of analysis recur with increasing emphasis over the next twenty or so years and the analyses of the parties of the underlying causes of drug misuse move closer together.

There was not an accepted link between drug misuse, community or crimeand TDT (1995) was not premised on these ideas; it argued that "*drug misuse is not confined to particular social or economic conditions*." (TDT: 1995, 54) *"...social environment may be relevant in once case; personal inclination in another*" (TDT: 1995, 54). The apparent success of campaigners and those from the Left in forcing through the acceptance of a link between social and economic deprivation, crime and drug use (Pearson 1991; Sherman 1989) leads under New Labour to Tackling Drugs To Build a Better Britain (TDTBBB, 1998) and The Updated Strategy (2002) in which the link is explicitly made; "*deprived communities currently suffering the worst drug related crime*" (Updated Strategy, 202:5; also Bennett et al., 2001; Charles 1998; Parker 1998; DOH 1996; Edmunds 1998; Hough 1995; ISDD, 1995; Mounteney, 1996).

The trajectory of the policies over the years is the acceptance of the link between crime and drug use, reinforced by social science research (Bennett et al., 2001; Stewart, 2000; Gossop et al., 2001; Charles, 1998; Edmunds, 1998; Hough, 1995; ISDD, 1995; and 1998; Mounteney, 1996; Parker, 1998; Arnull, 1998; Pearson, 1991; SCODA, 1997 and 1998; DoH, 1996; Turnball et al., 1995; Macgregor, 1989; Towe, undated). In an appearance on BBC's 'Question Time' in 2011 Jack Straw (MP and previous Home Secretary) was able to treat the two as irrevocably and ultimately linked. The Conservative party manifesto in 2010 referred to drug misuse solely in sections related to crime.

Partnership, the method of delivery chosen for drug policy implementation, strengthened the opportunities for links to be made across social policy and criminal justice boundaries and thus they broke red relationships which almost certainly contributed to the sea change. And yet much of the original emphasis on social issues, crime, communities and drug use/misuse came from the left (Local Government Drugs Forum, 1998) and campaign groups, along with the ideas about communities, crime and partnerships (van Oorschot, 2000; Stimson, 2000 & 1991; Field, 1996; Jordan, 1995; Home Office: commonly known as, Morgan Report). The creation of local networks of policy actors (Davies, 2005; Lewis, 2005) forced by drug policy to work together in DATs (Home Affairs Committee, 2002; Duke & Macgregor, 1997; Druglink, 1992; 1994; Aug. 1997; Dec 1997; Mounteney, 1996; Home Secretary & Secretary of State for Health undated) by their very nature and location came to strengthen the links with the conception of 'community' which were increasingly popular politically with the Left and Right (Etzioni, 1998; Hernstein & Murray, 1994). In so doing it opened up the space for the idea of drug misuse as geographically limited and located by social deprivation to become more pervasive. When added together the trajectories of community and drug misuse became co-located and this can be seen most clearly in the Updated Strategy (2002).

It is unlikely that this was the intention of the early campaigners. In fact, the interviews and documents suggest that those campaigning for policy change and drawing up the first strategy, did not intend the UK to end up with the drugs policies it now has. They did not mean to implement drug policies in which drug users are automatically linked with crime and criminal activity (beyond possession) and where drug users can be 'sentenced' to Anti Social Behaviour Orders (ASBOs) and compelled towards treatment in the name of a greater, community, good.

YOUTH JUSTICE

Youth justice and youth crime is an area which attracted considerable attention towards the end of the 1990s. Campaign groups focussed their attention on the need for concentrated attention, increased funding and sought to influence the policy direction (Liddel, 1998; Nacro, undated & 1998; Farrington, 1992 & 1996). The Crime and Disorder Act (CDA, 1998) responded to those campaigns and changed the policy direction. It institutionalised some of the ideas which campaign groups sought, with a specific body to address the issues of youth offending at the centre (YJB) and partnership working at a local level introduced through the creation of Yots (Dept Culture, Media and Sport, 2008; Downe & Martin, 2006; Lewis, 2005; Arnull & Patel, 2002; Davies, 2002; South, 1999; South & Teenan, 1999). The intention was to bring together more effectively those working with young people who were offending, on the premise that many were also young people 'in need' who required (or already received) a number of interventions from state agencies (Liddle, 1998; Farrington, 1996; Pitts, 1996). The research on 'risk factors' (Liddle, 1998; Farrington, 1992 & 1996;) was built into the very systems of assessment undertaken within the YJS (Asset; Scaled Approach) and thus became invisible, accepted and as a result institutionalised. This was able to happen, in part at least, because the premise of the campaign, and then the policy, was that young people 'at risk' of offending could be identified by a range of 'factors' and that by identifying them it might be possible to intervene early and thereby prevent them from offending: 'crime prevention' (Haines & Case, 2008; Pitts, 1996). There was a clear 'welfare' dynamic to the analysis with charities such as Nacro (a charity and campaign group around offending and justice) and the Princes Trust (a charity founded by HRH Charles, Prince of Wales) arguing in a key document 'Wasted Lives' (1998) that:

