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Introduction to the Special Edition: Brexit Criminology

James, Zoe

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Introduction to the Special Issue

Zoë James and Oliver Smith, Plymouth University

The five articles in this special issue of *Safer Communities* emerged from an inter-disciplinary meeting on 'Brexit Criminology' held at Plymouth University on April 5th 2017. The impetus for the meeting was to contribute a previously absent criminological voice to the discussion and debate surrounding the UK's decision to leave the European Union. The resultant selection of papers presented here are diverse in range, perspective and disciplinary origin, illustrating the on-going importance of examining Brexit through a criminological lens.

The academic community has had much to say in the wake of the EU referendum and the subsequent invocation of article 50, the formal notification of the UK's intent to withdraw from membership of the EU. Much of this work however concentrates attention on the implications of Brexit on industry (Song, 2016; Cumming and Zahra, 2016), the economy (McMahon, 2016; Barrett et al., 2015) and the legal field (Wenger 2017; Farrand 2017). Similarly, in the huge number of news reports, and documentary coverage devoted in the mainstream media to the topic of Brexit, the voices of criminologists have been strangely absent. In a post-political age (see Badiou 2009), where 'Brexit means Brexit' is accepted as adequate explanation of a potentially politically transformative event, it is our belief that the academic community has a duty to understand the underlying drivers of change and to offer progressive critique over the coming months and years. The papers presented here illustrate the breadth of critical thought that criminology is able to contribute and are, we hope, indicative of a prolonged period of engagement. While we may expect discussion around overtly 'criminological' phenomena such as the spike in hate crime following the EU referendum (Smith and Hayhurst, 2016), it is our hope that this is only the starting point for a criminological interrogation of Brexit which must necessarily consider a range of harms and inequalities that play out against a backdrop of political and economic instability.

The first paper in this special edition is 'Beyond empty promises? A reality check for hate crime scholarship and policy' by Neil Chakraborti and Stevie Hardy. This paper argues that hate crime scholarship and policy are failing to sufficiently impact on the lived experiences of hate crime victims, despite the wealth of knowledge developed

in this area and some excellent policy and practice in place. Using evidence from extensive empirical research, Chakraborti and Hardy challenge the communicative function of hate crime policy and legislation as hate crime reporting rates remain low and victim confidence in processes of justice are likewise low. Further they suggest the need for greater knowledge of perpetrator motivations and rehabilitative responses to hate crime. Given the significant growth in reported hate crimes in the period post-Brexit vote and the likelihood that such official figures are under-representative of actual hate crimes, this paper argues for a collective response to prejudice and hatred that will address existing gaps in knowledge and provision.

Following on from Chakraborti and Hardy's analysis of hate crime policy and practice, Joanna Haynes and Rowena Passy examine the role of Universities in providing space for free speech and critical discourse. In their paper entitled, 'Racism, Prevent and education: insisting on an open space' they focus specifically on the tension between different statutory duties within the University sector that are intended to promote academic freedom and prevent radicalisation. This paper considers this tension in light of the socially polarising Brexit campaign and subsequent outcome of the UK referendum. Akin to Chakraborti and Hardy's paper, Haynes and Passy note the rise in hate crime post Brexit vote and they specifically engage with the troubling evidence of a rise in anti-Muslim hate crime in universities. As such they acknowledge the vulnerability of many students while also recognising the insecurities of staff who have been responsabilised to not only support them, but also to look out for signs of their radicalisation, an action which could easily alienate those students most in need of support. Through policy analysis and literature review, this paper posits that universities should provide a safe space for critical analysis, discussion and reflection, wherein disagreement and controversial ideas are not suppressed, but engaged with and challenged. As such the paper suggests that universities should provide a safe space to bridge the polarising arguments of the post Brexit social world.

'Homophobia, Brexit and Constitutional Change' by Iain Channing and Jonathan Ward presents a different approach to thinking about Brexit by utilising a socio-legal approach to the issue of homophobia and LGBTQI rights. This paper highlights the protective factors provided by EU membership as opposed to its ineffectiveness as discussed in the articles by Chakraborti and Hardy above and James and Smith below. By examining specific cases and legal provisions this article considers the fact that Brexit may lead to and result in a review of existing human rights legislation in the UK. The authors suggest that this could give rise to a rolling back of rights provided to LGBTQI individuals in society and subsequently place them in a vulnerable and tenuous position, particularly given the heteronormative nature of society that continues to be challenged by the human rights agenda and wherein homophobic hate crime remains problematic despite protections provided by law. The paper interestingly raises the issue of prejudicial attitudes within parliament and

thus the potential ease with which the constitution might change in a post-Brexit environment.

