

## Moral Panics and Punctuated Equilibrium in Public Policy: An Analysis of the Criminal Justice Policy Agenda in Britain

Will Jennings , Stephen Farrall, Emily Gray, and Colin Hay

---

*How and when issues are elevated onto the political agenda is a perennial question in the study of public policy. This article considers how moral panics contribute to punctuated equilibrium in public policy by drawing together broader societal anxieties or fears and thereby precipitating or accelerating changes in the dominant set of issue frames. In so doing they create opportunities for policy entrepreneurs to disrupt the existing policy consensus. In a test of this theory, we assess the factors behind the rise of crime on the policy agenda in Britain between 1960 and 2010. We adopt an integrative mixed-methods approach, drawing upon a combination of qualitative and quantitative data. This enables us to analyze the rise of crime as a policy problem, the breakdown of the political-institutional consensus on crime, the moral panic that followed the murder of the toddler James Bulger in 1993, the emergence of new issue frames around crime and social/moral decay more broadly, and how—in combination—these contributed to an escalation of political rhetoric and action on crime, led by policy entrepreneurs in the Labour and Conservative parties.*

---

**KEY WORDS:** agenda setting, punctuated equilibrium, moral panics, crime

如何以及何时将议题上升到政治议程，是研究公共政策的永久性问题。本文旨在探讨道德恐慌如何促进公共政策中的间断平衡 (*punctuated equilibrium*)。在这一过程中，某个特定事件通过囊括更广泛的社会焦虑或恐惧情绪，来助推或加强某一问题在当前主要议题框架上的变化，从而为政策企业家创造机会来打破现有的政策垄断。为了检验这一理论，我们探讨了 1960 年至 2010 年期间，犯罪这一议题在英国政策议程中的兴起，并对其背后因素进行了分析与评估。我们采用了融合多种方法的综合性研究，从而将定性和定量数据进行综合考量。这使得我们能够将犯罪这一议题的上升作为一个政策问题进行分析。许多因素共同促成了工党和保守党的政策企业家对政治言辞和整治犯罪的行动的升级，包括政治制度上对犯罪的定义失去了共识，1993 年詹姆斯·布尔格谋杀儿童案之后引起的社会道德恐慌，以及更广泛意义上的围绕犯罪和社会/道德沦丧而新兴的问题框架。

---

## Introduction

How do moral panics around specific events lead to periods of rapid change in public policy? The processes by which issues are elevated onto the political agenda is a perennial concern of the study of public policy. Baumgartner and Jones's (1993, 2009) theory of punctuated equilibrium in public policy contends that policy changes occur due to the concurrence of a breakdown in an existing policy monopoly and a change in the policy image (or the "issue frame" or "issue definition"). In this article, we argue that moral panics are symbolic events or narratives/stories which tap into much broader societal anxieties or fears, and which thereby impact the set of frames associated with an issue. The distinguishing—and important—feature of moral panics is that they are associated with trigger events that are viewed as being *symptomatic* of a wider condition, malaise, or societal pathology, which alters the framing of a given issue and prompt demands for policy action. They are thus one of the processes by which policy equilibria are subject to rapid and dramatic change, representing an extreme and distinctive case. Through understanding moral panics, it becomes possible to understand how patterns of policy change might vary across issues and contingent upon events.

In Britain, between the election of the Conservative government of Margaret Thatcher in 1979 and the landslide victory of Tony Blair's New Labour in 1997, crime went from being an issue of marginal concern to the public and to government to being a central focus of the political agenda—subject to extensive policy activity and intense competition between the main parties. In less than 20 years, attention to this issue increased dramatically, following a long period of policy stability. The factors behind the politicization of crime and its increased salience across numerous advanced democracies have been subject to considerable debate (e.g., Beckett, 1997; Enns, 2014, 2016; Garland, 2001; Gottschalk, 2006; Miller, 2016). This article explores how agenda-setting processes account for the rise of crime on the policy agenda in Britain between 1960 and 2010. Specifically it considers how the punctuation of an equilibrium in criminal justice policy followed from the confluence of growing social problems (including rising crime rates), a moral panic over the murder of Liverpool toddler James Bulger that resonated with a broader shift in the framing of public disorder and social decay, a breakdown in the existing policy monopoly over criminal justice (which previously had kept crime and policing largely off the political agenda), and the role of policy entrepreneurs in politicizing the issue and shifting the policy agenda to a new consensus based around punitive rhetoric on sentencing and antisocial behavior.<sup>1</sup>

In the remainder of this article, we explain the analytical value of incorporating moral panics into the theoretical framework of punctuated equilibrium in public policy, briefly review the state of the art in debates over the politicization of crime and criminal justice policy, and assess the evidence for a punctuation on the criminal justice policy agenda in Britain in the mid-1990s. We then deploy an integrative mixed-methods approach to analyze the breakdown of the political and institutional consensus on crime; the rise of crime as a problem on the political agenda; the emergence of new issue frames around crime and social and moral decay more broadly;

and how these contributed to an escalation of political rhetoric and legislative action on crime, driven by policy entrepreneurs in the Labour and Conservative parties. This approach is designed to reflect causal complexity; first describing the historical processes using qualitative and quantitative evidence where appropriate, and then undertaking time series modeling based on measures of each of the theoretical factors. This departs from previous efforts to account for politicization of crime in Britain during this period, through combining analysis of institutions, elites, media, and the mass public.

### *Theories of Punctuated Equilibrium in Public Policy*

The punctuated equilibrium theory of public policy (Baumgartner & Jones, 1993, 2009) seeks to explain the observation that policymaking is often characterized by extended periods of stasis and equilibrium, but occasionally undergoes large-scale policy shifts that upset the *status quo*. This theory was developed in the context of U.S. politics, where the configuration of checks and balances is associated with “institutional friction” that induces much policy stability but occasionally contributes to infrequent but seismic disturbances. It has also been shown to apply to patterns of policymaking attention in a range of advanced democracies (e.g., Baumgartner et al., 2009; Breunig, 2006; Chaqués-Bonafont, Palau, & Baumgartner, 2015; John & Jennings, 2010). The key components of punctuated equilibrium theory are (1) policy monopolies as institutional arrangements that maintain stable and entrenched patterns of decision making around an issue, supported by (2) an established issue frame or definition, and (3) positive feedback processes that give rise to sudden realignments in public policy (i.e., “policy punctuations”)—due to disruption of those policy monopolies and issue definitions. This theoretical framework provides important insights into the sometimes unstable dynamics of policy change.

Punctuated equilibrium theory rests upon the idea that much of policymaking is conducted outside the world of high politics in policy subsystems—that is, institutional arenas with capacity to handle multiple policy issues on a routine basis, largely out of the limelight of national politics. These subsystems are built around the parallel processing of information, by communities of experts, bureaucrats, and interest groups. Policy monopolies are typically buttressed by a supporting core value or idea—a policy image (also known as an “issue definition”)—which structures the social and political norms around which policy debates are organized. This exerts resistance against dramatic changes in policy, encouraging incrementalism, which is characterized as negative feedback by Baumgartner and Jones (1993). Such institutional arrangements act to keep policymaking ticking over but not to dramatically alter its course, excluding particular ideas or interests and insulating the system from shocks. A consequence of this is that substantial pressure for change can build up before any broad policy consensus is overturned, and an issue becomes the subject of attention on the macropolitical agenda.

Under conditions of institutional stasis, when policy change occurs it is often sudden and disproportionate (Jones & Baumgartner, 2005). Shocks to the policy

system can become self-reinforcing, leading to policy bandwagons, cascades, and overreactions (Halpin, 2011). Positive feedback processes are thus associated with large-scale punctuations in policy and reflect the possibility for periods of instability to occur, associated with the breakdown of an established policy monopoly and emergence of a new issue definition. Policy entrepreneurs are also a key component of punctuated equilibrium theory; as actors seeking opportunities to bring about policy change, who can draw on strategies such as venue shopping (moving decision making to new institutional arenas) and the reframing of issues to disrupted established policy communities.

### *Moral Panics, Focusing Events, and Policy Change*

Studies of agenda setting find that unpredictable “focusing” or “trigger” events (Birkland, 1997; Cobb & Elder, 1972) can also prompt large and rapid shifts in policy-making. Such focusing events can initiate positive feedback, propelling issues into the public and media spotlight, and generating societal demands for government action. Lodge and Hood’s (2002) characterization of “Pavlovian” policy responses similarly observes knee-jerk policy reactions during moments of high anxiety, in their case relating to dangerous dogs. In the context of an underlying problem, such as rising crime rates or epidemics of drug abuse, high-profile events are capable of becoming the focus of public anxieties that, in turn, are seized upon by political entrepreneurs. Focusing events thus directly draw attention to policy problems/hazards, by revealing current or potential future harms.

Moral panics on the other hand do something different. Cohen’s work on “moral panics” sketches out the role of collective alarm over perceived “folk devils.” Cohen (1972, p. 28) defines a moral panic as situations where “A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests.” Hall, Critcher, Jefferson, Clarke, and Roberts (1978, p. 20, emphasis in original) offer a further element in their definition, explicitly noting that the response is disproportionate: “When the official reaction to a person, groups of persons or series of events is *out of all proportion* to the actual threat offered.” The concept has relevance across a broad range of policy domains where a particular group or behavior come to be labeled as deviant, or as posing a threat to the moral order; not just in relation to crime (such as outbreaks of gun crime or gang violence) but also for example public health (especially relating to infectious disease), drugs, popular culture (such as outcries over video games and pop music), migrants, and welfare recipients. As such, a moral panic takes an event or set of processes and sees it, typically, as representative of not just what it is, also as representative of *something else*—often something of which it is *not* representative. We will argue below that the murder of a young boy (James Bulger) by two other children came not simply to represent child-on-child murders (which are very rare) but rather came to represent a crisis with the moral fabric of British society at that time.