- "Processing young people through the YJS was costly and wasteful";
- "Early intervention would mean fewer crimes, fewer victims and less work for the courts and prisons";
- "A great deal of youth crime had its roots in severe family and educational problems".

The new Youth Justice Board (YJB) Chair, Lord Warner, was welcomed by many practitioners and campaigners and in an interview with Nacro (Safer Society[5] : October, 1998) he argued the role of the overhauled system was to:

"...produce safer communities, by tackling some of the persistent offenders at earlier stages in their careers" and "also start to get society a bit more relaxed about young people" who have often been 'demonised' by the behaviour of persistent young offenders."

Warner was close to New Labour and "*... helped Jack Straw and Alun Michael to draw up the juvenile justice proposals which have found expression in the Crime and Disorder Act, and most recently he has acted as senior policy adviser to the Home Secretary and chaired the Government's Youth Justice Task Force."* (Safer Society, 1998). His interview with Nacro includes a discussion of key themes of partnership and the need for organisations to share information, safer communities and the responsibility of the YJB to address the concerns of the public about youth crime. It "*singles out the statutory aim for all the agencies of preventing offending as being the most important provision in the Act.*"

Lord Warner drove forward the policy changes in the YJS from 1998 and appeared to consider that the changes being introduced through the CDA (1998) and the YJB would deliver. Civil servants working on the creation of the YJB and YOTs liaised with architects of Tackling Drugs Together and thus there was some synergy about learning from one another about partnership structures (Arnull & Patel, 2002); although there was also a considerable sense of competition (Fox & Arnull, 2013). Nacrohad argued for change and crystallised that in their paper, 'Wasted Lives' (1998) and promulgated it further in 'Safer Society'; their reportage of the proposed changes and the man who was to lead the reforms was supportive and excited. Other left leaning, socially aware, campaigning organisations also appeared to support the underlying tenets of the reforms, and there were few 'nay' sayers (Fox & Arnull, 2013; Arnull, 1998; Pitts, 1996), with for example, the Joseph Rowntree Foundation (JRF) funding research by Farrington (1996).

DISCUSSION

Taking a historical perspective with regard to policy enables us to disentangle the various threads in the process (Berridge, 2006). Levin (1997) has used case studies to consider the policy making process. Others, such as Farrall and Hay (2010) have laid out how a historical perspective helps us to understand how particular ideological foci impact on

5 Safer Society' was Nacro's new 'magazine' aimed at looking at policy and practice in the youth justice system.

policy making (Berridge et al., 2005). Farrell an Hay (2010) contend that 'Thatcherite' policies on crime did not really emerge until she was out of office, taking time to 'embed', for three reasons: an initial focus on areas other than crime, because of limits to her political influence and power at the start, and finally because it took time for crime to become an issue. The latter, they argue, coming as a direct result of "Thatcherite" social and economic policies. Their hypothesis fits with that advanced here, which is that it is important to observe policies and their direction over time; that this is essential before one can actually be certain of the direction travelled.

