



Public policy, the perils of indifference and street violence

**A systematic commitment to encourage and value witnesses will
help curb street violence and reduce victim distress**

A report on quantitative and qualitative research into the experiences and views of 1000 university students on street violence, fear and the criminal justice system.

Fieldwork for this research was conducted via an on-line survey by Opinionpanel Research between 15 and 17 July 2009. The sample consisted of 1,002 students at 119 Higher Education (HE) institutions. The sample was representative of the UK Higher Education population by gender, year group (1st Year, 2nd Year, 3rd Year+) and university type (Russell group, pre 1992 universities, post 1992 universities, other specialist institutions).

The analysis and interpretation of the data in this report has been checked with Opinionpanel Research.

All the survey data and the open-ended answers can be downloaded from our website at www.witnessconfident.org/research

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Guidance from
and for
the next generation

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0. Why this reports matters

Britain has long been governed by politicians from all parties who have pledged their commitment and demonstrated their resolve to uphold law and order and protect the public.

In recent times, these pledges have turned into an array of actions:

1. The prison population has increased by 66% between 1995 and 2009¹;
2. There were 3605 new criminal offences introduced between 1997-2008²;
3. The numbers of police officers have increased by 13% since 1997³;
4. Since 1998, 375 crime & disorder reduction partnerships have started to operate across Britain⁴;
5. There are now 1.5 million CCTV cameras focusing on UK streets and public spaces⁵;
6. The DNA of nearly 5 million citizens is held on the national database⁶;
and
7. Public expenditure on law and order has doubled from £16.9 bn in 1997/8 to £33.9 bn in 2008/9⁷.

An important indicator in assessing the efficacy of these interventions is to look at their impact on the level of street violence. This is because these are crimes that threaten members of the public indiscriminately and undermine our sense of community; crimes that people see or hear about first or second hand in their neighbourhood, rather than through the media. Additionally, street crimes – whether random attacks or muggings – are overwhelmingly carried out by strangers and as such are “strongly independently associated with perceiving the national crime rate to have increased a lot”⁸.

The latest court records for the year to June 2009 show that 26,644 offences of robbery and 90,105 offences of violence were ‘brought to justice’ (i.e. the offence lead to a conviction, caution or was taken into consideration when sentencing for another crime). In the year to June 2008, the figures were 29,667 and 106,799 respectively⁹. This means that last year saw annual falls of 10% and 15% in the numbers of robbery and violence offences that were brought to justice.

The most recent official estimates for the numbers of muggings and stranger attacks in England & Wales in 2008/9 are 1,227,000. This is a rise of 5% from the 1,160,000 in 2007/8. Looking back to 1997, the figure was 1,201,000¹⁰.

¹ [Story of the prison population](#), Ministry of Justice, Statistics Bulletin, (31 Jul 2009).

² [Seventh Report](#), Home Affairs Select Committee (2008) para 13.

³ [Police numbers](#) Home Office (31 Mar 2009) – this does not include the additional PCSOs.

⁴ [Crime Reduction](#), Home Office website.

⁵ CCTV user group www.cctvusergroup.com (Nov 2009).

⁶ [National DNA Database Annual Report](#) (Oct 2009).

⁷ [Fiscal facts](#) (Institute for Fiscal Studies).

⁸ [British Crime Survey](#) (2007/8), page 130

⁹ [Criminal Justice System Performance Information](#) (Ministry of Justice) 27 Nov 2009. We have been unable to find comparative data for 1997/8

¹⁰ [British Crime Survey](#) (2008/9) page 27.

1. Summary & recommendations

1.1 Introduction

The Home Office estimates that 375,000 people were mugged on the streets of England & Wales in 2008/9¹¹ and that 4 in 10 of these offences were reported to the police¹². Of the 153,750 muggings that were reported, Home Office figures suggest the 'clear up' rate was 21%¹³. On this basis, of the 375,000 muggings last year, those responsible were caught in some 33,000 cases.

The facts that nine out of ten muggers appear to face no credible deterrent and that the level of street violence is at effectively the same level as in 1997 call into question the effectiveness of the recent measures, interventions and additional resources that are listed opposite. With public expenditure on law and order now due to fall (that on policing alone is expected to fall by £500m a year), the case for considering a different approaches to public engagement and street violence becomes ever more compelling.

In the context of street violence, two key reasons why nine out of ten muggers get away scot free are that (a) they are never identified and so never caught, and (b) in the few cases they are identified, there is no or no good evidence to support the victim's case or the grainy or incomplete CCTV footage.

If more of the people who witness these muggings were to engage with the criminal justice system, we have a good chance of deterring those who now view law-abiding citizens as easy pickings. If we take this chance, we stand to strengthen our communities and our sense of safety.

This report considers our chances.

1.2 This research

There is little empirical research about how many of those people who witness muggings or assaults will report these offences to the police. The only market research data we have found is a 2001 MORI survey, which says that 14% of people who witnessed an assault would report it to the police¹⁴. There is even less empirical data on why people will not engage with the criminal justice system as witnesses and what might be done to improve matters.

For these reasons, this new charity - Witness Confident – commissioned this research. We wanted to find out more about whether people think those who witness a mugging are likely to engage and, if not, why not. We also wanted to find out what practical changes might affect the likelihood of people engaging as a witness.

We commissioned Opinionpanel Research to investigate the views of a representative sample of university students. We chose university students because (a) they are the

¹¹ British Crime Survey (2008/9) page 27, table 2.01. The Survey estimates that an additional 852,000 attacks on people were carried out by strangers last year.

¹² Ibid, page 40, table 2.09 records that 41% of muggings were reported to the police.

¹³ Ibid, page 135. NB This is the clear up rate for robberies, the nearest category to muggings.

¹⁴ Them & Us, (Institute for Public Policy Research) 2002, page 18

group most likely to be a victim of street violence¹⁵; (b) they amount to 42% of the 18-30 age group that will make up the coming generation; and (c) they are the part of this coming generation that is most likely to influence the way society develops. As this report shows, the methodology used by Opinionpanel Research allowed us to obtain, in addition to the quantitative data, a large body of qualitative information. This was submitted on-line by the students and their comments – where cited in this report - appear in full. The only edits were of language and grammar.

1.3 The key findings

If they were mugged on a busy street, 37% of college students say they are confident that one of the people who witnessed it would give the police a statement. There is a significant difference by gender, as 31% of female students were confident as against 46% of their male colleagues. (see section 2)

When the students gave their own unprompted explanations for their confidence or lack of it, one in five said that people were too selfish or self-centred to help out. One in eight students said human decency or kindness made them confident that someone would give the police a statement – and an equal number put their lack of confidence down to the hassle it is to engage as a witness (see sections 3 and 4).

The students were then shown a list of nine reasons why it is thought people will not engage with the criminal justice system as witnesses and asked to select up to four they believed were the main ones. To this prompted question, (section 6) the main reasons the students thought witnesses do not engage are

- | | |
|---|-----|
| 1. The time it will all take | 63% |
| 2. Fear of reprisal by the mugger | 62% |
| 3. The mugger will get off or be treated too leniently anyway | 48% |
| 4. Nobody else can be bothered | 43% |

We then asked the students what this new charity could do or get done to make it more likely that they would engage as a witness. The five changes the students said would most make a difference (see section 7) were reducing the hassle that witnesses face, explaining the consequences of a walk-on-by society, showing engagement is not a waste of time, combating fear of reprisal, and offering rewards.