Moral panics typically proceed from and build out of a single focusing or trigger event. They constitute a form of amplification in which the details of that specific

event are perceived as being symptomatic of a wider condition, a malaise, or societal pathology, which needs to be addressed. The moral panic thus takes a singular event and reads it as symptomatic of a wider societal problem(s) (even if this event is not representative of that society or the members of it), the identification of which then reveals the wider prevalence of the pathology that must be addressed. We consider moral panics a distinctive subset of punctuated equilibrium theory inasmuch as they similarly *entail* a change in issue frame which gives rise to disruption of the policy consensus around a given problem; but identify a specific trigger event which activates or amplifies that issue frame (or frames), thereby initiating the process of positive feedback leading to policy change. Moral panics are not inconsistent with public responsiveness to actual policy problems. For example, rising public anxiety about crime has been shown to be a function of actual crime rates (Enns, 2014; Jennings, Farrall, Gray, & Hay, 2017; Miller, 2016). They may explain, however, why certain problems are suddenly elevated onto the policy agenda at particular times, thus contributing to punctuations in public policy. Indeed, the conditions associated with moral panics may produce even more disproportionate policy responses, due to the pressure on policymakers. Our argument is therefore that moral panics contribute to punctuated equilibrium in policy; whereby a specific event contributes to, or reinforces, change in the dominant set of issue frames on an issue—encapsulating broader societal anxieties or fears—creating opportunities for policy entrepreneurs to disrupt the existing policy monopoly. The extent to which such events contribute to policy change may be contingent upon timing and characteristics of the policy domain in question. Unlike a focusing event (in which the events are read as being simply an example of what has gone wrong), moral panics speak to a wider, more inchoate and hitherto unarticulated set of processes in which the event which triggers the moral panic may not, *per se*, be terribly representative of the problems which are highlighted.

### *The Emergence of Crime as a Political Issue*

There is a substantial and ongoing debate concerning the politicization of crime and why it emerged as a political issue in the United States as well as in other advanced democracies. A small number of scholars have argued that crime rates shape both public attitudes and political responses to crime in the United States (e.g., Enns, 2014, 2016; Fortner, 2015; Miller, 2013, 2016; Weaver, 2007), and in the United Kingdom (e.g., Downes & Morgan, 1997; Jennings et al., 2017; Newburn, 2007). In *The Myth of Mob Rule*, Miller (2016) offers rare comparative evidence—from the United States, United Kingdom, and the Netherlands—on the connection between crime rates and policy responses. In their work on punctuated equilibrium in policy, Jones and Baumgartner (2005, pp. 218–22; also Baumgartner, Jones, & Mortensen, 2014) use criminal justice in the United States as a specific case of positive feedback in policymaking. Prior to the 1960s, the federal government had been relatively inactive on crime policy, but a combination of rising crime, public anxiety, increased media coverage, and a series of urban riots led to an escalation of attention from policymakers

at the national level and a doubling of federal spending on crime and justice in a relatively short period (Baumgartner et al., 2014). Such a view of the politicization of crime is far from uncontested. Beckett (1997), for example, argues that public support for punitive policies is weakly related to actual rates of crime. Smith (2004) suggests that growth of prison populations has less to do with mass opinion or rising crime rates, and more to do with race, partisan politics, and (gubernatorial) elections. Other accounts emphasize the role of institutional structures and interest group politics in expansion of the carceral state (e.g., Gottschalk, 2006, 2008). The degree to which the punctuated equilibrium theory of policy applies to the case of crime in the United Kingdom therefore offers an important contribution to these debates.

### *Punctuated Equilibrium in Criminal Justice Policy in Britain*

What evidence is there of punctuated equilibrium in criminal justice policy in Britain? The rise of crime on the policy agenda has been one of the notable long-term shifts in the focus of postwar British politics. Prior to the late 1970s, crime rates had been low and law and order was given relatively little attention by Labour or Conservative governments, and a liberal policy consensus had largely remained intact (Downes & Morgan, 1997). While the parties increasingly competed on the issue in their election platforms, this was not translated into policy programs in government. It was only later, during the 1990s, that crime emerged as a prominent issue on the policy agenda of government. Before proceeding to our analysis of the processes that gave rise to these trends, it is necessary to assess the evidence for a large-scale shift (i.e., a “punctuation”) in the policy agenda on criminal justice. Much of recent literature relating to punctuated equilibrium theory uses stochastic process methods to analyze aggregate patterns of policy change (see Breunig & Jones, 2011). Our interest, however, is in identifying a large change in policy attention for a specific issue: crime. To do this, we use descriptive statistics and graphical illustrations to reveal how attention of government to the issue has fluctuated over time, and draw on tests that detect structural breaks in these time series. Our analysis uses data from the UK Policy Agendas Project (<http://www.comparativeagendas.net/uk>) regarding attention of government to the issue of law and order in executive speeches and primary legislation, focusing on the period since 1960.

Visual inspection of the data provides support for the claim that a major shift in attention of British government to the issue of law and order occurred during the early 1990s. The percentage of Acts of Parliament relating primarily to the issue of crime is plotted in Figure 1. This shows sizable spikes in legislative attention in 1995 and 1997. In terms of major legislation on crime, 1995 was an exceptional year—with a total of 17 Acts of UK Parliament passed relating to the issue comprising 31 percent of the government’s legislative agenda, higher than at any other point during the postwar period. Bridging the Major and Blair governments, 1997 saw even more laws (21) passed relating to criminal justice (making up some 30 percent of the legislative agenda). There is similar evidence for attention to the issue in the government’s annual statement of policy priorities, the Queen’s Speech. The percentage of

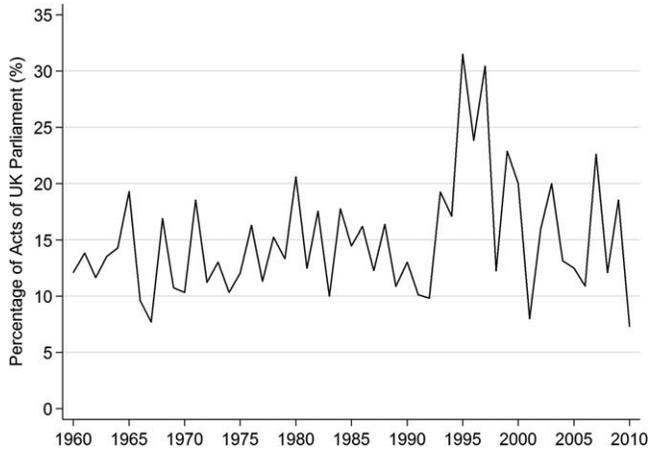


Figure 1. Percentage of Acts of UK Parliament, Criminal Justice, 1960–2010.

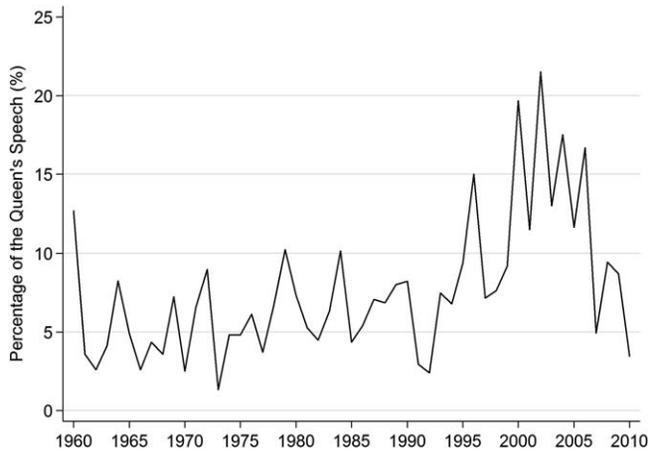


Figure 2. Percentage of the Queen's Speech, Criminal Justice, 1960–2010.

the speech allocated to law and order is plotted in Figure 2. This also reveals that the year 1995 marked a large increase in government attention to law and order issues, followed by a further surge in 1999. This period is therefore notable for this level shift in legislative and executive attention to criminal justice issues. In the period between 1960 and 1994, British government on average used 6 percent of the Queen's Speech for setting out law and order measures. In the period from 1995 onward, it dedicated 12 percent to it. The period around the mid-1990s therefore appears to have seen a structural shift in policy activism on the issue of crime under the Major government, which lasted to around the end of the Blair era (in 2007), where attention began to subside.