Farrall and Hay (2010) include the notion of an 'implementation gap', but their paper did not look in depth at how the policy ideas were generated; it appears a given that these emerged from 'Thatcherite' policy directions. However as we have seen empirical data can assist us to observe not an 'implementation gap', nor a 'rhetoric gap', but a 'gap' between the intentions of those behind the policy generation and what finally emerged as the policy over time. This goes beyond policy implementation: it precedes and then post-dates the period for campaigners to be involved. Factors which influence the taking up of the policy ideas and their subsequent development and implementation are ideological, rhetorical, political and moral trajectories which can carry a policy along, propel it forward but also change it irrevocably and substantially (Wiggan, 2011; Hill & Hupe, 2006; Powell & Dowling, 2006; South, 1999; Stimson, 2000; Colebatch, 1998; Jordan, 1996; Levin, 1997; Levitas, 1996 & 1998; Letizia, 1998). With regard to drug policy this has led to misapprehensions, for example that drug policy has been ultimately affected by a penal policy agenda (Arnull, 2008; Duke, 2006; Stimson, 1987) and/or that a 'managerialist' agenda was preeminent during this period (Arnull, 2008; Feeley & Simon, 1996). Feeley and Simon (1996) somewhat sceptically characterised government concerns at this time with implementable policies in which delivery and value for money could be evidenced, as essentially managerialist and 'pragmatic'. Their assumption appeared to be that there was low ideological in-put and high practicality and that the managerialist agenda led to 'misshapen' social policies as a result (Arnull, 2008)

With regard to drug and youth justice policy there was at the point of policy formulation and the point at which ideas were taken up and into government (Levin, 1997)clear ideological inputs. But these policies were also influenced by other discourses and it is this issue with which this paper seeks to grapple: how can those campaigning for change in an area, who are delighted when they get a political party to take up the ideas and into government, anticipate what might happen to their policy ideas once they are refracted through the prism which is the policy process?

Apparently straightforward policy ideas such as partnership can be seen to have informed both drug and youth justice policies; the impact of working in partnership was however more subtle than commentators first considered and in their geographical location and link to communities a powerful influence on policy trajectories was to be felt. Additionally, political parties are also swayed by public opinion and other internal and external factors which can influence the policy ideas they take up and the agendas they follow.

Thus, if we consider the Youth Crime Action Plan (2008) and it's 'triple track approach':

- Setting clear boundaries and punishment;
- Addressing the root causes of crime;
- Offering 'non-negotiable intervention' to families at risk of offending.

We can be reasonably certain that this is not what the authors of 'Wasted Lives' (1998) intended. Between the creation of the YJB and Yots in the CDA (1998) crime came to attract a more negative focus and press and publicity in the UK: to the point that Barnardos (2008) reported that 54% of the public in the UK identified young people as 'feral' - behaving like animals - and also considered that young people were responsible for half of all crime (whereas Barnardos argued it was just 12%)[6]. It is probable therefore, that these sorts of factors played a part in transforming the liberal policy imperatives and social science which informed the YJB and Yots and helped to shape the YCAP in 2008. The question is therefore could those campaigning for joined up government, partnership and a risk based youth justice system have anticipated this? From his public statements it would seem it is not what Lord Warner (the Chair of the YJB, one of its creators and an ally of Tony Blair) anticipated or intended in 1998.

The campaigns for reform to the youth justice system by powerful and respected third sector organisations such as Nacro and the Princes Trust,

6 I was contacted by managers and practitioners in the field after this presentation interested in being involved in research to look in greater detail at this area of unintended consequences because for them it was resonant with their own experiences in the YJS.

underpinned by research (Farrington, 1992; 1996) funded by JRF, appear to have hit a period of increasing fear of young people. As a result it would seem that the changes to the Youth Justice System which had in part been introduced in 1998 in order to *"... produce safer communities, ...get society a bit more relaxed about young people" who have often been 'demonised'....*" (Lord Warner, 1998: Safer Society) were not, when judged against their own criteria, successful by 2008. However there may also have been elements contained within the evidence and reports (Wasted Lives, 1998) – for example those aspects which aimed at early identification and partnership working - which were followed, but the outcomes of following them were not as expected. The increasingly disciplinary approach to young people which occurred in the policies over this period, when combined with an approach which argued that 'potential' young offenders could be identified at an early stage, took the 'Wasted Lives' campaign to a place it is unlikely the campaigners meant to go and the Chair of the new Youth Justice Board in 1998 did not intend. An essentially liberal policy imperative is not apparent in the "non-negotiable intervention" proposed in the Youth Crime Action Plan (2008), although it does focus on crime prevention. In 1998 talking about the Youth Justice Board and the 'new' approaches to youth offending, Lord Warner said:

"I think the concern was, not that the public wanted to be excessively more punitive with young offenders but, they wanted to see responses which had a chance of changing people's behaviour." (Safer Society, 1998)