While it is a matter of real and pressing concern that almost two in three female students believe that if they were mugged on a busy street, everybody would walk-on-by, this research gives cause for hope rather than despair about the way ahead if we choose to take our chance.

1.4 The way ahead

We are at a fork in the road. The path we have come along is one where the police say 'leave it to us' and the public face hassle and fear if they take the time and care to be a witness. If we continue along this path there is every chance that the situation the majority of students fear – that everybody will walk on by - will take hold and become entrenched in our society. We say this is because fear breeds fear and as people conform to what they believe is the norm, these beliefs will influence and shape reality.

¹⁵ British Crime Survey 2008/9, page 61. This estimates that 5.6% of students were either mugged or attacked by strangers last year. This compares with 4.6% of the unemployed, 2.5% of the employed and 1.1 % of carers/house-spouses.

If we continue down this path, with substantially less public money going into the law and order budgets, the level and extent of street violence is unlikely to decrease.

An alternative path is one where we engage with and enlist the public. This route has the potential to reduce fear, rebuild confidence in and of the police, deter street violence and increase people's sense of safety. And this path is not steep – if we can influence only 14% more people who witness street violence to give a statement, it will have a transformative effect as it will double the numbers of those who engage. Nor is it costly, as more than anything its success will depend on the messages that authority, and those in it, give out and the consideration they show witnesses.

If we want more people to engage as witnesses, we should not expect them to make all the running:

I am currently having to give a statement and am finding the onus is on me to go and give it/make all the contact. Maybe the police should reach out to us.

F, Medicine, Year 3, Plymouth

Many students suggested that IT could and should make a real difference

I think the process of handing over evidence needs to be much, much simpler and easier. A police officer should be able to very quickly record a verbal statement and their details for further contact if necessary. The recording should be accepted in court as evidence as long as the witness can still be contacted to verify that it is still true. The witness should not have to take time out of their schedule to appear in court.

M, Information Systems, Year 1, Huddersfield

This simple step would ensure that accounts of the incident are taken when they are freshest in the mind of the witness and when there is scant risk of their evidence being contaminated through conversations with others. Not only will it reduce the hassle and grief that witnesses face at the start of the process but as such evidence would be admissible under the hearsay provisions in the 2003 Criminal Justice Act, there would be much less need for them to attend court on various dates in case the trial will proceed and they may be needed to give their evidence¹⁶.

Aside from the enormous potential of IT to reduce the hassle, students also mentioned the approachability of the police – harking back, unprompted, to Sir Robert Peel's founding principles that "the police are the public and the public are the police". It is clear that what the students want is more of – in the words of Denis Connor the Chief Inspector of Constabulary¹⁷ - "an approachable, impartial, accountable style of policing based on minimal force and anchored in public consent":

Often the police themselves are imposing figures, dressed in a way that is meant to intimidate potential offenders. This approach doesn't lend itself to the gathering of witness statements or in building up a relationship between the police and the general "law abiding" public. If the people needing your help make you more nervous than the 'criminal' element on the street, then chances are people would rather take their chances, particularly if the crime they witnessed didn't happen to them.

F, Psychology, Year 1, Edge Hill

¹⁶ Sara Payne, the Victims Champion, in her first report Redefining Justice (p 21/22) says that 13% of trials do not go ahead because civilian witnesses fail to attend and that much of this is due to listing problems which mean witnesses are often obliged to attend court unnecessarily.

¹⁷ Adapting to Protest – Nurturing the British Model of Policing (HMI) Nov 2009) p 11

The idea that the police can at times make the public more nervous than criminals is not fanciful. A recent lead story in the Hackney Gazette¹⁸ reported an 'ultimatum' the police were issuing to three passers-by who could have important evidence about a murder on a local street late one evening. The ultimatum was that the police would release CCTV footage of the three if they failed to come forward voluntarily. This ultimatum created the damaging impression that the three would be at risk of intimidation by the criminals should the CCTV be released and that the police would be unable to do much to protect them.

Aside from making some law abiding people nervous, students also reported cases where the indifference shown by the police has alienated them

I have witnessed a crime, reported it to the police, made a follow up phone call and still not received any further police contact. Am I going to be influenced by anything other than a complete change of attitude by senior police let alone a charity???

M, Photography, Year 1, Canterbury

and

Make it easier and also the police should be more helpful. I have been victim of crime and they did practically nothing about it even though I had evidence such as car license plates and witnesses etc. All the police seem to do nowadays is direct you to victim support which is a waste of time.

F, Forensic Science, Year 1, London Southbank

The underlying cause of much of this indifference is, we assume, the voluminous paperwork and red tape that police officers have to complete when dealing with offences¹⁹ and the lack of discretion they have in dealing with matters. While the cross party political commitment that this needs to change is welcome, it is important that the implementation of this is not delayed. In any event as of now, national and local leaders of the police service should emphasise the need for courtesy and consideration when dealing with the general public

Help the victim get proper support and perhaps get things back that were taken from them, show a pro-active response. People I know that have been mugged have not reported it as they believed the police would not do anything to help them. Ensure the police follow up on leads properly and the criminals are dealt with properly to avoid them committing such crimes in the future and I believe people would be more co-operative.

F, Journalism, Year 2, Northumbria

Whether or not it is because the police are the public-facing part of the criminal justice system that they get the greatest share of the blame, this research does not tell. But it is clear the students' concerns also extend beyond the police:

I would already be willing to be a witness if I was in a suitable position to do so. But possibly if the court system was more efficient and cases went through quickly, and everything was done to minimise the inconvenience to witnesses I'm sure people would be more willing to contribute. Possibly if society was made more aware of injustices that have come about due to a lack of evidence (or specifically where witnesses have not come forward) they would feel more obligated to act. I think making the process of giving a statement less time consuming and making sure that muggers are giving harsh enough penalties would increase people's willingness to get involved and help out. I also feel that, over time, as more people gradually

¹⁸ [Hackney Gazette](#), November 26 2009

¹⁹ An illustration of what can be involved can be seen in the extract from *Perverting the Course of Justice* by Inspector Gadget - [Times](#), 3 Dec 2009 p 7.

become involved in giving statements, etc. the number of people willing to help would increase as they see others engage in helping.

F, Creative Arts, Year 1, Nottingham

As these comments suggest, if we now start down this different path and get the message across about the value of people engaging as witnesses, then the momentum should build itself as engagement leads to experience which leads to more effective engagement which leads to a body of good experience. The potential benefits to people's sense of safety and of community will be considerable, as the prospect of more witnesses creates a more effective deterrent and more confidence in the rule of law

It could highlight the benefits of IT. It could focus on the fact that if there are more witnesses then there is more likely to be a good conviction.