We conduct two additional tests for the presence of structural breaks in the executive and legislative agenda.<sup>2</sup> First, Zivot-Andrews (1992) tests indicate that each of the series is stationary with a structural break—in 1993 for Acts of Parliament and in 1996 for the Queen's Speech (see Appendix Table A1 for results). Further, we

conduct Bayesian change-point analysis to confirm these findings.<sup>3</sup> This follows the approach used by John, Bertelli, Jennings, and Bevan (2013). Notably, using this method identifies change points in policy attention in the same years—1993 for Acts of Parliament and 1996 for the Queen’s Speech. Specifically, we find that after 1993 the number of legislative acts on law and order increased by a factor of 1.5 with a credible 95 percent range of [1.3,1.7], while after 1996 the number of mentions of law and order in the speech increases by a factor of about 2.4 with a credible 95 percent range of [1.9,3.1]. Note that as well as these significant increases in the attention of policymakers to law and order, there was also a noticeable change in the tenor of Criminal Justice Acts passed after the early 1990s; from this point government legislation became more punitive and also extended the ways in which punitiveness was “delivered” (see Farrall, Burke, & Hay, 2016).<sup>4</sup>

### *Explaining Punctuated Equilibrium in Criminal Justice Policy in Britain*

The puzzle of what caused this punctuation in the policy agenda on crime (in the increase in political attention to the issue and an increase in punitiveness) is the focus of the remainder of this article. In what follows, we develop the argument that, in a context of actual rising crime and rising fear of crime, individual high-profile crimes (in this case the murder of the toddler James Bulger in February 1993) are capable of becoming the focus of a moral panic—which resonates with a wider set of issue frames—and that this, in turn, may be seized upon by policy entrepreneurs (in this case, the Shadow Home Secretary, Tony Blair, and Home Secretary, Michael Howard). The effect, we argue, is to generate a rhetorical war between the parties over crime, which then leads to heightened legislative activism, and an attempt to “outgun” the opposition (producing a cycle of escalating “toughness”). The process is akin to the formation of a wave, which is likely to build in size and endure for so long as crime rates continue to rise or remain high as issue salience persists. This, we argue, accounts for the politicization of British criminal justice policy since the early 1990s. These processes of agenda setting may help explain the cross-national variation observed by Green (2012) in penal responses to cases of child-on-child homicide. They also may explain why the issue of crime more widely underwent a sudden period of expansion on the agenda during the 1990s and 2000s at a time when crime had started to fall.

### **Data and Analysis**

Based on the theoretical framework outlined earlier, it is possible to assess evidence for the factors that contributed to these punctuations in the criminal justice policy agenda, that is, considering the contribution of each component of the theories of punctuated equilibrium (i.e., policy conditions, the policy monopoly, changes in issue frames) and moral panics (i.e., the trigger event). For this, we adopt an integrative mixed-methods analysis that draws on multiple sources of evidence; and uses qualitative or quantitative methods depending on what is considered appropriate for

the object of analysis. For example, to understand the breakdown of the policy monopoly and the role of policy entrepreneurs, qualitative analysis of policy and institutions is combined with elite interviews (with three of the four longest serving Home Secretaries during the period of analysis). To track increased severity of the policy problem (i.e., crime rates) and its salience to media and the public, quantitative data are presented. Our analysis considers evidence relating to the following factors: (1) the policy monopoly governing criminal justice (based on qualitative analysis of policy/institutions and elite interviews), (2) growing social problems and public concern (depicted using a range of quantitative data), (3) the incidence of a focusing event and moral panic (undertaking qualitative analysis of the trigger event), and (4) changes in issue frames (revealed with quantitative data on rhetoric used in parliamentary debates). We use these findings to inform specification of a time series model of the criminal justice policy agenda that tests the effect of each of these factors simultaneously. As such the article offers a novel methodology that has general applicability for the analysis of policy change.

#### *The Policy Monopoly: The Home Office Liberal Consensus*

Our analysis of the policy monopoly on criminal justice relies on a combination of a review of existing accounts of policy and institutional arrangements during the period from 1979 to 2015 and a series of interviews with three out of the four longest serving Home Secretaries of the 1979 to 2010 period who are still alive; Douglas Hurd (1985–89), Michael Howard (1993–97), and David Blunkett (2001–04). The only person missing from this group is Jack Straw (1997–2001), while the other long-serving Home Secretary from 2010 to 2015, Theresa May, is currently prime minister. See Appendix Table A2 for a full list of Home Secretaries during the period. Elite interviews such as these are especially useful in providing insights on the role of policy entrepreneurs and their perceptions of the existing policy monopoly on criminal justice. More importantly, Hurd, Howard, and Blunkett were critical actors who presided over most of the major Criminal Justice Acts of the 1980s and 1990s (see Farrall et al., 2016, p. 221).

In Britain, institutional dominance of criminal justice by the Home Office meant that a stable set of policymaking arrangements had been in place for an extended period up until the early 1970s combined with a broad liberal-progressive consensus among political parties (Downes & Morgan, 1997). Chief among these was the desire to reduce imprisonment, albeit gradually so as to not worry members of the public (Faulkner, 2014, p. 88). However, the 1980s saw this established policy start to come under strain. A number of previously uncontentious Home Office policy goals (such as the reduction of imprisonment) became vulnerable to challenge due to dramatic rises in recorded crime rates. For an extended period, the policy goal had been to keep offenders (especially young offenders) out of prison. The 1969 Children and Young Persons Act aimed to keep juvenile delinquents out of court, while the 1972 Criminal Justice Act tried to create more imaginative noncustodial sentences for some offenders (Hall et al., 1978, p. 48). Even during the 1980s the Home Office

continued to try to avoid the use of prison; both the 1982 and 1988 Criminal Justice Acts developed criteria which had to be met before custody could be imposed and created various alternatives to imprisonment (Blackmore, 1989; Thomas, 1989), while the 1985 Prosecution of Offences Act introduced measures to reduce the numbers of people remanded to prison (Cavadino & Dignan, 2007, p. 95). The idea that prison was an expensive way of making offenders worse initially survived as the attention of the Thatcher governments was focused on the economy, industrial relations, housing, and social security initiatives (Farrall & Hay, 2010).

Up until the early 1990s, the position of Home Secretary had been held for long periods by paternalists or non-Thatcherites (such as Willie Whitelaw and Douglas Hurd, both of whom were to the left of the Conservative party). Leon Brittan (Home Secretary from June 1983 to September 1985) later fell out with Thatcher, and his period in office was dominated by the miners' strike, while David Waddington, Kenneth Baker, and Kenneth Clarke all were only in post for short periods. Of these, as Baker (1993, p. 424) notes, only Waddington shared Thatcher's support for the reintroduction of capital punishment. Consequently, during the 1980s and early 90s, there was a gap between the rhetoric and the substance of policies on this matter, as the Home Office pursued relatively liberal policies (at least where the use of prison was concerned) despite adopting popular punitive rhetoric (Farrall et al., 2016).

In 1991, a further Criminal Justice Act was passed. The thinking behind the Act had been developed over many years (Windlesham, 1993, pp. 412–14), and it was viewed by many as a "high water mark" of informed, liberal sentencing policy (Cavadino & Dignan, 2007, p. 55). Despite the attempts which had been made to reduce imprisonment, none had reduced the prison population. While the Court of Appeal had provided clearer guidance with regards to their desired sentences for particular crimes along with guidance as to which offences warranted incarceration, there was little to ensure that the guidelines were adopted (Koffman, 2006). The Carlisle Committee (which reported in 1988, see Faulkner, 2014, pp. 91–92) advised that changes would have to be made to avoid further increases in the prison population. The White Paper which preceded the 1991 Act argued that imprisonment was "an expensive way of making bad people worse" (Koffman, 2006, echoing the sentiments expressed by Whitelaw and Howell in 1978), and went on to argue that "more offenders should be punished in the community" (Ashworth, 1992) and that offenders should not necessarily move "up" the penal ladder (Koffman, 2006). The approach to sentencing that was adopted was predicated on the idea that custodial sentences should only be made when no other sentence would suffice (Koffman, 2006). In order to divert people away from prison, community disposals needed to be made to sound sufficiently tough, and in so doing tough rhetoric was given a boost. Such rhetoric can be found also in Douglas Hurd's speech in 1988 to the Conservative party conference, where he argued that "...the aim is punishment and no Conservative should ever veer away from the notion of punishment" (quote in May, 1991, p. 174). Indeed, one leading commentator has argued that the intention of introducing these orders was to demonstrate that alternatives to custodial sentencing were sufficiently punitive (Newburn, 2003, p. 147). The 1991 Act also introduced suspended sentences, which were less punitive in practice (Cavadino & Dignan, 2007)

as courts could only impose them if immediate custody would have been justified and if the suspension of the sentence could “be justified by the exceptional circumstances of the case” (Newburn, 2003, p. 171). Therefore, the Act reduced by about 7,000 those in prison (Cavadino & Dignan, 2007, p. 115). But the 1991 Act was to end in failure; both Ken Clarke and Michael Howard disliked it, and members of the judiciary spoke out against it (see Faulkner [2006, p. 125], Balen [1994, p. 240], and Windlesham [1993, pp. 20–21] for more details on the precise nature of their criticisms, which revolved around the limiting of the powers of sentencers, the use of “unit fines,” and a survey of 2,000 criminal justice staff conducted by the Home Office which suggested that groups as diverse as police officers, defense solicitors, probation officers and prison staff were united in their dislike of the ways in which the Act operated albeit to differing degrees).