It is hard to see 'non-negotiable interventions' as not excessively punitive for those aged under 18 years, and it can be argued, that within the campaigns which informed the policy formulations in the CDA 1998 there were the seeds which allowed for the YCAP in 2008. As a result, it is not just that the consequences of policy were unforeseen, but that they were also unintended outcomes from the point of view of the campaigning organisations who were key actors in taking the ideas into government. Between 1998-2008 the contested notion of risk and identifiable risk factors became institutionalised within the UK youth justice system and within that system were uncontested. Thus by 2008 in the YCAP when it was assumed that these risk factors could be used to identify or 'target' young people considered to be '*at risk*' of offending, the notion of crime prevention made intervention acceptable. We had come to a place where 'risk' in itself was enough to justify intervention and because of the way the YJS was constituted and framed it was possible for policy ideas which were benign in origination to be able to be used to target and scapegoat groups of young people about whom the public was unduly negative. With hindsight we can therefore see how the "non-negotiable intervention" proffered in the YCAP (2008) becomes possible.

In the area of drug policy, similarly benign ideas appear to have led to unanticipated outcomes. Research had apparently proven a link between drug use and crime (Gossop et al., 2001; Edmunds et a., 1998; NTORs, 1996 & 2000; Hough 1995).The partnership structures chosen for delivery strengthened the link with community as did other policy trajectories (Etzioni, 1998; Field, 1996; Dept of Health, 1996; Home Office, 1991; Home Secretary and Secretary of State for Health undated; Howard et al., 1994). From this basis it became possible for others to argue and 'evidence' that drug users were harming their communities. Within this context it became possible to 'require' treatment, which was also increasingly accessed via the criminal justice system (for example Drug Treatment & Testing Orders). Davies (2005,3) has described this social policy approach as "*...contractarian"*, thus those who are 'outside' of the wider community may gain *"conditional access to the mainstream...*" by identified or proscribed routes. Lister (2011) has discussed the impact of such approaches on citizenship and Phillips (2011) has described "*the increasing intolerance towards, othering and criminalisation of, socially, economically and politically marginalised groups*." (Phillips, 2011, 186)

Ideological simplification may be an important facet at this point in the political/policy process; whereby complex nuanced messages become certainties: thus "research suggests..." may during the policy process become, "we know..." A close reading of the drug strategies from 1995-2002 shows this simplification process and the reduction of the strategy to one in which it is no longer a discussion document about what might cause drug misuse (TDT, 1995) or in which there is an acknowledgement that "*There are no easy answers*" (TDTBB, 1998,3) but one in which there is a certainty that one knows the answers and the aims are clear.

In addition both the Conservatives and New Labour during this period approached social policy from a perspective which talked of individual responsibility and suggested the paramountcy of the family and community. Both were seen to be influenced by thinkers working in these areas: the

New Right by theoreticians such as Murray (1994 with Hernstein) and New Labour by Etzioni (1997). Community during the 1980s and 1990s became an increasingly contested term: but for those who wrote and said it, the intention was most often to conjure a meaning which was positive and which related to a group of people with shared interests. The strains in difficult social and economic circumstances between individual and community rights were clearly ones under consideration across the policy spectrum. In 1995 Dennis O'Connor (at the time Deputy Chief Constable of Kent and a frequent commentator on drug issues) talked of the "*tensions between the concerns for the individual and the community*" and how multi-agency working (later, partnership) was helping to "*overcome*" these "*tensions*" (O'Connor, 1995).

Many representations portrayed drug users and young offenders (nay, young people) as outside of their communities, and detrimental to them, they could (and perhaps should) be compelled to be 'responsible' members of those communities[7]. There is no apparent recognition that they are the sons, daughters, mothers and fathers, in those communities. It is contended that the subtle influence of this moral discourse influenced the trajectory of social policies and observably the policies concerned with drug misuse and youth justice. Both increasingly gave prominence to the notions of individual and community responsibility; this was quite different from the trajectory which those campaigning for a drug misuse policy in the early 1990s had expected.