F, Human Resources, Year 3, Stirling

Witnesses will have heard about have-a-go heroes being arrested for intervening, so the charity should stress the point that the law is on OUR side, not on the criminals'.

M, History, Year 1, SOAS

If as a society we decide to take this path, two points should be borne in mind by police, lawyers, judges, politicians, officials, journalists, teachers, clerics and voluntary groups as we go forward:

The perception of it needs to be changed from that as an unwelcome chore, to that of an empowering action, through advertising to some extent, and through work in schools to bring up children with that impression from youth.

M, Creative Arts, Year 3, de Montfort

Secondly, we need to stop talking up and 'bigging up' the risk that witnesses may be intimidated

Make the system quick and efficient. Try and get rid of the fear factor!

F, Communications, Year 2, UEA

As the Crown Prosecution Service makes clear - see section 3.3 - intimidation of independent witnesses to street violence is extremely rare. That this is one of the major deterrents cited by the students (both prompted and unprompted) suggests that much progress can be made if we give out accurate information about the risks of witness intimidation.

Finally it is notable that while the government and criminal justice system has, this past decade, focussed on the offer of anonymity to witnesses as the appropriate tool, almost twice as many students suggested witnesses be offered rewards as those who suggested they should be offered anonymity (see sections 7.5 and 7.8).

1.5 Recommendations

It may be that 20% of people will always be too selfish or self-centred to engage as a witness or to help their neighbour, it is clear that the great majority of students know what they should and would like to do. Some of these – be they the 14% when asked in the MORI research or the 5% who volunteered here – will take a stand as things are. The rest, the greatest part, are discouraged by actual or perceived failings within the criminal justice system.

The question we have to ask ourselves as a society is do we want to try and maintain law and order and protect the public with the engagement and support of the law abiding majority? If we do, then we must think through the position of a witness and remove, lower or counter whatever unnecessary obstacles block the way. It is important to remember that a witness – unlike a consumer or citizen making a complaint or a victim of crime – has no vested interest in the outcome. As such it is not unreasonable that the trials of call centres, delays, surly individuals and lack of information are not storms to be weathered but reasons for the witness to stay at home.

Addressing this is not just a matter for ministers, the DPP and police chiefs but is something that can be influenced today and tomorrow by all those who work in the criminal justice system and by all of us as citizens.

There are three recommendations that stand out from this research.

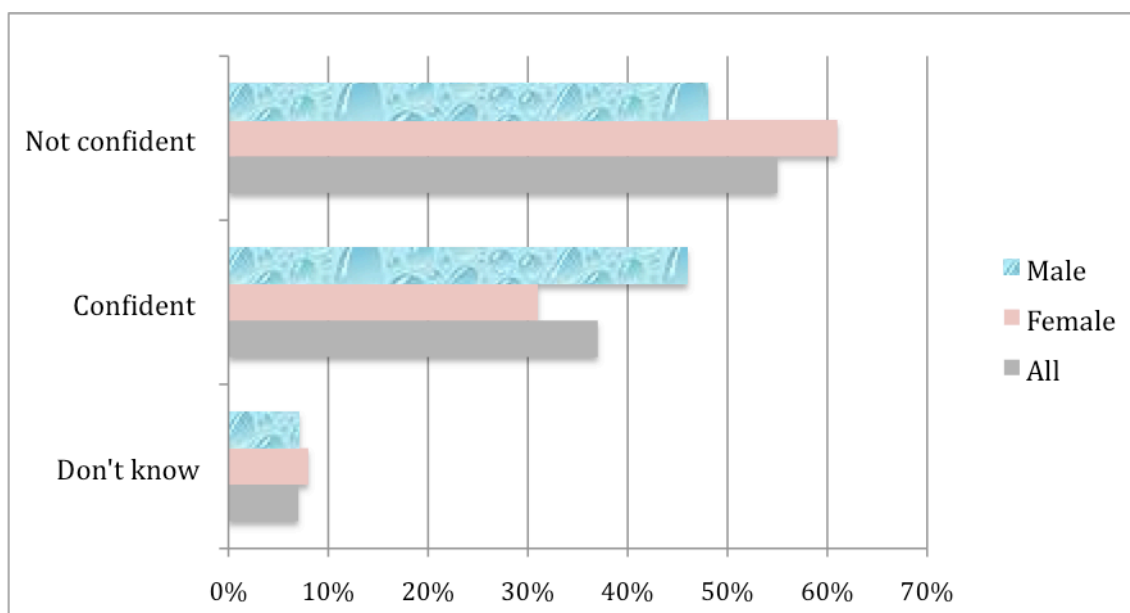
- 1) Government and those in the criminal justice system should start to produce data about the value and experience of witnesses in street violence. How many independent witnesses who contact the police end up giving statements? What proportion of cases does the witness have to spend more than 60 minutes of their time to give the statement? How many witnesses who give statements end up going to court? How many of those who go to court, give evidence? How many convictions depend on statements from witnesses? How many witnesses are thanked by victims or the court? How many witnesses are proud of what they have done?
- 2) We need to pilot new ways of helping witnesses engage – such as Google maps logging witness appeals and reports to enable witness and police to contact one another more readily; and police officers with recorders or handycams to take statements that are admissible in court thereby reducing the hassle and saving costs; and more personalized, direct contact points (be they provided by the police, the third sector or lawyers) to advise witnesses at the outset and to inform them as they go through the system.
- 3) Police, lawyers, judges, politicians, officials, journalists, teachers, clerics and voluntary groups should take care not to feed the myths and confusion about the risk of witness intimidation in cases of street violence.

2. If I'm mugged, will everyone walk-on-by?

We asked the students whether, if they were mugged on a busy high street, they were confident any of the people who witnessed the attack would give a statement to the police.

37% of students said they were confident that at least one of the people on a busy street who witnessed them being mugged would give the police a statement.

55% of the students said they were not confident. It is notable that women students were significantly less confident (61%) than their male colleagues (48%).



If you were mugged in a busy high street, how confident are you that any of the people who witnessed the incident would give a statement to the police?

There are two points to bear in mind when considering these figures:

- 1) The question is about whether one of the witnesses would *give the police a statement* and this is different from asking whether anyone would call an ambulance or check the victim was okay or indeed whether anyone would physically intervene. While – as the next section shows – for some students there clearly was an overlap, the reason we asked this specific question was to see how far students think people are willing to engage with the criminal justice system²⁰.
- 2) We asked whether the students think *any of the people in a busy high street* who witnessed the mugging would be willing to give a statement to the police. In adopting this line, we were influenced by a 2001 MORI survey²¹ which reported that 14% of people – one in seven – who witness an assault will report it to the police.

²⁰ This approach reflects the current practice in the criminal justice system to use the word witness to describe only those who have given statements to the police.