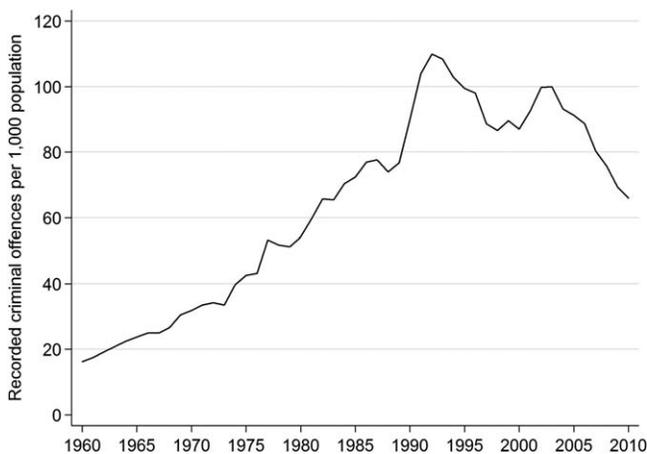
Popular concern about crime—specifically the public’s fear of crime—was systematically measured for the first time via a new institution, the British Crime Survey, which was established in 1982. By the early 1990s, crime was recognized by policymakers to be rising dramatically, and the *status quo* on imprisonment increasingly came under pressure. It was during this period that there was a break in governmental policy on law and order (Farrall, Jackson, & Gray, 2009) and escalation of political contestation over the issue between the government and opposition (Newburn, 2007). A rising star of the opposition Labour Party, Tony Blair, was appointed Shadow Home Secretary in 1992 and very quickly positioned the party as cognizant of public concern and being “tough on crime,” criticizing the Conservative government for failure of both its policies and philosophies (Blair, 1993). Soon after, in May 1993, Michael Howard was made Home Secretary in the Major government, becoming a key policy entrepreneur in the realignment of Home Office policy on imprisonment (Jones & Newburn, 2007, p. 148). The goal of reducing imprisonment quickly came to be questioned by the new Home Secretary. In an interview conducted with Howard in September 2014 for this study, he recalled that “the first presentation” given to him by civil servants stressed policy continuity, in the inevitability of rising crime and the overriding goal of managing public expectations. In another interview, David Blunkett recollected receiving similar advice from one of his predecessors as Home Secretary, Roy Jenkins (1974–76). Howard argued that “there was a prevalent view among the criminal justice establishment which was that you shouldn’t really send people to prison unless you absolutely have to. And they were reinforced by the Treasury which didn’t like spending money on prisons.” The institutional consensus, and prevailing set of norms that structured internal policy debates, was viewed critically by Howard who considered himself to be an outsider to criminal justice issues and more resistant to conventional wisdom in policy circles on the inevitability of rising crime rates: “I expect my predecessors were given the same sort of advice that I’d been given. And I think they were more prepared to go along with it than I was.” Such comments are revealing of Howard’s rejection of the Home Office’s institutional view of crime. During Howard’s term of office between 1993 and 1997, the prison population increased by around 40 percent.

Howard’s appointment as Home Secretary in May 1993 therefore represents a critical moment. An outsider at the Home Office, he had not been indoctrinated into

the Home Office's approach to crime (it would always go up) or imprisonment (it ought to be used as a last resort). In this respect, Howard's appointment was akin to the idea of a "critical nomination" (Robinson, 2013; Ruckman, 1993). This break from the past was commented upon in an interview with one of his predecessors, Douglas Hurd: "[Howard] hadn't very much patience with the kind of approach that I favoured and Ken Clarke ... and Willie Whitelaw favoured." For the first time, the Home Office was led by a Home Secretary with strong punitive preferences. From that point on, with the main parties seeking to present themselves as tough on crime (Newburn, 2007), the post was held by a succession of Labour Home Secretaries who sought to extend the general tenor of the approach adopted by Howard. This marked a significant disjuncture in the previous liberal policy consensus, that is, the policy monopoly, that had governed criminal justice for decades.

### *Policy Problems and the Public Agenda: Rising Crime and Public Fear of Crime*

It is also possible—alongside this sequence of institutional and policy developments—to track the rise of crime as a social problem and topic of public concern, drawing on a range of official statistics and survey data on public attitudes. Recorded crime rates had risen steadily throughout the 1970s and 1980s. This trend accelerated in the late 1980s and peaked in 1992. Rising crime was linked to socioeconomic shocks of the period (see Field, 1990; Pyle & Deadman, 1994) as well as to the heroin epidemic of the 1980s and 1990s (Morgan, 2014). The crime rate for England and Wales per 1,000 head of population is plotted in Figure 3. The growth of this social problem had seen the total number of recorded crimes increase from 2.5 million in 1979 to 4.5 million in 1990 (an increase of 179 percent). Rises in crime were repeated across different subsets of crime: over this period the overall recorded crime rate was highly correlated with rates of property and violent crime (Pearson's  $r = 0.99$  and  $0.77$ , respectively). As such, British government faced an upturn in crime across several areas of offending—even compared to the upward historical trend.



**Figure 3.** Recorded Crime in England and Wales, 1960–2010.

Alongside this, other trends pointed toward growing social disorder, such as the rise in the number of children excluded from school (and hence “at large” in residential streets and in trouble with the police), which had increased dramatically since the introduction of school league tables.

Crime gathers its resonance not just from the meaning of the event itself, but also from wider social changes in society which it comes to symbolize. Throughout the 1970s, there was a growing awareness by conservative politicians and figure-heads (such as Mary Whitehouse) of the emergence of such feelings in the minds of ordinary people. Citizens, it was claimed, believed that crime was a problem, that they themselves were more at risk than previously, and that these issues reflected broader changes and threats in society. The label “the fear of crime” was born out of these observations and slowly emerged as an object of social scientific investigation against the backdrop of increased governmental interest in law and order (see Lee, 2007). The late 1970s saw crime and public concerns about crime in Britain become increasingly salient on the societal agenda. This can be seen in public opinion relating both to the salience of the issue and fear of crime. Figure 4 plots the proportion of the public naming crime or law and order as the most important problem or issue facing the country, as measured by the survey organizations Gallup and Ipsos-MORI between 1960 and 2010. For all of the period up to the 1970s, crime was a nonissue, only starting to register at all as a subject of public concern during the late 1970s. This trend went in parallel with the rising rate of recorded crime, and while there was a peak in the importance of crime to the public around the time of the peak in crime rates, the issue’s salience continued to rise into the 2000s even after crime rates started to fall.

Fear of crime follows a similar but somewhat different trend. Figure 5 depicts the public’s fear of crime measured in the British Crime Survey (using the question “how safe do you feel walking alone in this area after dark?”). This shows public anxiety at its peak in 1993, and steadily declining thereafter, suggesting that while crime was



**Figure 4.** Crime as the “Most Important Problem” or “Most Important Issue,” 1960–2010.

Source: Gallup and Ipsos-MORI, monthly surveys.

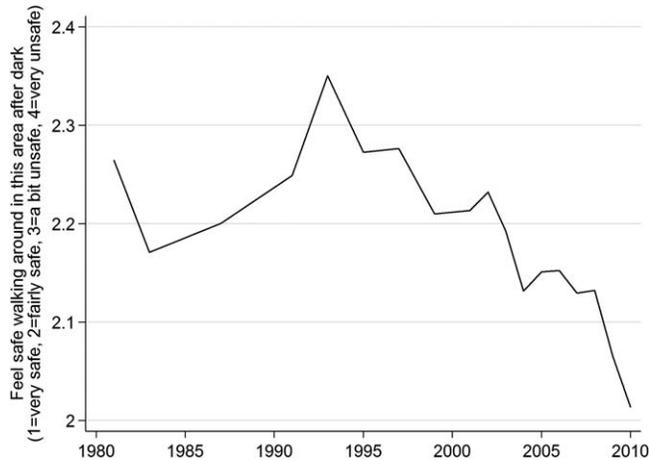


Figure 5. Fear of Crime (How Safe Do You Feel Walking Alone in This Area After Dark?), 1981–2010.

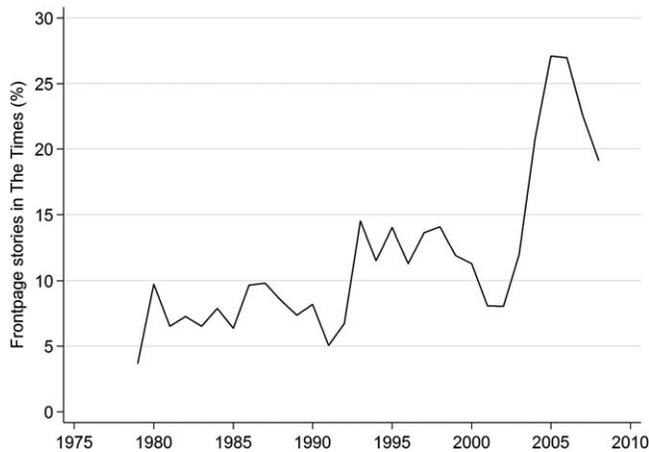


Figure 6. Percentage of Front Page Stories of *The Times* Relating to Crime, 1960–2008.

perceived as an important issue facing society people were not necessarily more afraid of becoming victims themselves. Media interest in crime remained relatively stable throughout the 1980s but increased substantially during the 1990s and 2000s. Figure 6 plots the annual percentage of front page stories of *The Times* relating to law and order (data from John et al., 2013), which remains relatively flat from 1960, before a surge in coverage in 1993 (followed by a later surge in 2003–05). Much as Jones and Baumgartner (2005) observed for the United States in the 1960s, the emergence of a social problem coincided with growing public and media attention to the issue.