It is important to recall the pace and scale of change affecting many policy areas during the 1990s and early 2000s in the UK; the sheer number of new policies and the scale of changes were phenomenal and it is probable that the direction of policies were swayed over time as new and/or more powerful voices/opinions took hold. As an example of the scale of change, in just one edition, on one page, (6:26) 'Safer Society' (1998) discussed a host of 'social' problems affecting neighbourhoods and communities and the new and forthcoming legislative and policy changes, which included partnership approaches, ASBOs, and DTTOs. We can see however that the seeds for the ultimate outcomes were lodged in the original campaigns and the language used:

"*A reparation order will require the young offender to make reparation to his victim or to the community*." (Safer Society 1998,6)

CONCLUSION

From this beginning it is possible to see how unintended consequences could emerge as other more disciplinary social policies took hold. And thus we may pose the question, how can policy campaigners focus in the future? How might they anticipate or consider the impact of other agendas and policy trajectories on the policy changes they are campaigning for or seeking to bring into government?

A combination of factors led drug misuse to become a prominent area for social policy reform, so that TDT (1995) is a policy with a reasonably liberal and libertarian approach to drug misuse. Under New Labour however the successive drug policies draw a link between drug misusing behaviour, social and economic factors and ideas of social and community responsibility. The apparent success of campaigners and those from the Left in forcing through the acceptance of a link between social and economic deprivation, crime and drug use led under New Labour to TDTBB (1998) and the Updated Strategy (2002):

"*one single change which has affected the well-being of individuals, families and the wider community over the last thirty years is the substantial growth in the use of drugs... The misery[8] this causes cannot be underestimated"*.

The trajectory of the policies over the years is the acceptance of these links reinforced by social science research (Hough, 1995; NTORS, 1996;) whichsuggested that criminal activity could be reduced by treating drug dependence (Gossop et al., 2001) and argued that "treatment works", a view which MacGregor (2006b,405) argued became accepted. This approach combined with the moralised language of individual responsibility and community which had begun under the Conservatives and continued under New Labour and the Respect agenda (Blair, 2002):

"*Respect is at the heart of a belief in society. It is what makes us a community, not merely a group of isolated individuals*." (Blair, 2002)

The language of respect, the moral impetus behind each policy, provided a powerful platform from which it became possible to compel young offenders and drug users to accept/be sentenced to "treatment" in the name of wider community benefit. The individualist, libertarian right to offend and

7 These same issues and images also came to the fore again in the UK during the riots in 2011.
8 There may be some similarities to gin drinking and working class women in the early 20th century Britain: Berridge, et al., 2005.

be punished, or to use drugs and harm oneself was lost in a broader, "contractarian" (Davies, 2005) conception of the moralised individual responsibility to the wider community. This is a substantial change in focus from the original aims of the campaigners whose early ideas were taken into government in the UK and informed the changes in legislation around drug use and youth justice; it is probable that this is not what they meant at all.

The changes and policy foci brought money and attention to the areas and related problems, but they also brought a moral focus which allowed for a harsher and blaming approach; it allowed for delinquency in the forms of drug misuse and youth offending, to become wholly associated with problematic social behaviour, with an 'underclass', confined to particular communities and requiring exclusionary social policies to control – thus ASBOs. This made it possible and permissible to require parents (parenting orders) and children (ASBOs) and drug users (DTTOs; ASBOs) to undertake 'treatment' in the name of a greater good which can be derived for the community. This was substantially different from the approach of the Right in the early days of policy development (especially regarding drug use) which approached drug use from an individualist, libertarian philosophical basis (TDT, 1995; Arnull, 2007). By associating drug use with social problems and crime, Labour MPs (Arnull, 2007) and New Labour (TDTBB. 1998) aligned drug use (and more recently alcohol use and in particular binge drinking: Berridge, 2005) with 'morality' and concepts of social responsibility which allowed for the denigration of individual transgressors on a scale which had not occurred in recent times and which allowed for penalties to be incurred which sought to contain and punish social behaviours, as well as criminal ones. Lister (2011) and Phillips (2011) have argued that other areas of social policy have been similarly affected.The argument here is not that this trajectory was intentional, but that the accumulation of other factors allowed it to occur.

In an era in which the Coalition Government are continuing the emphasis on individual responsibility, the central importance of community and the role of third sector organisations in developing responses to social problems (Giving, 2011) it is important to consider how radical policy campaigns might be pursued in the future, whilst giving some thought to how they might also be transformed over time. The issue of unintended consequences has international resonance for campaign groups seeking to influence policy direction all over the world.

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