²¹ *Them & Us*, IPPR, 2002, page 18

In terms of levels of civic engagement, the question we asked sets a lower bar – a point picked up by several students

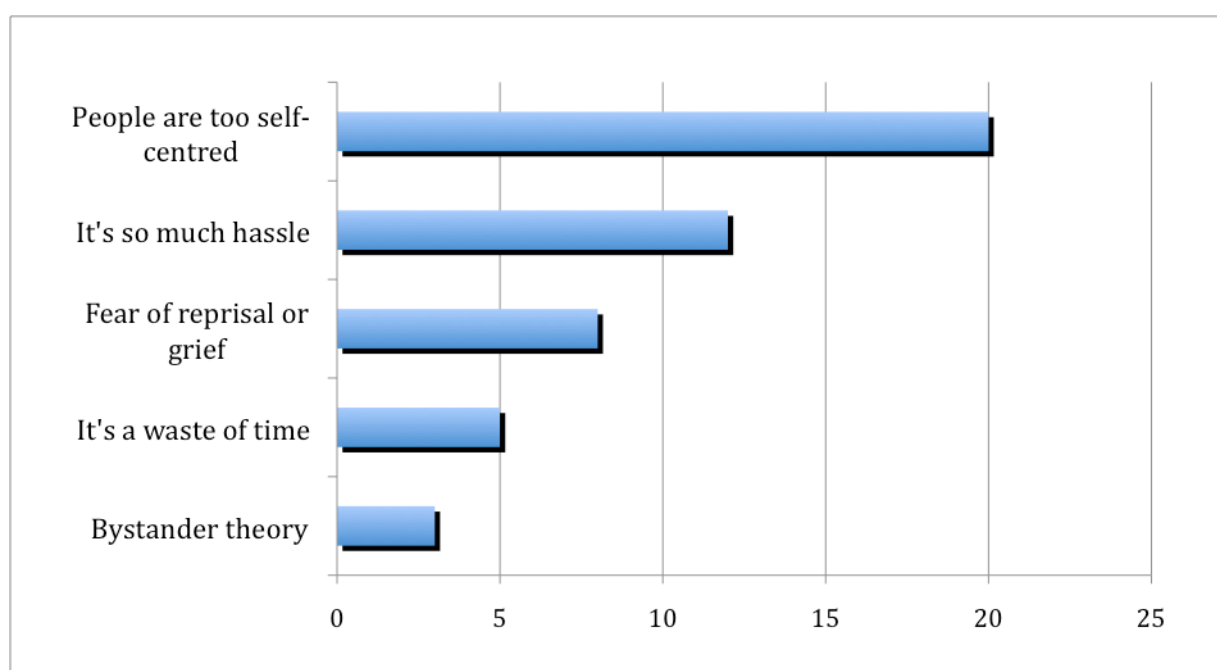
If I saw someone getting mugged I would do as much as I possibly could to help the victim after a, clearly, traumatic experience. As I still have some faith in humanity, I can only expect that at LEAST 5% of the population would reason the same way as me. A "busy" street typically has more than 20 people on it so there should be at least 1 person willing to witness. On the other hand if people are in a hurry and see that there are several other witnesses present, they may assume that any of the other witnesses would give the victim their time. If everyone would reason this way, it would clearly be a problem.

M, Engineering, Year 2, Kings London

3. Why 55% of students believe no witness will give the police a statement

The students were then asked to explain in their own words why they were or were not confident that one of the people who witnessed them being mugged on a busy street would give the police a statement.

Having read their explanations, we grouped the responses of the fearful majority into five categories – (1) people are too selfish/self-centred; (2) it's so much hassle; (3) fear of reprisal; (4) it's a waste of time and (5) bystander theory²². The graph below shows how often each of these broad explanations was invoked.



Unprompted explanations of students who said they have no confidence (% of all students)

Below, we give examples of the students' range of answers by each of these categories.

3.1 People are too self-centred

The main reason for the students' lack of confidence was that people are too selfish or too self-centred to give the police a statement. This was given by 1 in 5 of all the students.

We live in a society where everybody turns their back to crime until it happens to them.

M, Chemistry, Year 4, Aston

A good many respondents harked back to a golden age when there was a greater sense of community or commented on the increasingly atomised nature of the modern world

²² Bystander theory, put simply, is that in a crowd people tend to instinctively wait to see how others react before taking any initiative themselves and thus the likelihood of civic engagement reduces rather than increases with the more people on the street.

In recent times 'people' have become selfish, thinking only of the best interest of themselves, having little or no respect for others around them. Also, it seems that the general public are afraid of the police and believe that they do not help. I have no faith that the people around me would help me.

F, Education, Year 3, Wolverhampton

A lot of the time people seem to be in their own world (due to iPods etc.) and I'm not sure they would even be aware of anything happening. That and people lead busy lives, I'm not confident enough to say that they wouldn't slink away back to work, home etc.

F, History, Year 4, Edinburgh

Others suggested that this selfishness had been a natural response to the way the country had fostered a sense of fear:

People are very reserved about things that happen that don't affect them personally, this is a foreign attitude towards things - I believe that's brought on by general fear of anything else, very political attitude, the politics of fear.

M, Cinema, Year 3, Falmouth

3.2 It's so much hassle

The second largest reason was the time and hassle it takes to deal with the police. This was cited by 1 in 8 of all students.

I think when people see anything they tend to stay out of it because of how much time it can take to actually give a statement to the police. Basically it will take people a lot more time than they are willing to give up.

F, Sociology, Year 3, Northampton.

A good many made the point that the making of the statement is secondary to the practicalities of the police and witnesses finding one another:

People would be preoccupied with their own lives and probably would not have seen the incident clearly. I'm sure people would offer support but few are likely to wait around for police to arrive, or to accompany me to a police station, and as such what they did or did not see becomes irrelevant.

F, Spanish, Year 3, Edinburgh.

I know that it is very easy to miss when something like that is happening, or to have not enough detail to feel that you could help the police, so people may not come forward because they don't think they know anything. I also know that when a lot of people are moving around, the police won't always be able to take note of everyone who was there, so they may not be tracked down to check if they know anything.

F, Drama, Year 3, Rose Bruford

3.3 Fear of reprisal from mugger

One in twelve students said they thought that the public would not engage for fear of reprisal by the mugger and this fear was linked to the belief that the police will or can not protect them:

I think there is much more fear these days.

M, Molecular Biology, Year 1, Newcastle

People are scared to stand up to people as they don't believe that the police will protect them
M, Technology, Year 2, Central Lancs.

One or two commented that the fear might not just be of the mugger but of the witness giving inaccurate evidence

People are afraid, afraid both of the attacker and that maybe they didn't see what they thought they saw and will accidentally give untrue incriminating evidence. Plus, it's a hassle to a lot of people.

F, Design, Year 4, Glasgow

Importantly, this fear of reprisal by the mugger is not well founded, as the Crown Prosecution Service makes clear on its website (see box below). In the few occasions witness intimidation arises in crimes of violence, these are almost invariably those of domestic or acquaintance violence and ones where the person intimidated is the victim rather than an independent witness. A fair few students worked this out – as a matter of common sense – themselves

There would be no way the muggers could identify the people on the street so they would not feel in danger by giving the statement.

M, Maths, Year 4, Loughborough

Witness intimidation

The evidence

Intimidation is very rare. In 1998 the British Crime Survey (BCS) found that only 8% of all incidents resulted in the intimidation of victims or witnesses. This rose to 15% for incidents where there was potential for intimidation, such as where the victim had some knowledge of the offender.