#### *Moral Panics and Focusing Events: The Bulger Murder*

As we have argued, focusing events can result in breakdowns in existing policy equilibria on issues. Moral panics, in particular, can lead particular problems or groups to be defined as a threat to the values or interests of society—and thereby

create pressure for policy change on the basis of new diagnoses and solutions. The focusing event in this case was the abduction and subsequent murder in February 1993 of the Bootle toddler James Bulger by a pair of 10-year-old boys, Robert Thompson and John Venables. As Hay (1995, p. 199) outlines, this came to act “as a point of condensation for wider social anxieties.” The Bulger murder precipitated a moral panic about other aspects of (then) contemporary British society. It received intensive media coverage, leading to a moral panic focused on child delinquency in which the media and, increasingly, leading politicians drew links between this single event and wider perceived trends in family breakdown and child delinquency. As such this moral panic went beyond simply the murder of a child by two other children; it spoke to a wider set of concerns about the decay of inner cities, the rise of single parents, “feral” boys who were truanting or who had been excluded from school, industrial decline, loss of respect for “traditional values,” and “dependency” culture. The killers of Bulger were playing truant from school on the day of the abduction, and had shoplifted earlier in the day. At least one of the boys was from a single parent family. Both lived in deprived areas of Liverpool. The media linked the murder to the children having watched a “video nasty,” *Child’s Play 3* (though this claim was never proven). In this context, the child killers were presented as exemplars of the breakdown of family values, and as the product of “broken homes.”<sup>5</sup> As such, the murder acted as a focal event for anxiety over a set of other social processes which had been building up in many of the more impoverished parts of UK cities and larger towns, whereby young children (often boys) were regularly truanting from school or had been permanently excluded from school, where families were under stresses (such as divorce or separation) caused by unemployment and underemployment, where families were increasingly headed by single parents (often females with lower levels of pay from work, if they did work), and where increasingly local councils were legally obliged to house those people with high and chronic levels of social and economic needs.<sup>6</sup> In this way, the Bulger murder was rarely, if ever, constructed as a sign of the danger of children for children (for such cases are very rare); rather it was constructed as being about a far wider set of processes associated with rapid economic and societal changes.

The murder also changed widespread attitudes toward the ways in which the British thought about crime and punishment. Since 1986, the British Social Attitudes Survey has asked respondents to state the extent to which they agreed with a statement about the death penalty being appropriate for some crimes. In 1987, 43 percent strongly agreed with this statement; by 1991 this had fallen to 25 percent. In the immediate aftermath of the murder (the survey fieldwork in 1993 was conducted in the midst of the moral panic we outline here), the number strongly agreeing had jumped back up (to 45 percent). After 1993, public support for the death penalty resumed its decline, falling year-on-year. It was, however, not until 2001, some 18 years later, that support for the death penalty reached its pre-Bulger level (with 24 percent strongly agreeing). Similarly, public concern about crime—measured with the most important problem/issue (as shown in Figure 4)—had been falling steadily in the period between 1988 and 1992, but rose sharply in 1993 (with surveys in the month immediately following the killing revealing a doubling in the percentage of respondents naming the issue).

*Issue Frames: Trends in Parliamentary Issue Definitions Regarding Crime and Society*

The moral panic around the Bulger murder can be linked to a wider shift in the prevalent issue frames in political debate around crime and social problems. Political rhetoric around “broken homes,” “single mothers,” and other areas of perceived social and moral decay had been circulating well before, but the immediate aftermath of the murder saw a substantial spike in many associated issue frames. Figure 7 plots the number of references in parliamentary debates to key terms over the period from 1960 to 2004. The political salience of this focusing event can be seen both in the amount of attention it received at the time and in its frequent reappearance on the parliamentary agenda over subsequent years. Its impact on wider political debate can be observed in the spikes in discussion of juvenile and youth crime around this period, along with the longer term emergence and rise of the discourse of “antisocial behavior” from the mid-1990s onward. Notably, many issue frames associated with broader social anxieties—such as “single mothers,” “truancy” (or truants), “broken homes,” and “yobs”—also became more prevalent in parliamentary rhetoric. Mentions of juvenile and youth crime, truancy, and single mothers all spiked in 1993 *specifically*. These were followed by the later wave of political concern with antisocial behavior (which by the early 2000s was receiving about as much attention as all other issue frames put together). On this basis, it is evident that the killing, although not the cause, resonated with these undercurrents of anxiety about social and moral decay—in which there was an implicit link between social breakdown and rising crime. Such concerns were starting to register in mass opinion. Data from the British Social Attitudes Survey

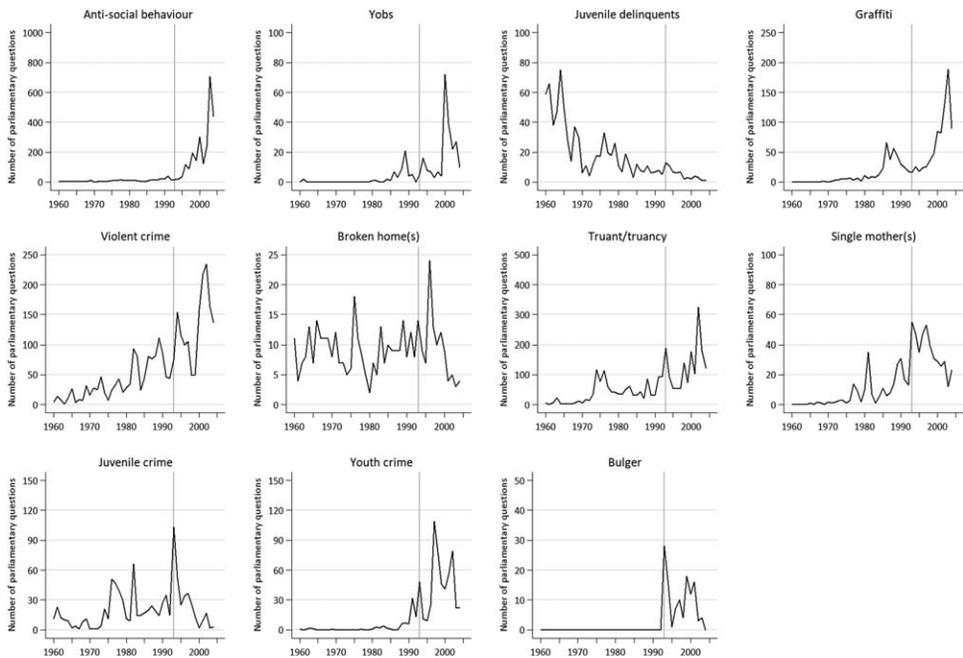


Figure 7. Number of Mentions of Issue Frames in Parliamentary Questions, 1960–2004.

suggest that, from the mid-1990s, there was a growing perception that young people lacked respect for “traditional values” (see Supporting Information Figure S1). Not only had crime started to receive more attention from British government, the related set of issue frames had become tied to anxiety about social breakdown, or “the causes of crime” as Tony Blair had labeled it.

### Summary

To what extent do theories of punctuated equilibrium and moral panics account for the case of criminal justice policy in Britain? It is clear that the 1990s observed the breakdown of the policy monopoly that had overseen relative stability in criminal justice policy for several decades—the liberal consensus within the Home Office resistant to pressures for more punitive measures. Prior to that point, British government had been relatively inactive on criminal justice, but the combination of rising crime rates and related social problems, public concern about crime and disorder, increased media coverage and competition between policy entrepreneurs (Howard and Blair) looking to gain political ownership of the issue, led to an escalation of attention from government. As part of these dynamics, the sudden and large shift in policy attention was fueled by a single shocking event—the murder of James Bulger—and a change in the related set of issue frames around criminal justice, as crime became increasingly linked with a sense of social and moral decay.

While the Bulger murder in itself was a shocking event that led to societal anxiety around social breakdown and crime, the issue expansion around criminal justice policy during this period was heavily influenced by the role of policy entrepreneurs. As we noted earlier, policy entrepreneurs are a key component of punctuated equilibrium theory; as actors seeking opportunities to disrupt the *status quo* and gain political advantage. While Michael Howard was a critical actor, as we have argued, in overseeing a break with the liberal policy consensus that had governed the Home Office for decades, Tony Blair as Labour’s Shadow Home Secretary (and later as Prime Minister) also played a key role in escalating political rhetoric and policy activism. Blair’s response to the Bulger murder was a significant moment in his eventual ascension to the Labour leadership (the next year in 1994), with a widely publicized speech that described news reports of the murder as “hammer blows struck against the sleeping conscience of the country.” Writing later, Blair (2010, p. 57) explained “Very effectively I made it into a symbol of Tory Britain in which . . . the bonds of social and community well-being had been loosed, dangerously so.” Blair thus connected the growing social anxiety around crime to a diagnosis of social breakdown and rebranded the Labour Party’s reputation on law and order, famously invoking the slogan “tough on crime, tough on the causes of crime,” challenging the claim of the Conservatives to be the natural party of law and order. This politicization of criminal justice led to a process of issue expansion as government measures became increasingly punitive in both rhetoric and substantively in terms of legislation—first under Michael Howard and then under a series of Labour Home Secretaries. The stalemate had been broken.