The paper by Steve Hirschler, 'Brexit, immigration and expanded markets of social control', directly addresses the most polarising issue in the pre-Brexit debates by discussing the potential impact of new immigration policies in the UK. This paper constitutes an analysis of the literature on voting patterns in the referendum and specifically the relationship between migration patterns to the UK and voting behaviour. Subsequently Hirschler considers how the commitment of both right wing and left wing political parties in the UK to tighter immigration controls may result in significantly more people being processed by that system which is dominated by private, rather than state, provision. Such privatised social control mechanisms are therefore likely to see an increase in their profits as migrant bodies are managed out of the UK. Hirschler's paper reviews an extensive literature evidencing the lack of appropriate provision for migrants within the existing immigration control system and he suggests that these circumstances are likely to be augmented as more people enter the system post-Brexit and within a societal context that places primacy of profit over welfare.

The final paper in this special edition by Zoë James and David Smith, entitled 'Roma Inclusion Post Brexit: A Challenge to Existing Rhetoric', brings the special edition full circle by revisiting the issue of hate crime policy and its capacity to effectively provide inclusion for marginalised communities. The paper specifically considers anti-Gypsyism in Europe and subsequent EU attempts to provide Roma inclusion. This opinion piece argues that Roma inclusion is unlikely to be more or less facilitated in a post-Brexit Europe, given that EU policy has failed to sufficiently address their exclusion thus far. Chakraborti and Hardy had noted in the conclusion to their paper, that the political, economic and social conditions of late modernity have enabled greater denigration of marginalised groups. This paper engages with that context by suggesting that the power and mechanisms of neoliberal capitalism have resulted in social harms experienced by the weakest people in society. It argues that EU policy has failed to provide inclusion due to its focus on measurable harms that impact individuals, rather than systemic harms such as discrimination, that impact on broad swathes of the least powerful in society, including Roma, but also other minority groups and the working class. As such, the paper concludes by suggesting that transnational policies and strategies for social inclusion should incorporate a consideration of the harms caused by contemporary neoliberal capitalism.

This special edition has therefore provided an eclectic mix of papers by engaging with complex and challenging issues. Brexit came as a shock to many in the academic world and should serve as a point of departure for a forward looking public criminology. We hope that the papers herein function to provoke debate and discussion in the discipline.

References

Badiou, A. (2009) *The meaning of Sarkozy*, London: Verso.

Barrett, A., Bergin, A., FitzGerald, J., Lambert, D., McCoy, D., Morgenroth, E., ... & Studnicka, Z. (2015). *Scoping the possible economic implications of Brexit on Ireland*. Economic and Social Research Institute.

Cumming, D. J., & Zahra, S. A. (2016). International Business and Entrepreneurship Implications of Brexit. *British Journal of Management*, 27(4), 687-692.

Farrand, B. (2017). Bold and newly independent, or isolated and cast adrift? The implications of Brexit for intellectual property law and policy. *JCMS: Journal of Common Market Studies*.

Smith, H and Hayhurst, C. (2016) 'Three race hate crimes ever hour since EU referendum, says Met police', Independent, (5 July 2016), <http://www.independent.co.uk/news/uk/crime/brexit-race-hate-crime-eu-referendum-met-police-a7121401.html> [accessed 8/8/2017]

McMahon, M. (2016). The implications of Brexit for the city. *Brexit beckons: Thinking ahead by leading economists*, CEPR Press, London, 95-101.

Song, C. H. (2016). Understanding the aftermath of Brexit: implications for the pharmaceutical industry. *Pharmaceutical Medicine*, 30(5), 253-256.

Wenger, R. J. (2017). Should I Stay or Should I Go: The Effects of Brexit on Family Leave Laws in the United Kingdom. *Duq. Bus. LJ*, 19, 119.