Intimidation was more likely to follow offences of violence and vandalism. Women were particularly likely to experience intimidation following a violent offence (26%). Many of these incidents involved domestic violence.

The harasser was the original offender in most cases (85%). In others it was the offender's family or friends. Where the harasser was the original offender, 41% of women who experienced intimidation did so from a partner or ex-partner.

It is often thought that intimidation occurs because offenders want to deter victims or witnesses from giving evidence to the police or courts. But, the findings from the BCS suggest that intimidation is far more complex than this. In only 8% of incidents of victim intimidation did the victim feel the offender was seeking to prevent them giving evidence.

http://www.cps.gov.uk/victims_witnesses/reporting_a_crime/witness_intimidation.html

3.4 It would be a waste of time

The fourth unprompted reason for lack of confidence was that it is a waste of time to engage with the criminal justice system. Most of this group based their views on what they saw as the public's lack of confidence in the police:

Would depend on the neighbourhood somewhat. But, mostly, I'm not very confident that people would trust the police very much.

M, Law, Year 2, Kings, London

Most people realise that the police are disinterested in anything other than targets or major crime. Even when they do receive statements, they do nothing to follow up

M, Cinema, Year 1, Canterbury

Because there was an incident when my bike was stolen on Horsefair Street at noon on a busy day. A witness reported it, but when it came time to make a statement and view suspect photos they said they would not. Their reason was that it would not make a difference, the police wouldn't do anything. They had no faith in the police.

F, Design, Year 2, de Montfort

A fair few also mentioned the likelihood of acquittals and lenient sentences as additional reasons why engaging as a witness was a waste of time

These days people are afraid of the consequences of getting involved in street violence. There is little confidence that even if the police can secure adequate evidence the perpetrators of crime get very lenient sentences. There may be reprisals for those assisting the police. Personally though I could never stand back and watch an innocent person be attacked without doing something.

F, Italian, Year 2, St Andrews

3.5 Bystander theory

Thirty-one students based their lack of confidence simply on their studies of bystander theory (explained in the footnote on page 12):

I studied eyewitness testimony at university and I know a bit about bystander effect.

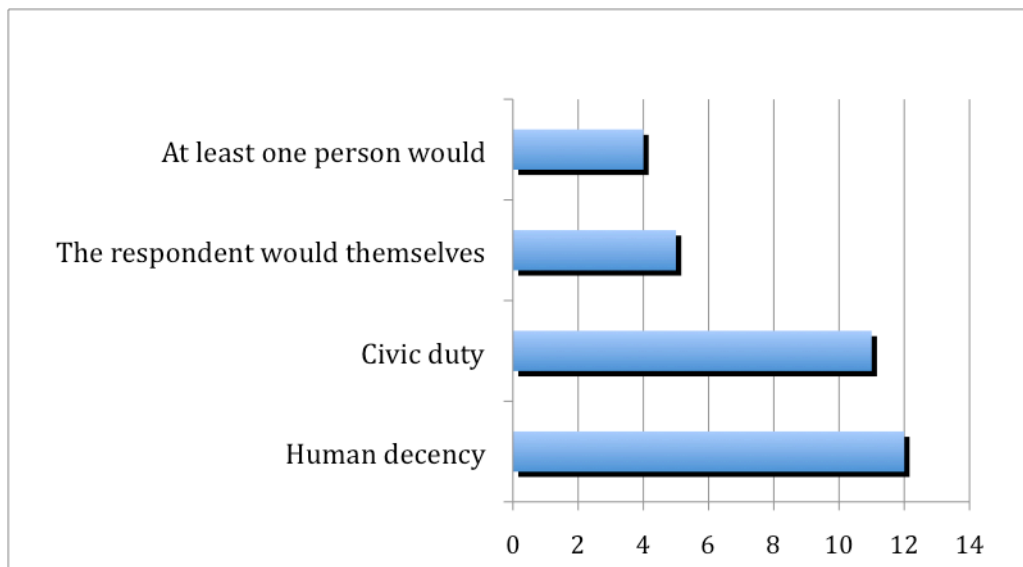
F, Social Studies, Year 3, Aberdeen

I would hope that at least one person might report the incident, although I have studied bystander apathy so wouldn't expect the number to be overwhelming, especially as the street was busy.

F, Psychology, Year 3, Reading

4. Why 37% students are confident someone will

We turn now to the explanations given by those students who said they were confident that one person on the busy street would give the police a statement. We grouped their explanations into four categories: (1) Human decency/nature; (2) Civic duty; (3) Do unto others; and (4) that as the street is busy at least one person would.



Unprompted explanations of students who said they were confident (% of all students)

The graph above shows how the students' unprompted answers fell into these four broad groups and, below, we give examples of the range of explanations and thinking.

4.1 At least one person would

Taking precisely the opposite approach to those students who cited bystander theory (and perhaps because they had not studied it), 4% of the whole sample said the reason they were confident was that, as the street was busy, at least one person would give the police a statement.

If the high street was busy, then at least one person must have the decency to step up
M, Accounting, Year 2, Kingston

Out of all the people on a busy high street I would be confident that one or more at least would be willing to give a statement. I believe that most people are genuinely willing to help and would want others to do the same for them

M, History, Year 3, Sheffield

4.2 Respondent would themselves

One in twenty all students explained that they themselves would provide a statement if they were the witness to such a mugging and, applying the mutuality in the ethic of do unto others as you would be done by, felt there was nothing more to add:

I think it's because I would do it and therefore my thinking would be to expect others to do that as well.

M, Economics, Year 3, Leicester

Why would they not? I would.

M, Maths, Year 4, Manchester

4.3 Civic duty

A sense of civic duty or community safety was invoked by one in nine of the students – more than the number citing fear of reprisal for their lack of confidence.

Everyone feels the need to help a fellow citizen in danger and this would help remove dangerous criminals from the streets.

F, Biology, Year 2, Swansea

I would always be willing to provide a statement if I were to witness such an incident, and I believe that others would also be willing, as it is important that the mugger is caught for the safety of others in the community.

F, Maths, Year 3, Cardiff

I think though many people would not wish to be involved, in a busy high street I would expect that most would, perhaps the feeling of safety in numbers mixed with a sense of social responsibility. A busy high street is expected to be safe so there would be a sense of upsetting the natural order for a mugging to occur which would sufficiently outrage those around to help.

M, Photography, Year 3, UEA

Inevitably this sense of civic duty was not an absolute that can be relied on come what may

It depends how serious the mugging was - I think that if it was bad most people would want to help catch the guy that did it. Of course people wouldn't want to give a statement if it was too much hassle - e.g. waiting at the police station for hours - but if it was easy and quick I don't see any reason why they wouldn't.

M, Medicine, Year 1, Kings London

4.4 Human decency / nature

12% of the whole sample of students explained their confidence that someone would help and give the police a statement because of their faith in human nature. (As a comparator, for every five students who thought people are too selfish or self-centred to give the police a statement, three took the opposite view about human nature).

Because I have had dealings with this sort of situation before and people, at least in the areas that I frequent, are good. There is a myth that people don't care and are only interested in themselves, but this is not true. Most people are honest and kind and it is only the minority that are otherwise.