The substantial shift observed in the policy agenda in such a short time period is consistent with a process of positive feedback—as the confluence of a growing social

problem, public concern, media attention, and escalating rhetoric by entrepreneurial politicians pushed criminal justice out of subsystem politics and onto the national political agenda, leading to heightened political activity on the issue. It is clear too that the Bulger killing was a focusing event that crystallized a series of anxieties and frames of social and moral breakdown, leading to a shift in framing of criminal justice as an issue and the sorts of policy responses that were palatable to policymakers. The upsurge in government attention following the rise in crime rates and increased public and media interest has clear parallels with the punctuation in attention to criminal justice that occurred in the United States in the 1960s and 1970s (Jones & Baumgartner, 2005).

### **Time Series Analysis of the Criminal Justice Policy Agenda**

The final step of our integrative mixed-methods approach is to use these findings to inform specification of a time series regression model of the criminal justice policy agenda. This enables us to test the simultaneous effects of each of the factors identified as contributing to the emergence of crime as an issue on the policy agenda, having earlier identified the specific break points in the policy agenda. Where possible we draw on time series measures of each of the factors considered above: (1) the policy monopoly (where a variable is included for party control of government), (2) policy conditions (violent crime rates) and the wider societal agenda (public and media attention to the issue and public preferences for punitive policy), (3) the focusing event (measured with mentions of the Bulger case in parliamentary debates), and (4) the wider set of issue frames prevalent in political debate (also measured from parliamentary debates). Our dependent variables are the executive and legislative agendas on criminal justice, measured using the percentage of the Queen's Speech and Acts of UK Parliament relating to the issue in a given year. The time frame of our analysis is constrained to the period between 1960 and 2004 by data availability (i.e., our measure of media coverage starts in 1960 and our measure of issue frames in parliamentary debates ends in 2004).

Prior to modeling, it is important to determine the order of integration of our variables. We use the Phillips and Perron (1988) test for presence of unit root (see Appendix Table A3). The test-statistics indicate that the executive and legislative agenda and parliamentary attention to the Bulger case are stationary,  $I(0)$ , processes, while crime rates, media coverage, issue frames, and the public's preference for punitive policy are integrated,  $I(1)$ , processes. Additionally, the public agenda is found to be trend stationary. In order to ensure equation balance and model the variables in the same form (Lebo & Grant, 2016), we detrend the public agenda and use the first difference (i.e., change) of all the integrated series. As we noted earlier, both the executive and legislative agenda series are stationary with a structural break. In normal circumstances, one would want to transform the series to remove the break for the time series regressions, but since our aim is to explain what contributes to change in the policy agenda during this specific period, we model the untransformed series. This enables us to test what contributed to the sudden increase of attention of policymakers to criminal justice in 1993 and 1996.

We also use Granger causation tests to determine the temporal ordering of variables, that is, to assess whether past values of the policy agenda are predictive of the media and public agenda, or vice versa (see Supporting Information Table S1). These confirm that the policy agenda does not shape the public or media agenda, and thus that our models are appropriately specified with it as dependent variable.

We therefore model the executive and legislative agenda as a function of the effect of (detrended) public attention to the issue of crime ( $MIP'_t$ ), change in media coverage ( $\Delta MEDIA_t$ ), change in the frequency of parliamentary questions relating to antisocial behavior and social breakdown ( $\Delta FRAMES_t$ ), and parliamentary references to the Bulger case ( $BULGER_t$ ) as well as change in the rate of violent crime ( $\Delta CRIME_t$ ) and a control for Conservative party control of government (equal to 1 when the Conservatives are in office, and equal to 0 otherwise). We also include interactions of the public agenda with the crime rate ( $MIP'_t \times \Delta CRIME_t$ ) and with media attention ( $MIP'_t \times \Delta MEDIA_t$ ). Our expectation is that the effect of public concern will be higher when amplified by high rates of crime and effects of media coverage will be greater at higher levels of public concern.

$$\begin{aligned} AGENDA_t = & \alpha_0 + \beta_1 MIP'_t + \beta_2 \Delta MEDIA_t + \beta_3 \Delta CRIME_t + \beta_4 (MIP'_t \times \Delta CRIME_t) \\ & + \beta_5 (\Delta MEDIA_t \times MIP'_t) + \beta_6 \Delta FRAMES_t + \beta_7 BULGER_{t-1} + \\ & \beta_8 PARTY_t + \varepsilon_t \end{aligned}$$

The results are reported in Table 1. These provide broad support for our theoretical expectations, revealing positive effects of the violent crime rate (holding the interactions to zero) and the Bulger killing on the executive agenda, and of interactions of

**Table 1.** Time Series Regression of the Criminal Justice Policy Agenda

	Queen's Speech	Acts of Parliament
$MIP'_t$	-0.842 (0.442)+	<b>1.197</b> <b>(0.703)+</b>
$\Delta MEDIA_t$	0.137 (0.128)	<b>0.378</b> <b>(0.204)+</b>
$\Delta CRIME_t$	<b>11.302</b> <b>(2.514)***</b>	1.416 (3.996)
$MIP'_t \times \Delta MEDIA_t$	<b>0.191</b> <b>(0.093)*</b>	-0.044 (0.148)
$MIP'_t \times \Delta CRIME_t$	<b>4.150</b> <b>(1.308)**</b>	-3.402 (2.080)
$\Delta FRAMES_t$	0.008 (0.005)	<b>0.014</b> <b>(0.008)+</b>
$BULGER_{t-1}$	<b>0.279</b> <b>(0.085)**</b>	<b>0.255</b> <b>(0.134)+</b>
$PARTY_t$	-0.719 (0.978)	0.974 (1.555)
Intercept	4.637 (0.949)***	13.634 (1.508)***
N	44	44
Adjusted R-squared	0.55	0.16
Durbin-Watson statistic	2.221	1.574
Start	1960	1960
End	2004	2004

+ $p < 0.1$ ; \* $p < 0.05$ ; \*\* $p < 0.01$ ; \*\*\* $p < 0.001$ .

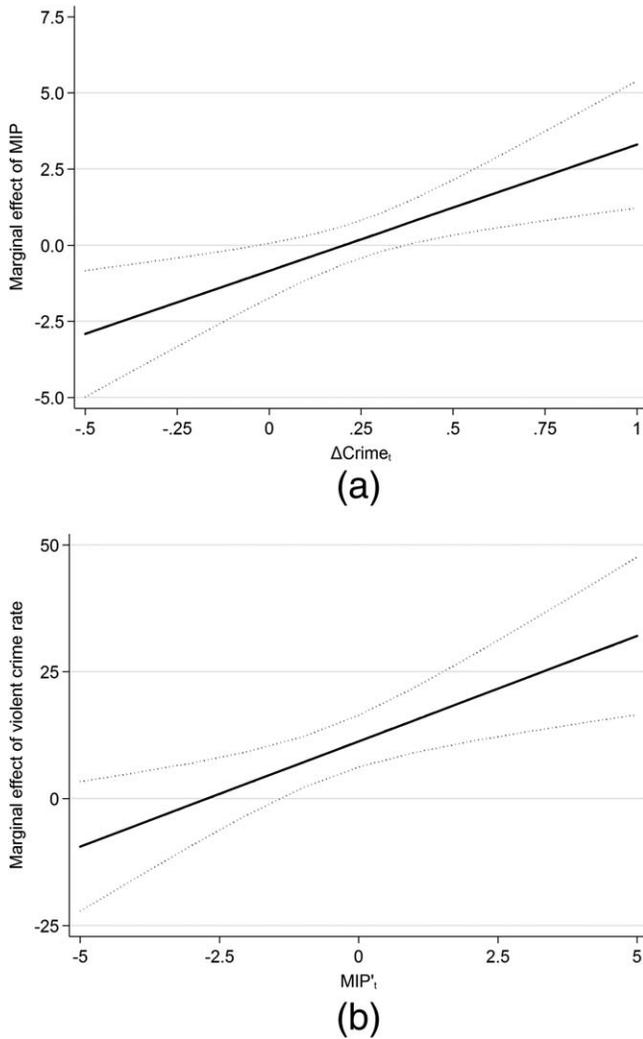
public concern with the crime rate and with media coverage. The results are far weaker for the legislative agenda, though the effects are signed in the expected direction for the public agenda, media coverage, issue frames and the Bulger case—but are not significant at the 95 percent confidence level. Nevertheless, the size of effect of each parliamentary reference to the Bulger murder is noteworthy, being associated with just over a 0.25 point increase in the percentage of the policy agenda assigned to criminal justice in a given year. This suggests that the moral panic surrounding the killing was associated with an upturn in the attention of policymakers to the issue.

In order to consider the effect of constitutive terms of the multiplicative interactions (i.e., the public agenda, media coverage, and violent crime rates), it is necessary to calculate their conditional marginal effects. In particular we focus on how crime rates mediate the effect of public opinion, and how public opinion mediates the effect of media coverage. Figure 8a depicts the marginal effect of the public agenda (on the  $y$  axis) on the executive agenda (the Queen's Speech) at different levels of change in the violent crime rate (on the  $x$  axis). This reveals that the effect of the public agenda on the policy agenda is greater at higher rates of (rising) crime. Figure 8b plots the marginal effect of media coverage on the executive agenda at different levels of public attention to the issue of crime. This indicates that media have a greater impact on the policy agenda when the issue is also salient to the public.

