Urban violence – Local response

Summary: Urban violence – a Local Response, which in addition to social prevention measures also adopts situational prevention measures, whereby *municipal agencies* and inclusion services for young people gradually penetrate "problem neighbourhoods", accompanied by increased municipal police presence and activity.

Gentlemen:

I would like to present an institutional response model to the phenomenon of urban violence in Portugal which stresses the possibility of (I was going to say *the need for*) a LOCAL RESPONSE.

I will say why and how this local response can be organised by broadening the active role of local authorities in coordinating teams and strategies whose purpose is to prevent "problem neighbourhoods" – where the most serious phenomena of criminality are manifested – from becoming inward-looking places which are viewed with fear and hostility by other city dwellers. I will also say how the municipal police, as a body of specially trained yet very approachable and non-threatening professionals, can make a decisive contribution to the understanding and early identification of leaders of criminal groups and their activities in such neighbourhoods, while at the same time imposing the internalisation of the image of authority of the State and of belonging to the city.

Firstly, however, I would like to make two brief points that characterise the general phenomenon of "urban violence".

First: it is not difficult to recognise the relevance of the concerns raised by various institutions and countless studies in relation to urban violence. The growing concentration of people from rural areas and foreign countries in large cities [which occupy so much of our space] gives rise to serious problems of integration and social cohesion. What is more,

opportunities to tap into lawful sources of income are becoming increasingly few and far between, while unemployment is growing and the need for unskilled labour is falling. The most recent economic and financial crisis, which Europe is still grappling with, has intensified the need to consider effective responses to a problem which is common to all European countries to a greater or lesser extent.

According to data for this year, 75 million young Europeans under 25 years of age are unemployed. There are (European) countries in which over 50% of young people do not have a job – and the vast majority of whom never will.

Survival has its own laws, and hardship creates risk cultures and strong partisanship.

Second: some urban areas do not appear to be part of the surrounding city. This tends to create a town within a city, or ghettos and neighbourhoods with their own identity, and that identity creates boundaries, which in turn create kinds of nationalism. It is therefore not surprising that the outskirts of large European cities include neighbourhoods where the most common language is from another continent, where young people with emigrant parents but who were born in Europe, with no education and no jobs, establish ways of coexistence modelled on a distant culture. And where, feeding off that pride and sense of identity, trust is sometimes put in organised criminal groups that promote and ensure the acquisition of typical European benefits and welfare, but under the application and declared validity of a law which is not that of the State.

Having made these two points on urban violence, I will now go on to the Portuguese situation, and I can tell you that, despite everything, there is no great cause for concern. Some years ago it was said that "France isn't Chicago". Very well, we can also say: "And Portugal isn't Paris – or other European capitals."

The scale of the problem in Portugal is not as serious as in other countries. Which is good, but it can also be bad – if we overlook the necessary responses.

What we have in Portugal is the clear awareness that certain city neighbourhoods accommodate a large number of resident or visiting offenders, and that they feel particularly at ease in their streets, where with relative unconcern (thanks to their look-outs), they engage in activities linked to drug trafficking in particular, saving opportunities for theft and robbery for outings "downtown".

In a recent assessment of the Portuguese situation, presented in 2012 by FRANCISCO EMPIS at the seminar on *"EU Street Violence - Youth Groups and Violence in Public Spaces"* [European Forum for Urban Security], it was said that over half the crimes committed in Portugal (55%) are against *property*, and that most of these are committed in the Lisbon-Setúbal and Porto-Braga areas. It should be stressed that the existence of *criminal gangs and groups* has been opportunistic, and has been linked in recent years to raids on ATMs with explosives, *carjacking* [stealing vehicles in the presence of or close to their owners, whose physical integrity is threatened, generally with knives or firearms], street theft/robbery, credit card cloning and the so-called "night groups", formed by bar and nightclub security staff who, besides providing illegal security services, engage in activities associated to arms and drug trafficking, prostitution, extortion and kidnapping. Some of these groups [card cloning, muggings and jewellery shop robberies] were mainly formed by foreign nationals wanted by Europol and/or Interpol.

We can therefore conclude, as FRANCISCO EMPIS did, that "gang culture does not exist in Portugal", and that the gangs that have emerged are linked to economic interests in particular: "violence appears to be a means to an end, not an end in itself."

The problem is not as critical as it is elsewhere, but it is present here, because the factors of development that generate and nurture it are here

– with increased trafficking of prohibited weapons being a particular cause for concern.

It can be said with respect to this national situation that the Portuguese authorities do not engage in structured thinking on prevention, and that criminal law sanctions have been totally exhausted.

From my 30 years of experience as a judge, the last eight of which have been spent hearing and passing judgement in criminal cases at the Court of Appeal in Porto, I have to tell you how frustratingly difficult it is to apply alternative measures to prison for young offenders who largely originate from such social contexts. Not that the law – the Penal Code – does not provide for these measures and does not encourage them, but because they all require and assume that there is a minimum level of structure to personal and family life that the offender does not have. *Substitute measures* such as fines, suspended and community sentences, house arrest, weekend detention – for which the Portuguese Penal Code allows generous use of relatively high specific penalties – are often out of the question because the minimum requirements for their application are not in place, and when they are applied they are often not complied with. The reason for this is understandable: alternative or substitute measures to prison require a favourable likelihood of compliance, they represent investment in positive concrete data, they are a pact between the system and the accused, based on viable rehabilitation that more often than not cannot be seriously assumed by the judge in the absence of a family framework and life prospects for the accused themselves. And when they are applied, the weakness of the offender's life structure compromises them more often than not.