M, Cinematics, Year 4, Leeds

Mostly people are good and would want to help.

M, Design, Year 1, Kingston

I would be willing to give a witness statement and I don't believe I am an exceptional member of the public. It would be giving minimal time and can only do good to give a statement. It would also help protect whoever is giving a statement from being implicated in the crime as well.

F, Medicine, Year 1, Oxford

Once again, some of those whom we coded in this group citing human decency added that this should not be relied upon if the witness has to endure much delay or hassle

As long as the police were there quickly so people could continue their lives I think most people would want to help.

F, Law, Year 1, Leicester

5 Actual experiences

Thirty students based their confidence – or the lack of it – on first or second hand experiences²³ of being mugged. 14 of these experiences were positive and 16 negative.

As to the negative ones, the following give a flavour:

I have been mugged - No person was willing to give a statement.

F, Accounting, Year 3, Leeds Met

Because I have experienced this and most stood and looked rather than helped...

F, Anthropology, Year 2, Brunel

I have been mugged in a busy street and no one did give a statement.

F, Nursing, Year 1, Manchester Met

As to the positive experiences, not all were first hand nor related to muggings as this sample shows:

I have been confronted by a small gang before and they were scared off by people turning to watch, and especially by a taxi driver who turned around to come back and started phoning the police.

M, History, Year 1, Kent

I've had friends who have been mugged, and people around them were very helpful.

F, Combined, Year 1, Oxford Brookes

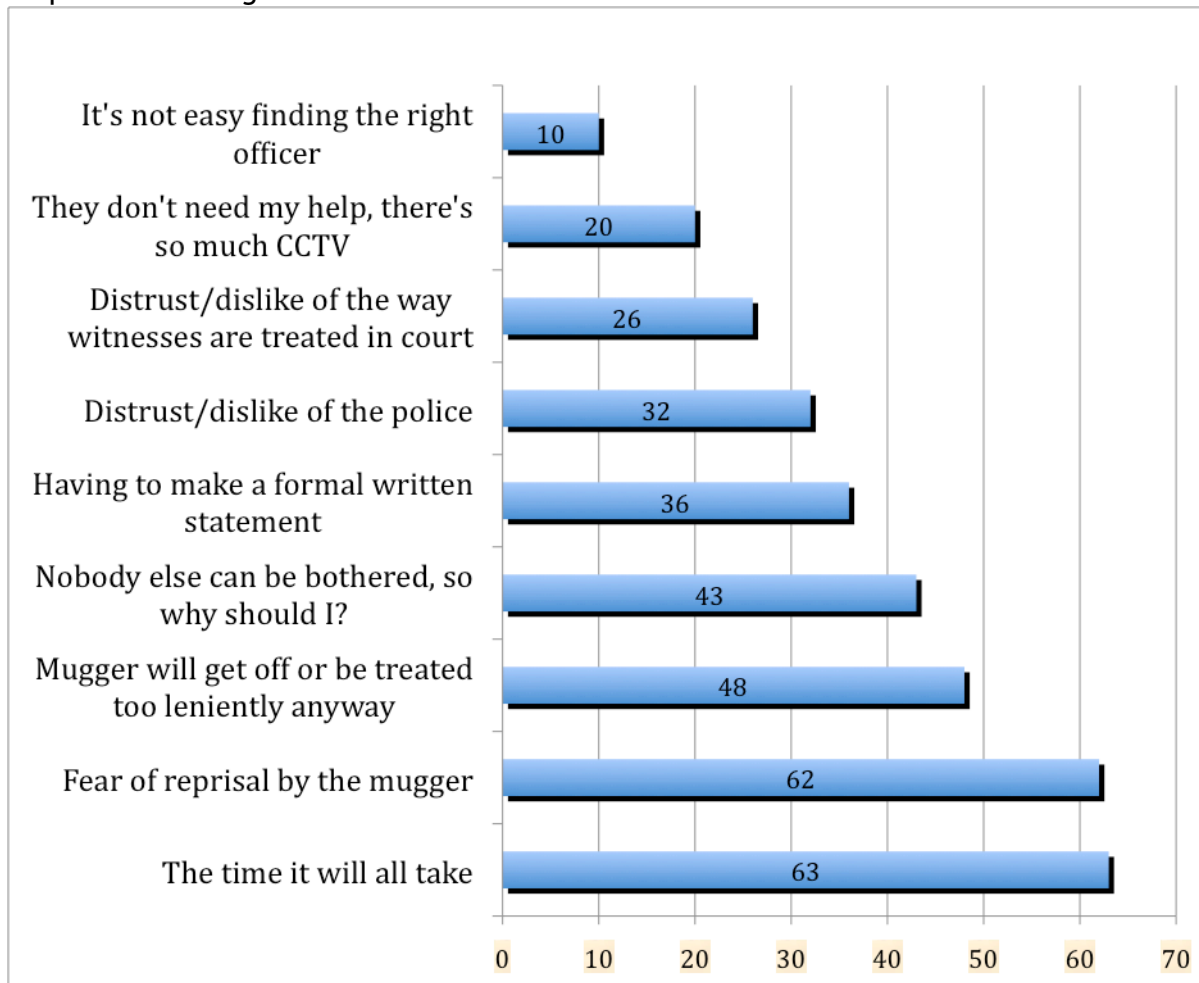
I was recently involved in a minor road accident. I was the cyclist and a car hit me. The road was fairly clear after the incident, and I was unharmed enough to pick up my bike and walk to the pavement, but three separate people came over to see if I was ok. One of them was a physiotherapist who offered me free treatment if my arm was still in pain a few days later. I was blown away by this act of kindness and concern, and similarly I know I would have done the same had I witnessed anything. I am aware of my own responsibility as a citizen. I had not much faith in others until this incident happened to me.

F, Drama, Year 3, St Marys

²³ The British Crime Survey 2008/9 (page 61) estimated that 1.8% of students were mugged and 3.8% were attacked by complete strangers in 2008/9. On this basis, one would assume that out of the 1000 students we surveyed, 56 would have been mugged or attacked by strangers in the previous twelve months. Though we did not ask the direct question, the responses students gave to this survey (which are not restricted to the past year or and include some cases which either were not personal or about muggings) suggest that the BCS estimate may be on the high side or that this particular body of students was exposed to a lesser level of street violence than normal.

6 What deters people from engaging with the CJS as witnesses

After the students had given their unprompted explanations, we listed nine reasons why it is thought that people will not engage as a witness with the criminal justice system. We then asked the students to cite up to four that they thought were the main reasons that deterred people. The chart below lists the nine prompted reasons and the respective scoring.



Above are some of the reasons why it is thought people will not engage with the criminal justice system as a witness. Mark up to four you think are the main reasons.

Considered against the unprompted explanations of those students who believed everyone would walk-on-by, it is notable that here the second greatest deterrent is thought to be fear of reprisal by the mugger (which as explained in section 3.3 is much more myth than reality) and the third is that engaging as a witness will be a waste of time. As we will see from the next section, it is these issues – along with the hassle factor – that give public policy makers and practitioners the opportunity to mark and make a break from the perils of indifference that foster street violence.