Together these results offer support for the mechanisms underlying the rise of crime on the policy agenda in Britain; indicating that the level of public concern (which reached the levels which one might reasonably refer to as a moral panic), media coverage, violent crime rates, and a focusing event (the Bulger killing) contributed to dynamics of government attention to crime. The finding of significant interactions among crime, public opinion, and media are further consistent with the idea of positive feedback—as these factors serve to amplify one another.

## Conclusion

This article has sought to explain why crime went from being a peripheral issue on the agenda of British politics to being a major concern for the mass public, media, and policymakers in a short period of time. This seismic shift in political attention, following an extended period of stability in criminal justice policy, is consistent with the argument that moral panics contribute to punctuated equilibrium in public policy—as high-profile events become a focus of public anxieties and lead to the framing of particular conditions, episodes, persons, or groups as a threat to societal values or interests. In this case, the policy change on criminal justice was a response to the problem of rising crime and other forms of social disorder (e.g., truancy), a particularly shocking crime—the murder of James Bulger—which resonated with a wider political mood that all was not well in British society, the disruption of the policy monopoly that existed within the Home Office (which had previously kept crime and policing off the agenda and had tended to promote a liberal position on punishment) and the key role of new Home Secretary, Michael Howard, and the Shadow Home Secretary, Tony Blair, as policy entrepreneurs who increasingly politicized the



**Figure 8.** (a) Marginal Effects of the Public Agenda for Values of Change in the Violent Crime Rate. (b) Marginal Effects of Media Coverage for Values of the Public Agenda.

issue and moved the policy agenda to a new consensus based around punitive rhetoric on sentencing and antisocial behavior.

Our integrative mixed-methods approach has enabled us to explore the political and institutional conditions that existed prior to the punctuation in the criminal justice agenda that occurred in the 1990s. Specifically, the material from elite interviews has offered insights into the prevalent policy mind-set of the criminal justice establishment that existed within the Home Office, while survey data enables us to track the rise and fall of crime as an issue of concern to the mass public, and data on the policy content of the executive and legislative agenda facilitates systematic measurement of the degree to which policymakers were attending to crime. Likewise the use of data on parliamentary rhetoric offers insights into the emergence of a discourse around social decay and disorder, on the political agenda at least. Finally, by testing

the simultaneous effects of each of the factors (where possible) using time series analysis—and the interactions between them in some cases—it is possible to determine whether these findings are sustained within a dynamic model of the policy agenda at the aggregate level. We believe that this methodology has general applicability for the analysis of policy change, across a multitude of theoretical frameworks and policy domains.

Our study points to important directions for future investigation. First, it highlights the importance of an agenda-setting perspective in understanding the politics of crime and punishment in Britain and elsewhere. Second, it demonstrates the added theoretical and empirical value of combining insights from punctuated equilibrium theory with the concept of moral panics, as a particular type of symbolic event or narrative/story that encapsulates broader societal anxieties or fears, and which lead to reframing of issues in line with much wider sets of concerns. This may help explain periods of rapid and dramatic change in policy equilibria, in criminal justice as in other policy domains. Third, it points to the importance of the rise of issue frames relating to social decay and disorder that substantially influenced British government and wider political debate around criminal justice for much of the 1990s and 2000s. This may help explain why the issue of crime underwent a sudden expansion as a focus of British politics during the 1990s and 2000s at a time when crime had started to fall.

**Will Jennings** is professor of political science and public policy at the University of Southampton. His research explores questions relating to public policy and political behavior, specifically in relation to agenda-setting, public opinion, elections, democratic innovations, political geography, policy disasters, and anti-politics. He is coauthor of *Policy Agendas in British Politics* (Palgrave, 2013) and *The Politics of Competence* (Cambridge University Press, 2017).

**Stephen Farrall** is professor of criminology in the Centre for Criminological Research at the University of Sheffield. He studies the relationship between politics and crime, using the Thatcher governments as a case study. His most recent publications are “Penal Populism and the Public Thermostat: Crime, Public Punitiveness and Public Policy” published in *Governance*, and “Thatcher’s Children and Blair’s Babies: A Trickle-down Theory of Value Change” in the *British Journal of Political Science*.

**Emily Gray** is a research associate at the University of Sheffield in the Center for Criminological Research. Her research interests include policy evaluation, emotional responses to crime, and the intersection of crime and politics.

**Colin Hay** is professor of political science at Sciences Po, Paris and Director of SPERI at the University of Sheffield, UK. He is the author many books including, most recently, *The Coming Crisis* (Palgrave, 2017, with Tom Hunt), *Anti-Politics, Depoliticisation and Governance* (Oxford University Press, 2017, with Paul Fawcett et al.), *Developments in British Politics 10* (Palgrave, 2016, with Richard Heffernan et al.) and *Civic Capitalism* (Polity, 2015, with Anthony Payne). He is lead editor of *New Political Economy* and founding co-editor of *Comparative European Politics and British Politics*, and a fellow of the UK Academy of Social Science.

## Notes

This research was funded by the U.K. Economic and Social Research Council, award number ES/K006398/1.

1. It is hard to overstate the cultural importance of the murder of James Bulger. Newspaper headlines in the United Kingdom were dominated by the murder, the search for the perpetrators and then, months later, the trial and sentencing of those found guilty. Magazines which would not normally carry articles on either crime or the state of British society (such as *Good Housekeeping*) ran articles on exactly this topic. The murder changed the ways in which the country thought of itself (see Green, 2012).
2. Note that these tests refer to the period between 1960 and 2004 in order to ensure consistency with the time series regression analyses presented later in the article.
3. To detect the change-point parameter in the policy agenda, we apply the following Bayesian model with noninformative priors:  
 $\text{counts}_i \sim \text{Poisson}(\mu_1)$ , if  $\text{year}_i < \text{cp}$   
 $\text{counts}_i \sim \text{Poisson}(\mu_2)$ , if  $\text{year}_i \geq \text{cp}$   
 $\mu_1 \sim 1$   
 $\mu_2 \sim 1$   
 $\text{cp} \sim \text{Uniform}(1960, 2004)$
4. Prior to 1993, Criminal Justice Acts going back several decades had contained various measures which were aimed at reducing the punitiveness of the criminal justice system. Hence, a desire to reduce the use of imprisonment (including for those on remand) can be found in the 1982, 1988, and 1991 Criminal Justice Acts and the 1985 Prosecution of Offenders Act.
5. Much of the relevance around the Bulger case tapped into a perceived loss of social control and social bonds in Liverpool. Additionally, legally this case was treated uniquely—which exacerbated/facilitated the hysteria around it from various quarters.
6. Such is the potency of the case that the killers are subject to occasional media reporting, despite anonymity granted to them upon release.

## References

- Ashworth, Andrew. 1992. "Criminal Justice Act 1991 (2) Non-custodial Sentencing." *Criminal Law Review* (April): 242–51.
- Baker, Kenneth. 1993. *The Turbulent Years*. London: Faber and Faber.
- Balen, Malcolm. 1994. *Kenneth Clarke*. London: Fourth Estate.
- Baumgartner, Frank R., and Bryan D. Jones. 1993. *Agendas and Instability in American Politics*. Chicago, IL: University of Chicago Press.
- . 2009. *Agendas and Instability in American Politics*, 2nd ed. Chicago, IL: University of Chicago Press.
- Baumgartner, Frank R., Bryan D. Jones, and Peter B. Mortensen. 2014. "Punctuated-Equilibrium Theory: Explaining Stability and Change in Public Policymaking." In *Theories of the Policy Process*, 3rd ed., ed. Paul Sabatier, and Christopher M. Weible. Boulder, CO: Westview Press.
- Baumgartner, Frank R., Christian Breunig, Christoffer Green-Pedersen, Bryan D. Jones, Peter B. Mortensen, Michiel Nuytemans, and Stefaan Walgrave. 2009. "Punctuated Equilibrium in Comparative Perspective." *American Journal of Political Science* 53 (3): 602–19.
- Beckett, Katherine. 1997. *Making Crime Pay: Law and Order in Contemporary American Politics*. Oxford: Oxford University Press.
- Birkland, Thomas A. 1997. *After Disaster: Agenda Setting, Public Policy, and Focusing Events*. Washington, DC: Georgetown University Press.
- Blackmore, John. 1989. *Custodial Control or Community Alternative: An Examination of the Impact of the 1982 Criminal Justice Act in One Local Authority*. Dorecht, the Netherlands: Kluwer.
- Blair, Tony. 1993. "Why Crime Is a Socialist Issue." *The New Statesman* (January 29): 27–28.
- . 2010. *A Journey*. London: Random House.