The precarious living conditions in these neighbourhoods undermine the work of teams of social workers on the ground, particularly when consistent solutions for the future are sought that guarantee acceptable non-reoffending rates.

What I mean to say is that in the Portuguese case, with a phenomenon of urban violence that is highly likely to grow, the *repressive* legal-penal response is not even a working proposal, merely a *given* and an *inevitability*. It is a mistake to think that criminal justice is an appropriate solution for containing the growth of urban violence.

Having discarded the assumptions of the strictly *repressive* model and verified the difficulties of applying the social prevention model on an exclusive basis, we are left with incorporating factors from a model of *situational prevention* as part of a LOCAL RESPONSE to the phenomenon of urban violence.

It is difficult to establish a precise pattern to characterise violence and objectivise the most appropriate responses to a dramatic paradigm shift in a global world in which communication is instantaneous. The response to phenomena of urban violence must therefore be examined and accepted by local bodies.

The central bodies can be expected to provide broad outlines and initiatives, as they do now, in which knowledge, discussion and experiences of the *common* phenomenon of urban violence intersect at the most varied levels (community, national, regional and local). The response, moreover, will have to come from the local authorities in the first instance.

It is true to say that there are still municipal administrations that see phenomena of urban violence in their territory as a matter for the central government and national police. There are others that believe the problem will run its course without affecting them (or a least without breaking out during their term of office). They accordingly do little or nothing to counter the growing tendency for these *no-go neighbourhoods* to withdraw into themselves, with various aspects of their life being regulated by laws other than those of the State, where the presence of

the authorities is rare and short-lived and where "black" figures for crime and victimisation rates are higher than in the rest of the country.

The dynamics of criminal groups offer a *means of socialisation* that cannot even be said to be an *alternative*, since in many cases it is the only one. Besides obligatory schooling, the paucity of opportunities for social integration that function on a regular basis in a neighbourhood is such that only street gangs provide an identity and recognition for young people.

When confronted with the problem of urban violence in their areas, local bodies will need to adopt an essential model: full *reintegration* of the geographic and human space of problem neighbourhoods into the city. The creation of *municipal agencies* that stimulate them with their activity, that establish routines whereby other people visit the neighbourhood for reasons other than those that currently take them there, or in essence that make the geographic space of the city accessible when it was previously not and that at the same time provide means that foster inclusion (social, academic, administrative, recreational, leisure, cultural and sporting) will without doubt bring young people into contact with different models of socialisation from those the neighbourhood has to offer.

The decentralisation of municipal services and their association with others of different kinds will help not only to eliminate the sense of *alienation* that favours marginal groups, but also to open up the geographic space for everyone to enjoy and thus create opportunities for legitimate business.

(It is helpful, for example, for the chair of Lisbon City Council to have transferred his office from the Paços do Concelho [council building] to the Intendente area, which is notorious for prostitution and drug trafficking.)

Many services can and should be transferred to areas of the city which are currently avoided and viewed with mistrust and fear.

In parallel to and simultaneously with this effort to disperse public services, I believe the considered increase in video surveillance and a strengthened municipal police presence will be crucial in deterring crime.

The effectiveness of video surveillance in preventing and combating crime has been proven in all countries. Reservations exist only with respect to its excessive spread, and these will be allayed by assurances of a thorough considered assessment of new camera positioning. Image capture can also be extended to cases where the forces of order intervene in public disturbances.

As for the presence and visibility of municipal police officers in these areas: their specific nature as a police force, but a non-violent and more approachable police force, paves the way for a <u>gradual</u> decrease in criminal activity that currently takes place openly, allows emerging phenomena of criminality to be identified and helps to further the image of the State and of the city, at the same time as it generates security in areas that provoke a sense of permanent *exclusion* and *alienation*.

This is my contribution to the discussion. Without excluding other extremely relevant measures in the framework of the social prevention of crime – acting on social causes to reduce the motivation to commit crime – I would like to draw attention to the need for local authorities to address the problem of urban violence *in good time*; and through that *gradual* approach I would like to stress the potential that the implementation of *situational prevention* measures may have, <u>even</u> in the city.

In conclusion:

. Portugal has the legal instruments required to ensure a preventive response to the phenomenon of urban violence;

. Prevention policies involve in particular the need for LOCAL RESPONSES to the specific phenomenon of urban violence in our cities, centred on a municipal management structure, whether by the dispersal of municipal services and the diversifying of training activities in problem neighbourhoods, a considered increase in video surveillance, greater appreciation of municipal police activity or the capturing of images by the police when they intervene in combating crime or restoring public order;

. Particularly important aspects of police activity are:

- reinforcement of the presence and visibility of municipal police officers in problem neighbourhoods;

- greater complementarity between national and municipal police;

- full respect for municipal police powers, conferred by law (and which, contrary to what might be thought, are not restricted to purely administrative routines), such as surveillance of public spaces and urban transport, monitoring of road traffic and the identification and searching of suspects when crimes have been committed [all these powers are currently attributed under Article 4 of Law No 19/2004 of 20 May 2004].

City policy involves integrating all areas and all *citizens*, guaranteeing their security and peace in equal measure.

Thank you very much.