7 What can be done?

We then told the students that a charity was being launched to tackle this aspect of the walk-on-by society and asked what it could do or get done that would make it more likely that they would be willing to engage as a witness? Over 80% of students answered, mostly with practical suggestions and challenges.

7.1 Make the process less hassle

The students made not simply calls for change but offered practical ideas, starting with the use of technology at the scene

Have more police on the beat available and have hand held computers on which the public could give a statement so you don't have to attend the police station

F, Nutrition, Year 4, Coventry

Where an eye witness had left the scene, the internet could be used to solicit, brief and keep in touch with witnesses

Easy reporting online service. If there's no need for witnesses then you won't be contacted. maybe even little details needed: date, time, area and type of incident 4 quick questions with no detail

M, Microbiology, Year 2, Huddersfield

Beyond the first contact with the police, students recognised that digital or video recordings could also have a role to play in court

Maybe the police could have a dictaphone so the witness could just describe what happened without having to write a formal statement, and then sign a piece of paper to say what they said is true. Then this would be able to be played in court.

F, Music, Year 1, Canterbury

Others felt it was not just a question of making the system more efficient but that the system and society should be more considerate toward those who engage as witnesses

Make the process of reporting and acting as a witness more efficient, quick and un-intimidating. Also, have it so the witness doesn't feel victimised for standing up and offering their help.

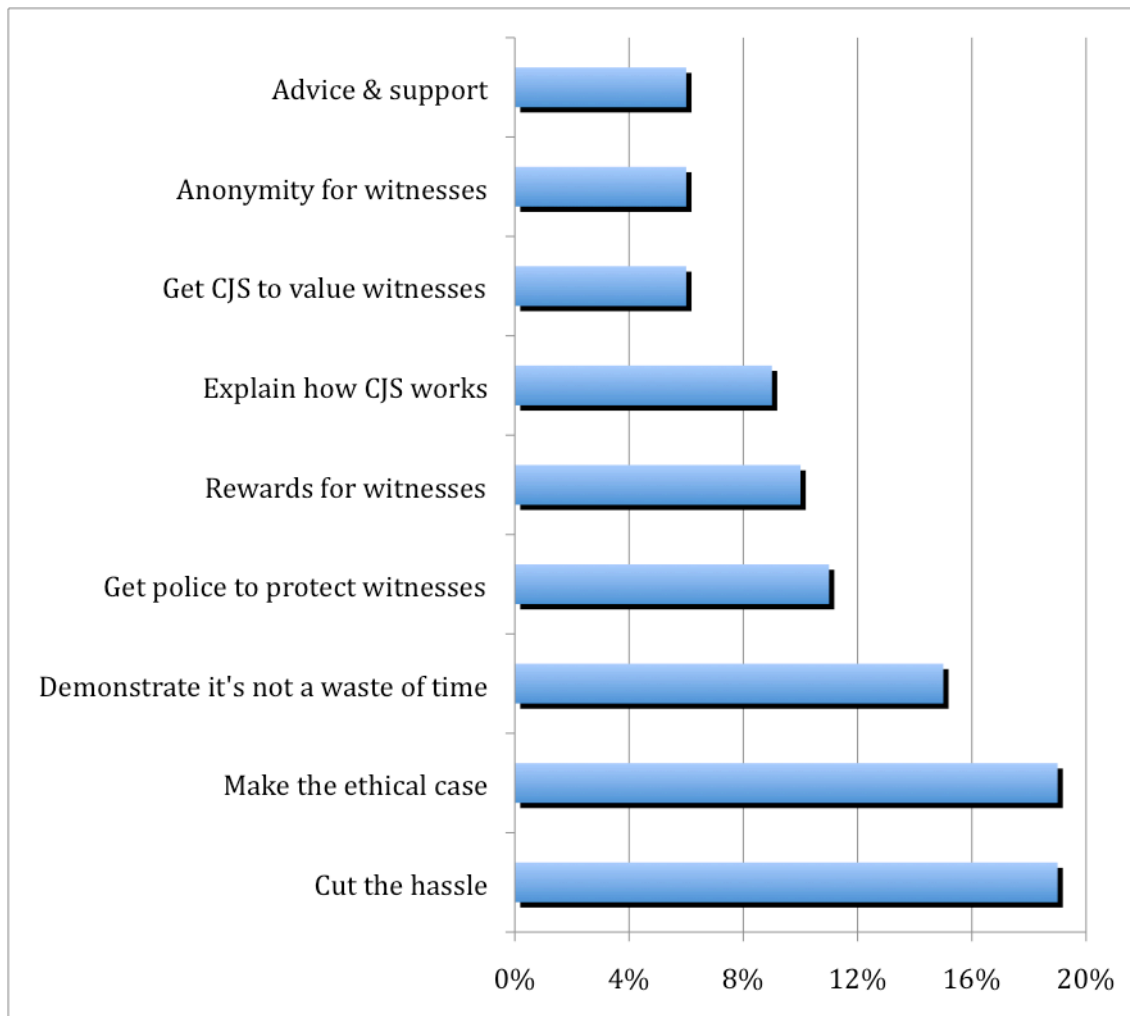
F, Pharmacology, Year 1, Cardiff

Build up a sense of community. Make people feel that they aren't by themselves when making a statement. Improvements to the paper work that the police endure would be beneficial to all; implement new ways of recording information efficiently. I believe that some police officers would rather not make an arrest so as to save time on paper work.

M, English, Year 1, Bath

Make the system less formal. So it doesn't come across as a chore. Friendly, enthusiastic officers would be a plus.

M, English, Year 2, Queens Belfast



Unprompted suggestions on how to tackle the walk-on-by culture (base 812)

7.2 Make the ethical case

Many students said there should be promotional campaigns to drive home the risks of a walk-on-by society and the difference that witnesses can make to victims

If you make people feel like they are actually a part of a community and play a role in it they will be more open to their neighbours. Also if they truly see the effect of sitting back and doing nothing can have on someone who has been mugged maybe they will think differently.

F, Medicine, Year 4, Sheffield

Mock muggings etc., although these could be too hard hitting. Emphasis on real life: I can recall a story a few years back of a person who lay unconscious in the gutter while people walked past - what if this was you?

F, History, Year 4, Edinburgh

Make the police as a whole seem more friendly and approachable. Create a few short videos showing how a small action, such as being a witness can lead to a major difference in the victim's life.

F, Pharmacology, Year 1, London

Others thought it would help to explain the role of the witness

- make it clear that witnesses have a duty to come forward to see that justice is done
- make it clear that any witnesses that come forward are simply offering an account of what they saw/heard/know and that it is the police/justice system that interprets and works from that - (decrease fear of reprisals/feelings of guilt)

F, Combined, Year 1, Keele

7.3 Show it's not a waste of time

Several responses under this 'waste of time' heading show the nature of the challenges ahead

Nothing. The criminal justice system and policing is a joke, it does nothing other than pointless "schemes" to discourage people who are going to commit crimes anyway, none of whom take it seriously or have any respect for target-driven police or the glorified security guards (PCSO's). Plus we constantly get told to leave things to the police and risk prosecution if we get involved. Then it lets the real criminals off and penalises law abiders on technicalities or people who are trying to help. That needs to be sorted out first before anyone will want to do their civic duty and engage with any part with this system.