- Breunig, Christian. 2006. "The More Things Change, the More Things Stay the Same: A Comparative Analysis of Budget Punctuations." *Journal of European Public Policy* 13 (7): 1069–85.
- Breunig, Christian, and Bryan D. Jones. 2011. "Stochastic Process Methods with an Application to Budgetary Data." *Political Analysis* 19 (1): 103–117.
- Cavadino, Michael, and James Dignan. 2007. *The Penal System*. London: Sage.
- Chaqués-Bonafont, Laura, Anna Palau, and Frank R. Baumgartner. 2015. *Policy Dynamics in Spain*. London: Palgrave.
- Cobb, Roger W., and Charles D. Elder. 1972. *Participation in American Politics: The Dynamics of Agenda-Building*. Baltimore, MD: The Johns Hopkins University Press.
- Cohen, Stanley. 1972. *Folk Devils and Moral Panics*. London: Paladin.
- Downes, David, and Rod Morgan. 1997. "Dumping the 'Hostages to Fortune?'" In *The Oxford Handbook of Criminology*, ed. Mike Maguire, Rod Morgan, and Robert Reiner. Oxford: Clarendon Press.
- Enns, Peter. 2014. "The Public's Increasing Punitiveness and Its Influence on Mass Incarceration in the United States." *American Journal of Political Science* 58 (4): 857–72.
- . 2016. *Incarceration Nation: How the United States Became the Most Punitive Democracy in the World*. Cambridge: Cambridge University Press.
- Farrall, Stephen, Naomi Burke, and Colin Hay. 2016. "Revisiting Margaret Thatcher's Law and Order Agenda: The Slow-Burning Fuse of Punitiveness." *British Politics* 11 (2): 205–31.
- Farrall, Stephen, and Colin Hay. 2010. "Not So Tough on Crime? Why Weren't the Thatcher Governments More Radical in Reforming the Criminal Justice System?" *British Journal of Criminology* 50 (3): 550–69.
- Farrall, Stephen, Jonathan Jackson, and Emily Gray. 2009. *Social Order and the Fear of Crime in Contemporary Times*. Clarendon Studies in Criminology. Oxford: Oxford University Press.
- Faulkner, David. 2006. *Crime, State and Citizen*. Winchester, UK: Waterside Press.
- . 2014. *Servant of the Crown*. Winchester, UK: Waterside Press.
- Field, Simon. 1990. *Trends in Crime and Their Interpretation: A Study of Recorded Crime in Post-War England and Wales*. Home Office Research Study 119. London: HMSO.
- Fortner, Michael Javen. 2015. *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment*. Cambridge, MA: Harvard University Press.
- Garland, David. 2001. *The Culture of Control*. Oxford: Oxford University Press.
- Gottschalk, Marie. 2006. *The Prison and the Gallows: The Politics of Mass Incarceration in America*. Cambridge: Cambridge University Press.
- . 2008. "Hiding in Plain Sight: American Politics and the Carceral State." *Annual Review of Political Science* 11: 235–60.
- Green, David A. 2012. *When Children Kill Children: Penal Populism and Political Culture*. Oxford: Oxford University Press.
- Hall, Stuart, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts. 1978. *Policing the Crisis: Mugging, the State and Law-and-Order*. London: Macmillan.
- Halpin, Darren. 2011. "Explaining Policy Bandwagons: Organized Interest Mobilization and Cascades of Attention." *Governance* 24 (2): 205–30.
- Hay, Colin. 1995. "Mobilization Through Interpellation: James Bulger, Juvenile Crime and the Construction of a Moral Panic." *Social and Legal Studies* 4 (2): 197–223.
- Jennings, Will, Stephen Farrall, Emily Gray, and Colin Hay. 2017. "Penal Populism and the Public Thermostat: Crime, Public Punitiveness and Public Policy." *Governance* 30 (3): 463–81.
- John, Peter, Anthony Bertelli, Will Jennings, and Shaun Bevan. 2013. *Policy Agendas in British Politics*. Basingstoke, UK: Palgrave Macmillan.
- John, Peter, and Will Jennings. 2010. "Punctuations and Turning Points in British Politics: The Policy Agenda of the Queen's Speech, 1940–2005." *British Journal of Political Science* 40 (3): 561–86.

- Jones, Bryan D., and Frank R. Baumgartner. 2005. *The Politics of Attention: How Government Prioritizes Problems*. Chicago, IL: University of Chicago Press.
- Jones, Trevor, and Tim Newburn. 2007. *Policy Transfer and Criminal Justice*. Maidenhead, UK: Open University Press.
- Koffman, Lawrence. 2006. "The Rise and Fall of Proportionality: The Failure of the Criminal Justice Act 1991." *Criminal Law Review* (April): 281–99.
- Lebo, Matthew J., and Taylor Grant. 2016. "Equation Balance and Dynamic Political Modeling." *Political Analysis* 24 (1): 69–82.
- Lodge, Martin, and Christopher Hood. 2002. "Pavlovian Policy Responses to Media Feeding Frenzies? Dangerous Dogs Regulation in Comparative Perspective." *Journal of Contingencies and Crisis Management* 10 (1): 1–13.
- Lee, Murray. 2007. *Inventing Fear of Crime: Criminology and the Politics of Anxiety*. Cullompton, UK: Willan.
- May, Tim. 1991. "'Under Siege': Probation in a Changing Environment." In *Beyond Law and Order*, ed. Robert Reiner, and Malcolm Cross. Basingstoke, UK: Macmillan, 158–85.
- Miller, Lisa. 2013. "Power to the People: Violent Victimisation, Inequality and Democratic Politics." *Theoretical Criminology* 17 (3): 283–313.
- . 2016. *The Myth of Mob Rule: Violent Crime and Democratic Politics*. Oxford: Oxford University Press.
- Morgan, Nick. 2014. *The Heroin Epidemic of the 1980s and 1990s and Its Effect on Crime Trends—Then and Now*. London: Home Office.
- Newburn, Tim. 2003. *Crime & Criminal Justice Policy*. London: Pearson.
- . 2007. "Tough on Crime: Penal Policy in England and Wales." *Crime and Justice* 36: 425–70.
- Phillips, Peter C. B., and Pierre Perron. 1988. "Testing for a Unit Root in Time Series Regression." *Biometrika* 75 (2): 335–46.
- Pyle, David J., and Derek Deadman. 1994. "Crime and the Business Cycle in Post-War Britain." *British Journal of Criminology* 34 (3): 339–57.
- Robinson, Rob. 2013. "Punctuated Equilibrium and the Supreme Court." *Policy Studies Journal* 41 (4): 654–81.
- Ruckman, Peter S., Jr. 1993. "The Supreme Court, Critical Nominations, and the Senate Confirmation Process." *Journal of Politics* 55 (3): 793–805.
- Smith, Kevin B. 2004. "The Politics of Punishment: Evaluating Political Explanations of Incarceration Rates." *Journal of Politics* 66 (3): 925–38.
- Thomas, David. 1989. "The Criminal Justice Act 1988: (4) The Sentencing Provisions." *Criminal Law Review* (January): 43–55.
- Weaver, Vesla M. 2007. "Frontlash: Race and the Development of Punitive Crime Policy." *Studies in American Political Development* 21 (2): 230–65.
- Windlesham, Lord. 1993. *Responses to Crime*, Vol. 2. Oxford: Clarendon Press.
- Zivot, Eric, and Donald W. K. Andrews. 1992. "Further Evidence on the Great Crash, the Oil-Price Shock, and the Unit-Root Hypothesis." *Journal of Business and Economic Statistics* 10 (3): 251–70.

## Appendix

**Table A1.** Zivot-Andrews Test for Unit Root Allowing for a Structural Break

	Queen's Speech (%)	Acts of Parliament (%)
Structural break	1996	1993
Minimum t-statistic (at break)	-7.308**	-7.103**
Observations	44	44
Start	1960	1960
End	2004	2004

*Note:* Maximum lag set at 3 years.

\*\* $p \leq 0.01$ .

**Table A2.** Home Secretaries, 1979–2015

Period	Home Secretary
1979–83	William Whitelaw+
1983–85	Leon Brittan+
1985–89	Douglas Hurd*
1989–90	David Waddington+
1990–92	Kenneth Baker
1992–93	Kenneth Clarke
1993–97	Michael Howard*
1997–2001	Jack Straw
2001–04	David Blunkett*
2004–06	Charles Clarke
2006–07	John Reid
2007–09	Jacqui Smith
2009–10	Alan Johnson
2010–15	Theresa May

*Note:* \*, Interviewed; +, Deceased.

**Table A3.** Tests for Stationarity of Dependent and Independent Variables

	Queen's Speech (%)	Acts of Parliament (%)	Violent Crime Rate (Per 1,000 Capita)	Public Agenda (NIP/ MI)	Public Punitive Preferences	Media Agenda ( <i>The Times</i> )	Parliamentary Debates: Social Frames	Parliamentary Debates: Bulger Case
Phillips-Perron (levels)								
Random walk	-3.712***	-5.548***	4.337	-1.058	-1.417	-2.070	-0.770	-3.811***
Trend	-5.743***	-6.124***	0.957	-3.942**	-1.990	-2.755	-2.752	-4.574***
Phillips-Perron (first difference)								
Random walk	-	-	-6.087***	-	-7.471***	-8.087***	-11.224***	-
Trend	-	-	-7.688***	-	-7.467***	-8.164***	-13.300***	-
Observations	44	44	44	44	44	44	44	44
Start	1960	1960	1960	1960	1960	1960	1960	1960
End	2004	2004	2004	2004	2004	2004	2004	2004

\*\*\* $p \leq 0.05$ , \*\*\*\* $p \leq 0.01$ .

### Supporting Information

Additional Supporting Information may be found in the online version of this article.

**Figure S1.** Young people today don't have respect for traditional British values, British Social Attitudes Survey, 1986-2010

**Figure S2.** Support for the death penalty ("strongly agree"), British Social Attitudes Survey, 1986-2010

**Table S1.** Granger causation tests between the policy and public/media agenda