M, Artificial Intelligence, Year 2, Reading

Going forward as a witness is a humane thing to do, therefore no incentive should be needed. However, the way criminals are treated should be looked at, as well as the "human rights" bill, as that favours the criminal not the victim. Speaking as a victim of an assault, nothing has been done to punish the people who assaulted me, so something needs to be done with the whole Police, Criminal and Human Rights system.

M, Aerospace, Year 3, Southampton

and

Prove that police can and would do anything about it other than act concerned, look at cctv footage and file a report.

F, Design, Year 2, de Montfort,

Several, however, felt confident that if statistics and case studies can show it is not a waste of time engaging as witness, the tide can be turned

I think making the process of giving a statement less time consuming and making sure that muggers are giving harsh enough penalties would increase people's willingness to get involved and help out. I also feel that, over time, as more people gradually become involved in giving statements, etc. the number of people willing to help would increase as they see others engage in helping.

F, Combined, Year 1, Canterbury

Educate me as to what is involved and the statistics of muggers etc actually prosecuted with the help of statements. Large advertising campaign could help turn around the walk-on-by attitude of society.

F, Medicine, Year 1, Newcastle

and

Make people aware of the attitudes witnesses have and possible reasons they do not engage with the police. Make them aware of the statistics of how many people are mugged and how important it is to engage with the police.

F, Nursing, Year 2, Birmingham

7.4 Protect witnesses / combat fear of reprisal

11% of students' suggestions were that more should be done to combat the fear of reprisal and to make it clear that the penalties for witness intimidation will be severe

Improve the protection of witnesses or rather change the mindset of people that witnesses in court cases are poorly protected

F, Chemistry, Year 1, Birmingham

I would be a witness anyway. For those who wouldn't - tougher penalties for witness intimidation

F, Maths, Year 1, Northumbria

Some linked the need for protection from the mugger with the need for greater respect during the court process

Give them greater protection and ensure they are given more respect when giving evidence rather than being treated like the suspect

F, Civil Engineering, Year 4, Glasgow

7.5 Rewards for witnesses

The idea of offering rewards or incentives to witnesses was raised by 10% of those making suggestions.

I think the obvious solution is offering witnesses some sort of reward for coming forward. An honest 'thanks' would also encourage witnesses and maybe an assurance of anonymity if requested.

M, Physics, Year 4, Lancaster

Money rewards for stopping crime: the police get paid and don't do much for the money they earn, so why can't the witnesses get paid as they have to deal with trauma too!

F, Management, Year 1, Leicester

A good many students suggested incentives should go beyond the offer of money with proposals that the police should provide thanks or notes to the witness' employer to ensure that their good civic behaviour is recognised

Rewards? Wouldn't take much to make people's time more worthwhile. Providing notes to employers indicating they were late for helping with an investigation.

M, Computing, Year 4, Portsmouth

7.6 Explain how criminal justice system operates

While the Citizenship Foundation, the Bar and Law Society run programmes for schools, more should be done to explain how the criminal justice system operates.

Explain a little about the court system works and how witnesses are treated, also it could explain the ways that the police are able to protect witnesses. It must be noted that small time criminals like muggers are unlikely to seek revenge on a witness for speaking out.

F, Law, Year 1, Sunderland

Some linked this point to the availability of advice for witnesses

Give out advice so the systems are more transparent and that people know what is expected of them and what is likely to happen before they to step forward, so they know what they are getting into.

F, Maths, Year 4, Oxford

7.7 CJS should value witnesses

Many made the simple point that more should be done to ensure witnesses are respected and valued across the criminal justice system.

Take the feeling away that you are somehow to blame for the actions of others as they interrogate you like they do a criminal

M, Teaching, Year 4, Stranmills

Encourage more respect for witnesses and harsher punishment for repeat offenders

M, Cinematics, Year 4, Leeds Met

7.8 Anonymity for witnesses

Over the past decade, government policy on witnesses has focussed on measures to offer and provide witnesses with anonymity where necessary. This was picked up or endorsed by 6% of the students making suggestions.

Provide anonymity for witnesses in fear of reprisal and campaign for harsher sentences on law breakers involving violent crime etc.

F, Teaching, Year 2, Uni of Wales

Witness protection and anonymity in court. Being kept up to date of matters by the police.

F, Italian, Year 2, St Andrews

7.9 Advice and support for witnesses

The final grouping of unprompted suggestions was aimed more at what the charity might do itself than what it might get done.

It could offer a phone/email helpline so that witnesses can ask questions and get advice.

M, Music, Year 2, UEA

Witnesses should be able to talk confidently and in confidence about what they witnessed. A recent situation of a close family member has shown to me that shop owners/workers don't care what happens to customers as long as they get their money for purchased items and so I feel that people should be given a small token of appreciation for helping with a crime.

F, Geology, Year 1, Chester

Encourage police officers on the beat to be more friendly towards the general public. Explain the procedure that takes place should a case go to court. Emphasise the protection that witnesses can receive. Assign an individual to the witness who they can relate their concerns to and put any questions to.

F, Combined, Year 2, Westminster

The questions

1. If you were mugged in a busy high street, how confident are you that any of the people who witnessed the incident would give a statement to the police?
Confident
Not Confident
Don't know

2. Please explain in your own words why you think this? (*open question*)

3. Below are some of the reasons why it is thought people will not engage with the criminal justice system as a witness. Mark up to four that you think are the main reasons:
 - a) Nobody else can be bothered, so why should I?
 - b) It's not easy finding the right police officer to talk to
 - c) Fear of reprisal from the mugger
 - d) Distrust / dislike of the police
 - e) Distrust/dislike of the way witnesses are treated in court
 - f) They don't need my help – there's so much CCTV evidence
 - g) Having to make a formal written statement
 - h) The time it will all take
 - i) The mugger will likely get off or be treated too lightly anyway
 - j) Don't know

4. A charity is being launched to tackle this aspect of the walk-on-by society. What could it do or get done that would make it more likely that you would be willing to engage as a witness? (*open question*)

All the data and the open-ended answers can be viewed on and downloaded from our website at www.witnessconfident.org/research.

This report draws on original research among university students about engaging with the criminal justice system as a witness to street violence. In the light of the lack of the progress we have made in reducing street violence, it recommends a new approach.

Witness Confident is an independent charity that is taking a stand against the walk-on-by culture that fuels violent crime, feeds fear and fractures communities. Its objects are to promote for the public benefit greater public participation in the prevention and solution of crime and to promote good citizenship and civic responsibility in England and Wales by:

- working with communities to engage with and support individuals who witness violent or serious crime;
- providing advice, guidance and assistance for individuals who witness violent or serious crime;
- advancing ways that new technology can enable such greater public participation; and
- undertaking research, influencing practice and policy and informing public perceptions.

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Let's take a stand against the walk-on-by culture